1907

LEGISLATIVE ASSEMBLY
OF ONTARIO

FOURTH SESSION OF THE
TWENTY-FIFTH PARLIAMENT

BILLS

AS INTRODUCED IN THE HOUSE

TOGETHER WITH

REPRINTS AND THIRD READINGS

SESSION

FEBRUARY 3rd to MARCH 27th, 1958

INDEX

FOURTH SESSION, TWENTY-FIFTH PARLIAMENT

February 3rd to March 27th, 1958

PRIVATE BILLS

W

PUBLIC BILLS

A

B

C

D

M

O

P

R

S

T

U

V

W

No. 1

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting Windsor Jewish Communal Projects

MR. DAVIES

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 1 1958

BILL

An Act respecting Windsor Jewish Communal Projects

WHEREAS Windsor Jewish Communal Projects, a corporation incorporated under *The Companies Act*, by its petition has represented that it is composed of Jewish men and women of the City of Windsor and that it is erecting a Jewish Community Centre and has prayed that special legislation be passed to provide that its buildings, lands, equipment and undertaking be exempt from municipal taxation, except for local improvements; and whereas it is expedient to grant the prayer of the petition; Preamble R.S.O. 1950, c. 59

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The buildings, lands, equipment and undertaking of Windsor Jewish Communal Projects, so long as they are occupied by, used and carried on for the purpose of the Jewish Community Centre, are exempt from municipal taxation, except for local improvements. Tax exemption

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

3. This Act may be cited as *The Windsor Jewish Communal Projects Act, 1958*. Short title

BILL

An Act respecting
Windsor Jewish Communal Projects

1st Reading

2nd Reading

3rd Reading

MR. DAVIES

(*Private Bill*)

1958

No. 1

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting Windsor Jewish Communal Projects

MR. DAVIES

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
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No. 1 1958

BILL

An Act respecting Windsor Jewish Communal Projects

WHEREAS Windsor Jewish Communal Projects, a corporation incorporated under *The Companies Act*, by its petition has represented that it is composed of Jewish men and women of the City of Windsor and that it is erecting a Jewish Community Centre and has prayed that special legislation be passed to provide that its buildings, lands, equipment and undertaking be exempt from municipal taxation, except for local improvements; and whereas it is expedient to grant the prayer of the petition; Preamble R.S.O. 1950, c. 59

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of The Corporation of the City of Windsor may pass by-laws exempting from taxes for municipal or school purposes or both, other than local improvement charges, the land, as defined in *The Assessment Act*, of the Windsor Jewish Communal Projects, provided that the land is owned by the Windsor Jewish Communal Projects and occupied by, used solely and carried on for the purposes of the Windsor Jewish Communal Projects, on such conditions as may be set out in the by-law. Tax exemption R.S.O. 1950, c. 24

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

3. This Act may be cited as *The Windsor Jewish Communal Projects Act, 1958.* Short title

BILL

An Act respecting Windsor Jewish Communal Projects

1st Reading

February 14th, 1958

2nd Reading

March 5th, 1958

3rd Reading

MR. DAVIES

(Reprinted as amended by the Committee on Private Bills)

1958

No. 1

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting Windsor Jewish Communal Projects

MR. DAVIES

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 1 1958

BILL

An Act respecting Windsor Jewish Communal Projects

Preamble

WHEREAS Windsor Jewish Communal Projects, a corporation incorporated under *The Companies Act*, R.S.O. 1950, c. 59 by its petition has represented that it is composed of Jewish men and women of the City of Windsor and that it is erecting a Jewish Community Centre and has prayed that special legislation be passed to provide that its buildings, lands, equipment and undertaking be exempt from municipal taxation, except for local improvements; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Tax exemption

1. The council of The Corporation of the City of Windsor may pass by-laws exempting from taxes for municipal or school purposes or both, other than local improvement charges, the land, as defined in *The Assessment Act*, of the R.S.O. 1950, c. 24 Windsor Jewish Communal Projects, provided that the land is owned by the Windsor Jewish Communal Projects and occupied by, used solely and carried on for the purposes of the Windsor Jewish Communal Projects, on such conditions as may be set out in the by-law.

Commencement

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

Short title

3. This Act may be cited as *The Windsor Jewish Communal Projects Act, 1958.*

BILL

An Act respecting Windsor Jewish Communal Projects

1st Reading

February 14th, 1958

2nd Reading

March 5th, 1958

3rd Reading

March 14th, 1958

MR. DAVIES

1958

No. 2

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Separate School Board of the Town of Lindsay

Mr. Foote

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 2 1958

BILL

An Act respecting the Separate School Board of the Town of Lindsay

WHEREAS The Board of Trustees of the Roman Catholic Separate Schools for the Town of Lindsay, hereinafter called the Board, by its petition has represented that it is expedient to provide for the election of its members and has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding the provisions of *The Separate Schools Act*, an election by general vote, without regard to wards or ward boundaries, by the resident ratepayers who are supporters of the separate schools of the Town of Lindsay for the trustees of the Board, shall be held in the year 1958 at the same time and place and by the same returning officer or officers and shall be conducted in the same manner as the municipal nominations and elections in and for the Town of Lindsay, and the provisions of *The Municipal Act* respecting the time and manner of holding nominations for elections, including the method of receiving nominations for office, the resignation of persons nominated and declarations of qualifications of office, shall apply *mutatis mutandis* to such and all subsequent elections. Election of trustees by general vote R.S.O. 1950, cc. 356, 243

2. Notwithstanding the provisions of *The Separate Schools Act*, the Board may, by appointment, between any two elections, fill any vacancies which may occur in the Board. Vacancies

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

4. This Act may be cited as *The Town of Lindsay Separate School Board Act, 1958*. Short title

BILL

An Act respecting
the Separate School Board
of the Town of Lindsay

1st Reading

2nd Reading

3rd Reading

MR. FOOTE

(*Private Bill*)

1958

No. 2

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Separate School Board of the Town of Lindsay

Mr. Foote

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 2 1958

BILL

An Act respecting the Separate School Board of the Town of Lindsay

Preamble

WHEREAS The Board of Trustees of the Roman Catholic Separate Schools for the Town of Lindsay, hereinafter called the Board, by its petition has represented that it is expedient to provide for the election of its members and has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Election of trustees by general vote

R.S.O. 1950, cc. 356, 243

1. Notwithstanding the provisions of *The Separate Schools Act*, an election by general vote, without regard to wards or ward boundaries, by the resident ratepayers who are supporters of the separate schools of the Town of Lindsay for the trustees of the Board, shall be held in the year 1958 at the same time and place and by the same returning officer or officers and shall be conducted in the same manner as the municipal nominations and elections in and for the Town of Lindsay, and the provisions of *The Municipal Act* respecting the time and manner of holding nominations for elections, including the method of receiving nominations for office, the resignation of persons nominated and declarations of qualifications of office, shall apply *mutatis mutandis* to such and all subsequent elections.

Vacancies

2. Notwithstanding the provisions of *The Separate Schools Act*, the Board may, by appointment, between any two elections, fill any vacancies which may occur in the Board.

Commencement

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

Short title

4. This Act may be cited as *The Town of Lindsay Separate School Board Act, 1958.*

BILL

An Act respecting
the Separate School Board
of the Town of Lindsay

1st Reading

February 14th, 1958

2nd Reading

February 27th, 1958

3rd Reading

March 6th, 1958

MR. FOOTE

1958

No. 3

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting St. Peter's Church, Brockville

Mr. Auld

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 3 1958

BILL

An Act respecting St. Peter's Church, Brockville

Preamble

WHEREAS the rector and wardens of St. Peter's Church, Brockville, by their petition have represented that, under and by virtue of a deed bearing date the 6th day of September, 1852, from Mary Elizabeth Jones, the lands and premises referred to in section 1 were vested in The Right Reverend John, Lord Bishop of Toronto, in trust, to hold the same forever to and for the benefit of the rector for the time being of St. Peter's Church, Brockville; that by section 4 of *An Act incorporating the Synod of the Diocese of Ontario*, being chapter 86 of the Statutes of the Province of Canada, 1862, the subject lands became vested in The Incorporated Synod of the Diocese of Ontario; that it is onerous and impractical to maintain and keep the rectory; and that it is desirable that the Vestry of St. Peter's Church, Brockville, be enabled to sell such lands and premises with the consent of the Bishop of Ontario and the Executive Committee of The Incorporated Synod of the Diocese of Ontario; and whereas the petitioners have prayed for special legislation to authorize the sale of such lands and premises; and whereas the Vestry of St. Peter's Church, Brockville, the Bishop of Ontario and the Executive Committee of The Incorporated Synod of the Diocese of Ontario have consented to this petition; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Power to dispose of land

1. The Vestry of St. Peter's Church, Brockville, with the consent of the Bishop of Ontario and the Executive Committee of The Incorporated Synod of the Diocese of Ontario, shall have full power and authority to sell, dispose of and convey by public auction or private sale for such price in cash or payable in instalments or secured by mortgages or otherwise, as the Vestry, Bishop and Executive Committee may deem

reasonable, all and every or any part of the lands and premises described as follows:

> ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Brockville, in the County of Leeds, and being composed of all of Lot Sixty-seven (67) and the northerly forty feet (40′) of Lot Sixty-six (66), in Block Fifteen (15), according to Chipman's Compiled Plan of the said Town.

Deed

2. A deed executed by the rector and wardens of St. Peter's Church, Brockville, the Bishop of Ontario and the secretary of The Incorporated Synod of the Diocese of Ontario for the time being shall vest in the purchaser a full, clear and absolute title to the lands and premises conveyed by the deed, free from all trusts whatsoever contained in the deed dated the 6th day of September, 1852, from Mary Elizabeth Jones to The Right Reverend John, Lord Bishop of Toronto.

Purchaser not bound as to application of money

3. The purchaser of such lands and premises or any part thereof shall not be bound to see to the application of the purchase money arising from a sale of such lands and premises or any part thereof.

Proceeds

4. After payment of the expenses of obtaining this Act and of all proper and reasonable costs, charges and expenses of effecting and carrying out such sale or sales, The Incorporated Synod of the Diocese of Ontario shall hold the net proceeds thereof in trust for St. Peter's Church, Brockville.

Commencement

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

Short title

6. This Act may be cited as *The St. Peter's Church, Brockville, Act, 1958.*

BILL

An Act respecting
St. Peter's Church, Brockville

1st Reading

2nd Reading

3rd Reading

MR. AULD

(*Private Bill*)

1958

No. 3

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting St. Peter's Church, Brockville

MR. AULD

(Reprinted as amended by the Commissioners of Estate Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 3 1958

BILL

An Act respecting St. Peter's Church, Brockville

Preamble

WHEREAS the rector and wardens of St. Peter's Church, Brockville, by their petition have represented that, under and by virtue of a deed bearing date the 6th day of September, 1852, from Mary Elizabeth Jones, the lands and premises referred to in section 1 were vested in The Right Reverend John, Lord Bishop of Toronto, in trust, to hold the same forever to and for the benefit of the rector for the time being of St. Peter's Church, Brockville; that by section 4 of *An Act incorporating the Synod of the Diocese of Ontario*, being chapter 86 of the Statutes of the Province of Canada, 1862, the subject lands became vested in The Incorporated Synod of the Diocese of Ontario; that it is onerous and impractical to maintain and keep the rectory situated on the said lands; and that it is desirable that the Vestry of St. Peter's Church, Brockville, be enabled to sell such lands and premises with the consent of the Bishop of Ontario and the Executive Committee of The Incorporated Synod of the Diocese of Ontario; and whereas the petitioners have prayed for special legislation to authorize the sale of such lands and premises; and whereas the Vestry of St. Peter's Church, Brockville, the Bishop of Ontario and the Executive Committee of The Incorporated Synod of the Diocese of Ontario have consented to this petition; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Power to dispose of land

1. The Vestry of St. Peter's Church, Brockville, with the consent of the Bishop of Ontario and the Executive Committee of The Incorporated Synod of the Diocese of Ontario, shall have full power and authority to sell, dispose of and convey by public auction or private sale for such price in cash or payable in instalments or secured by mortgages or otherwise, as the Vestry, Bishop and Executive Committee may deem

reasonable, all and every or any part of the lands and premises described as follows:

> ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Brockville, in the County of Leeds, and being composed of all of Lot Sixty-seven (67) and the northerly forty feet (40′) of Lot Sixty-six (66), in Block Fifteen (15), according to Chipman's Compiled Plan of the said Town.

Deed

2. A deed executed by the rector and wardens of St. Peter's Church, Brockville, the Bishop of Ontario and the secretary of The Incorporated Synod of the Diocese of Ontario for the time being shall vest in the purchaser a full, clear and absolute title to the lands and premises conveyed by the deed, free from all trusts whatsoever contained in the deed dated the 6th day of September, 1852, from Mary Elizabeth Jones to The Right Reverend John, Lord Bishop of Toronto.

Purchaser not bound as to application of money

3. The purchaser of such lands and premises or any part thereof shall not be bound to see to the application of the purchase money arising from a sale of such lands and premises or any part thereof.

Proceeds

4. After payment of the expenses of obtaining this Act and of all proper and reasonable costs, charges and expenses of effecting and carrying out such sale or sales, The Incorporated Synod of the Diocese of Ontario shall hold the net proceeds thereof in trust for the benefit of the rector for the time being of St. Peter's Church, Brockville, with the right to use such proceeds or any portion thereof to provide a rectory for the said Church.

Commencement

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

Short title

6. This Act may be cited as *The St. Peter's Church, Brockville, Act, 1958.*

BILL

An Act respecting St. Peter's Church, Brockville

1st Reading

February 14th, 1958

2nd Reading

3rd Reading

MR. AULD

(*Reprinted as amended by the Commissioners of Estate Bills*)

1958

No. 3

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting St. Peter's Church, Brockville

Mr. Auld

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 3 1958

BILL

An Act respecting St. Peter's Church, Brockville

Preamble

WHEREAS the rector and wardens of St. Peter's Church, Brockville, by their petition have represented that, under and by virtue of a deed bearing date the 6th day of September, 1852, from Mary Elizabeth Jones, the lands and premises referred to in section 1 were vested in The Right Reverend John, Lord Bishop of Toronto, in trust, to hold the same forever to and for the benefit of the rector for the time being of St. Peter's Church, Brockville; that by section 4 of *An Act incorporating the Synod of the Diocese of Ontario*, being chapter 86 of the Statutes of the Province of Canada, 1862, the subject lands became vested in The Incorporated Synod of the Diocese of Ontario; that it is onerous and impractical to maintain and keep the rectory situated on the said lands; and that it is desirable that the Vestry of St. Peter's Church, Brockville, be enabled to sell such lands and premises with the consent of the Bishop of Ontario and the Executive Committee of The Incorporated Synod of the Diocese of Ontario; and whereas the petitioners have prayed for special legislation to authorize the sale of such lands and premises; and whereas the Vestry of St. Peter's Church, Brockville, the Bishop of Ontario and the Executive Committee of The Incorporated Synod of the Diocese of Ontario have consented to this petition; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Power to dispose of land

1. The Vestry of St. Peter's Church, Brockville, with the consent of the Bishop of Ontario and the Executive Committee of The Incorporated Synod of the Diocese of Ontario, shall have full power and authority to sell, dispose of and convey by public auction or private sale for such price in cash or payable in instalments or secured by mortgages or otherwise, as the Vestry, Bishop and Executive Committee may deem

reasonable, all and every or any part of the lands and premises described as follows:

> ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Brockville, in the County of Leeds, and being composed of all of Lot Sixty-seven (67) and the northerly forty feet (40′) of Lot Sixty-six (66), in Block Fifteen (15), according to Chipman's Compiled Plan of the said Town.

Deed

2. A deed executed by the rector and wardens of St. Peter's Church, Brockville, the Bishop of Ontario and the secretary of The Incorporated Synod of the Diocese of Ontario for the time being shall vest in the purchaser a full, clear and absolute title to the lands and premises conveyed by the deed, free from all trusts whatsoever contained in the deed dated the 6th day of September, 1852, from Mary Elizabeth Jones to The Right Reverend John, Lord Bishop of Toronto.

Purchaser not bound as to application of money

3. The purchaser of such lands and premises or any part thereof shall not be bound to see to the application of the purchase money arising from a sale of such lands and premises or any part thereof.

Proceeds

4. After payment of the expenses of obtaining this Act and of all proper and reasonable costs, charges and expenses of effecting and carrying out such sale or sales, The Incorporated Synod of the Diocese of Ontario shall hold the net proceeds thereof in trust for the benefit of the rector for the time being of St. Peter's Church, Brockville, with the right to use such proceeds or any portion thereof to provide a rectory for the said Church.

Commencement

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

Short title

6. This Act may be cited as *The St. Peter's Church, Brockville, Act, 1958.*

BILL

An Act respecting
St. Peter's Church, Brockville

1st Reading

February 14th, 1958

2nd Reading

March 17th, 1958

3rd Reading

March 19th, 1958

MR. AULD

1958

No. 4

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting Huron College

MR. STEWART (Middlesex North)

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 4 1958

BILL

An Act respecting Huron College

Preamble

WHEREAS Huron College by its petition has represented that it was incorporated by *An Act to incorporate "Huron College"*, being chapter 31 of the Statutes of the Province of Canada passed in the year 1863 (26 Victoria) and has prayed for special legislation varying the provisions of its Act of incorporation in relation to its organization, government and administration and enlarging and increasing its powers, rights and privileges; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Interpretation

1. In this Act,

(*a*) "College" means Huron College;

(*b*) "Corporation" means Huron College Corporation;

(*c*) "Council" means Academic Council of Huron College;

(*d*) "Executive Board" means Executive Board of Huron College;

(*e*) "property" includes all property both real and personal;

(*f*) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, or any undivided shares thereof and any estate or interest therein.

Huron College continued

2. The College named "Huron College", its council and all other attributes thereof, are, and each of them is, subject to the provisions of this Act, hereby continued and shall respectively have, hold, possess and enjoy all the property, rights, powers and privileges which they respectively now have, hold, possess or enjoy.

Appointments, statutes, etc., continued

3. All appointments, statutes, constitutions and regulations in and affecting the College and each of them shall continue, subject to the provisions of this Act, and subject also, as to the teaching staff and all officers, servants and employees, to their removal by the Corporation.

Proceedings by or against College

4. All proceedings by or against the College may be had and taken in the name of "Huron College".

Property in trust vested in Corporation

5. All property heretofore or hereafter granted, conveyed, devised or bequeathed by any person, firm or corporation to, in trust for, or for the benefit of, the College or any faculty or department thereof, or otherwise in connection therewith, subject to the trust affecting the same, shall be vested in the Corporation.

Application of statute of limitations to property

6. All real property vested in the Corporation shall, as far as the application thereto of any statute of limitations is concerned, including any statute limiting or defining the period for investigation of titles, be deemed to have been and to be real property vested in the Crown for the public uses of the Province of Ontario.

Land vested in Corporation not liable to expropriation

7. The real property vested in the Corporation shall not be liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking land compulsorily for any purpose, and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

Huron College Corporation

8.—(1) The council of the College is hereby constituted a body corporate and politic by the name and style of "Huron College Corporation".

Composition

(2) The Corporation shall consist of,

(*a*) the Bishop of Huron, any Coadjutor or Suffragan Bishop of Huron and the Principal of Huron College, who shall be *ex officio* members;

(*b*) four clergymen and four laymen elected by the Synod of the Diocese of Huron;

(*c*) not more than ten members elected by the Alumni Association of Huron College in such manner as the Corporation shall determine; and

(*d*) eight members elected by the members of the council of Huron College as it existed immediately prior to the coming into force of this Act, other than members elected by the Synod of the Diocese of Huron and by the Alumni Association of Huron College and, on the expiration of the term of office or on the death of any member so elected, the remaining members of the Corporation shall elect their successors.

(3) In the event of an equality of votes in any such election, the Bishop of Huron has a casting vote. Casting vote

(4) The *ex officio* and elected members shall appoint twelve members, ten of whom shall be laymen, who shall also be members of the Executive Board. Appointed members

9.—(1) No person shall be eligible for election to the Corporation under clauses *b* and *d* of subsection 2 of section 8 whose customary place of residence is not within the Diocese of Huron. Eligibility

(2) No person shall be eligible for election under clause *c* of subsection 2 of section 8 who is not an alumnus of Huron College and whose customary place of residence is not within the Province of Ontario. Idem

(3) No person shall be eligible for appointment under subsection 4 of section 8 whose customary place of residence is not within the Diocese of Huron. Idem

10.—(1) Subject to subsection 2, an elected member of the Corporation shall hold office for a term of four years, shall hold office until his successor is elected, and shall be eligible for re-election from time to time. Term of office

(2) No member who has served three consecutive terms shall be eligible for re-election until at least one year has elapsed after the termination of the third of such terms. Eligibility for re-election

(3) At the first election of members after the coming into force of this Act, the Synod of the Diocese of Huron shall elect two clergymen and two laymen as members for a two-year term, and two clergymen and two laymen for a four-year term. First election

11.—(1) A member appointed to the Corporation under subsection 4 of section 8 shall hold office for a term of six years, shall hold office until his successor is appointed, and Term of office of appointed members

after at least one year has elapsed after the termination of his previous term of office shall be eligible for re-appointment from time to time.

First appointment

(2) At the first appointment of members under subsection 4 of section 8 after the coming into force of this Act, the *ex officio* and elected members of the Corporation shall appoint four members for a two-year term, four members for a four-year term and four members for a six-year term.

Time for first elections and appointments

12. The first election and appointment of members shall take place not more than six months after the coming into force of this Act, and shall thereafter take place at two-year intervals as close as may be to the commencement of the academic year in each year in which members are elected or appointed.

Vacancies

13.—(1) If a member of the Corporation during his term of office ceases to be eligible as a member, or becomes mentally incapacitated, or otherwise incapable of acting as a member, he shall *ipso facto* vacate his office, and it shall be the duty of the Corporation by resolution to declare his membership vacant.

Absence from meetings

(2) If an elected or appointed member is absent from three consecutive meetings without leave of the Corporation entered on its minutes, he shall *ipso facto* vacate his office, and it shall be the duty of the Corporation by resolution to declare his membership vacant.

Proof

(3) A resolution passed under this section entered in the minutes of the Corporation shall be conclusive evidence of the vacancy declared therein.

Filling vacancy

14. Where a vacancy on the Corporation occurs before the expiration of the term of office for which a member has been appointed or elected, the vacancy shall, subject to clause *d* of subsection 2 of section 8, be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, as the case may be, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership became vacant.

Quorum

15. Fifteen members, not including *ex officio* members, shall constitute a quorum of the Corporation.

Twenty-one members may exercise powers

16. Notwithstanding any vacancies, so long as there are at least twenty-one members, not including *ex officio* members, the Corporation may exercise all or any of its powers.

17.—(1) The Corporation shall have power, Powers of Corporation

(*a*) to repeal, alter, modify or amend any constitution, by-law, resolution or regulation governing the College heretofore passed, enacted or adopted;

(*b*) to make regulations pertaining to the Corporation and its transactions;

(*c*) to appoint committees including a committee to make recommendations with respect to the conferring of honorary degrees in divinity, and to confer on any such committee authority to act for the Corporation with respect to any matter within its power;

(*d*) to confer Bachelor, Master and Doctor degrees in divinity as well as diplomas and certificates in divinity;

(*e*) to confer honorary degrees in divinity;

(*f*) to appoint not more than twenty-four honorary members of the Corporation and not more than twenty-four honorary Fellows of Huron College to hold office for such terms respectively as the Corporation may from time to time determine, and any person so appointed shall be eligible for re-appointment on the expiration of his term, provided that an honorary member of the Corporation so appointed shall not be entitled to vote in the proceedings of the Corporation;

(*g*) to provide for the affiliation of the College with any other institution of higher learning, and for the dissolution of any such affiliation or of any existing affiliation;

(*h*) to adopt a corporate seal.

(2) The Corporation shall meet at least twice a year to receive the report of the Executive Board. Meetings

18.—(1) There shall be a chairman of the Corporation elected by the Corporation from among its members other than *ex officio* members. Chairman

(2) No person shall hold the office of Chairman of the Corporation who is not a British subject and whose customary place of residence is not within the Province of Ontario. Qualification

Eligibility of staff

(3) No person shall hold the office of Chairman of the Corporation who is a member of the teaching or administrative staff of the College, or is one of its employees, or who is the employee of or a member of the governing body of any other degree-granting body.

Term of office

(4) The Chairman of the Corporation shall hold office for a term of four years commencing with the date of his election, and continuing thereafter until his successor is elected.

Vacancy

(5) If the Chairman of the Corporation during his term of office ceases to be eligible as chairman or becomes mentally incapacitated or otherwise incapable of acting, he shall *ipso facto* vacate his office, and a declaration of the existence of such vacancy by the Corporation and entered in its minutes shall be conclusive evidence thereof.

Duties of Chairman

19. The Chairman of the Corporation shall preside at all meetings of the Corporation and at all convocations, and shall admit to degrees, titles and diplomas such candidates, including the recipients of honorary degrees, as may be qualified under the terms of this Act.

Absence of Chairman, etc.

20. In the case of the absence or illness of the Chairman of the Corporation, or of a vacancy in that office, the Bishop of Huron, or, if he is absent, the Vice-Chairman of the Corporation, shall preside at all meetings of the Corporation or, in the case of the absence or illness of the Bishop of Huron and of the Vice-Chairman of the Corporation, the Corporation may appoint one of its members to act as chairman *pro tempore*, and the member so appointed shall act as and have all the powers of the Chairman of the Corporation.

Vice-Chairman

21.—(1) There shall be a vice-chairman of the Corporation elected by the Corporation from among its members other than *ex officio* members.

Qualifications, etc.

(2) The office of Vice-Chairman of the Corporation shall be subject to the same qualifications or eligibility, tenure and termination of office as provided with respect to the office of Chairman of the Corporation.

Duties

(3) In the absence of the Chairman of the Corporation or there being a vacancy in that office, the Vice-Chairman of the Corporation shall, in addition to presiding at meetings of the Corporation, preside at convocation.

Absence

(4) In the absence of both Chairman and Vice-Chairman of the Corporation, or if both offices are vacant, the duties

of the Chairman of the Corporation at convocation shall be performed by the Principal or by a member of the faculty of the College appointed by the Principal for that purpose.

22. There shall be an Executive Board of the College to consist of the Bishop of Huron, any Coadjutor or Suffragan Bishop of Huron, the Chairman of the Corporation, the Principal and twelve members appointed as provided in subsection 4 of section 8. Executive Board

23. If any appointed member of the Executive Board is absent from three consecutive meetings without leave of the Executive Board entered on its minutes, he shall *ipso facto* vacate his office and it shall be the duty of the Executive Board by resolution to declare his membership vacant, and any such resolution shall *ipso facto* vacate the membership of such person as a member of the Corporation. Absence from meetings

24. Where a vacancy on the Executive Board occurs before the expiration of the term of office for which a member has been appointed, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed, and the member so appointed shall hold office for the remainder of the term of office of the member whose membership became vacant. Filling vacancies

25.—(1) The Bishop of Huron shall be Chairman of the Executive Board, and in the case of the absence or illness of the Bishop of Huron, the Coadjutor or Suffragan Bishop shall act as Chairman, and in the case of the absence or illness of the Bishop of Huron and of the Coadjutor or Suffragan Bishop of Huron, the Executive Board may appoint one of its members to act as chairman *pro tempore*, and the member so appointed shall act as and have all powers of the Chairman of the Executive Board. Chairman

(2) The Comptroller, Bursar or other senior financial officer of the College shall be Secretary of the Executive Board but shall not be entitled to vote at proceedings thereof. Secretary

26. Six members, not including *ex officio* members, shall constitute a quorum of the Executive Board. Quorum

27. Notwithstanding any vacancies, so long as there is a quorum of members, the Executive Board may exercise all or any of its powers. Quorum may exercise powers

28. The Executive Board shall report at least twice a year to the Corporation. Report

Power of Executive Board to make regulations

29.—(1) The Executive Board shall have power to make regulations,

(*a*) pertaining to the meetings of the Executive Board and its transactions; and

(*b*) providing for the appointment of committees and for the conferring on any such committees of authority to act for the Executive Board with respect to any matter within its power.

Powers of Executive Board

(2) The Executive Board shall have power,

(*a*) to appoint the Principal of the College, the deans, the professors and all other members of the teaching staff of the College, the Bursar and all other officers, clerks and other employees, as the Executive Board may think necessary for the purposes of the College, to fix their salaries and remuneration, and to determine by written contract or otherwise their tenure of office, and to provide for the retirement and superannuation of such personnel;

(*b*) except in such matters as are specifically reserved to the Corporation, to act on behalf of and in the name of the Corporation and on behalf of and in the name of the College, and to appoint by resolution or otherwise a member or members of the Executive Board or any other person or persons to execute on behalf of the Executive Board, on behalf of the Corporation, or on behalf of the College, either documents or other instruments in writing generally or specific documents or other instruments in writing, and to affix the seal of the Corporation;

(*c*) to establish departments and chairs in any subjects taught in the College;

(*d*) to enter into agreements for the founding, establishment or maintenance of chairs, scholarships, prizes, bursaries and other awards;

(*e*) to provide for the management, government and control of the buildings, residences, and other properties operated and maintained by the College;

(*f*) to fix the fees to be paid for instruction in faculties and courses, for all ancillary activities, and for examinations, degrees, titles and diplomas;

(*g*) to sell any of the real property vested in the Corporation or lease the same for any period of years with such right of renewal and under and subject to such rents, covenants, agreements and conditions as the Executive Board may see fit;

(*h*) to dedicate real property vested in the Corporation for public highways and other public purposes on such terms and conditions as the Executive Board may see fit;

(*i*) to expend such funds as the Executive Board may deem necessary for the support and maintenance of the College, and for the betterment of existing buildings, and the erection of such new buildings as the Executive Board may deem necessary for the use and purposes of the College and for the furnishing and equipment of such existing and newly-erected buildings;

(*j*) subject to the limitations imposed by any trust, to invest all such money as shall come to the College in such manner as the Executive Board shall see fit, within, however, the category of investments permitted from time to time as investments for the assets of Canadian life insurance companies;

(*k*) to purchase, assume and hold by gift or devise real property for the purposes of the College without licence in mortmain;

(*l*) to purchase and acquire all such property as the Executive Board may deem necessary for the purposes of the College, and such power shall include that of purchasing the interest of a lessee in any real property vested in the Council which is under lease;

(*m*) to borrow from time to time from banks or elsewhere, on such terms as may be agreed on, such sums of money as may be required for the purposes of the College;

(*n*) to deal with any matter that may be referred to it by the Corporation.

Residual powers of Executive Board

30. All powers over, in respect of or in relation to the College, its properties, employees, personnel and students, which are not by the terms of this Act directed to be exercised by any other person or body of persons, shall be vested in the Executive Board.

Academic Council

31. There shall be an Academic Council of the College to consist of,

(*a*) the Principal and the professors of the College, who shall be *ex officio* members;

(*b*) nine members elected by the associate professors, assistant professors and other members of the teaching staff, other than professors, from their number; and

(*c*) the members, being not more than one-half the number of members provided for in clauses *a* and *b*, appointed by those members of the Corporation who are not professors, associate professors, assistant professors, or other members of the teaching staff of the College.

Term of office of elected members

32.—(1) Elected members of the Council shall hold office for a term of three years, provided that, at the first election of members after the coming into force of this Act, three members shall be elected for a one-year term, three members shall be elected for a two-year term and three members shall be elected for a three-year term, and any such elected member shall cease to hold office when he ceases to be a member of the teaching staff of the College.

Term of office of appointed members

(2) The members of the Corporation appointed to the Council shall hold office for a term of one year and shall be eligible for re-appointment, and any such appointed member shall cease to hold office when he ceases to be a member of the Corporation.

Chairman

33.—(1) The Principal shall be Chairman of the Council.

Secretary

(2) The Registrar shall be the Secretary of the Council and, in the case of the absence or illness of the Registrar, the Council may appoint one of its members to act as secretary *pro tempore*, and the member so appointed shall act as and have all the powers of the Secretary of the Council.

Quorum

34. A majority of its members shall constitute a quorum of the Council.

Exercise of powers

35. Notwithstanding any vacancies, so long as at least one-half of its members remain in office, the Council may exercise all or any of its powers.

Power of council to make regulations

36. The Council shall have power to make regulations pertaining to its meetings and its transactions.

37. Subject to the provisions of any affiliation agreement from time to time in existence, the Council shall have power, Powers of Council

(*a*) to take under consideration all matters relating to the academic life of the College, and make such rules and take such action as may be found necessary for conduct of convocation and for the maintenance of satisfactory academic standards and developments;

(*b*) to deal with all matters of degrees in courses, examinations, appointments of examiners, and regulation of curricula;

(*c*) to consider and deal with all applications for admission to courses in Arts and Theology, and to recommend all candidates to be presented for degrees (other than honorary degrees), titles, diplomas and certificates.

38.—(1) There shall be a Principal of Huron College appointed by the Executive Board. Principal

(2) The Principal may, but need not necessarily be, the holder of a professorship or other College office and shall be a clergyman of the Anglican Communion. Qualification

(3) It shall be the duty of the Principal to see that the statutes, regulations and rules of the College are faithfully observed, to administer discipline, to order and preside over College exercises, and to supervise all the internal affairs of the College. Duties

(4) The Principal shall present an annual report of the College to the members of the Corporation. Annual report

(5) When the Principal is absent or incapacitated by illness or during a vacancy in the office, the Executive Board shall nominate one of the professors who shall have the powers and perform the duties of the Principal. Absence or vacancy

39. The action of the Corporation and of the Executive Board in any matter with which they may respectively deal shall be by resolution or by by-law as the Corporation or the Executive Board, as the case may be, may determine, but it shall not be essential to the validity of any such resolution or by-law that it be under the corporate seal of the College if it is authenticated in the manner prescribed by the Corporation or by the Executive Board, as the case may be. Authentication of by-laws, resolutions

40. The accounts of the Corporation shall be audited at least once a year by an auditor or auditors appointed by the Executive Board. Audit

Repeal

41. The following are repealed:

1863 (26 Vict.), c. 31 (Can.)

1. *An Act to incorporate "Huron College"*, being chapter 31 of the Statutes of the Province of Canada, 1863 (26 Victoria);

1868-9, c. 52

2. *An Act to Amend the Act Twenty-six Victoria, Chapter thirty-one, entitled "An Act to Incorporate Huron College"*, being chapter 52 of the Statutes of Ontario, 1868-9;

1890, c. 141

3. *An Act to amend an Act to Incorporate Huron College*, being chapter 141 of the Statutes of Ontario, 1890;

1906, c. 139

4. *An Act to amend the Constitution of Huron College*, being chapter 139 of the Statutes of Ontario, 1906;

1922, c. 150

5. *An Act to amend the Constitution of Huron College*, being chapter 150 of the Statutes of Ontario, 1922;

1935, c. 84

6. *The Huron College Act, 1935.*

Commencement

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

Short title

43. This Act may be cited as *The Huron College Act, 1958.*

BILL

An Act respecting Huron College

1st Reading

2nd Reading

3rd Reading

MR. STEWART (Middlesex North)

(*Private Bill*)

1958

No. 4

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting Huron College

MR. STEWART (Middlesex North)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 4 1958

BILL

An Act respecting Huron College

Preamble

WHEREAS Huron College by its petition has represented that it was incorporated by *An Act to incorporate "Huron College"*, being chapter 31 of the Statutes of the Province of Canada passed in the year 1863 (26 Victoria) and has prayed for special legislation varying the provisions of its Act of incorporation in relation to its organization, government and administration and enlarging and increasing its powers, rights and privileges; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Interpretation

1. In this Act,

(*a*) "College" means Huron College;

(*b*) "Corporation" means Huron College Corporation;

(*c*) "Council" means Academic Council of Huron College;

(*d*) "Executive Board" means Executive Board of Huron College;

(*e*) "property" includes all property both real and personal;

(*f*) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, or any undivided shares thereof and any estate or interest therein.

Huron College continued

2. The College named "Huron College", its council and all other attributes thereof, are, and each of them is, subject to the provisions of this Act, hereby continued and shall respectively have, hold, possess and enjoy all the property, rights, powers and privileges which they respectively now have, hold, possess or enjoy.

Appointments, statutes, etc., continued

3. All appointments, statutes, constitutions and regulations in and affecting the College and each of them shall continue, subject to the provisions of this Act, and subject also, as to the teaching staff and all officers, servants and employees, to their removal by the Corporation.

Proceedings by or against College

4. All proceedings by or against the College may be had and taken in the name of "Huron College".

Property in trust vested in Corporation

5. All property heretofore or hereafter granted, conveyed, devised or bequeathed by any person, firm or corporation to, in trust for, or for the benefit of, the College or any faculty or department thereof, or otherwise in connection therewith, subject to the trust affecting the same, shall be vested in the Corporation.

Application of statute of limitations to property

6. All real property vested in the Corporation shall, as far as the application thereto of any statute of limitations is concerned, including any statute limiting or defining the period for investigation of titles, be deemed to have been and to be real property vested in the Crown for the public uses of the Province of Ontario.

Land vested in Corporation not liable to expropriation

7. The real property vested in the Corporation shall not be liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking land compulsorily for any purpose, and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

Huron College Corporation

8.—(1) The council of the College is hereby constituted a body corporate and politic by the name and style of "Huron College Corporation".

Composition

(2) The Corporation shall consist of,

(*a*) the Bishop of Huron, any Coadjutor or Suffragan Bishop of Huron and the Principal of Huron College, who shall be *ex officio* members;

(*b*) four clergymen and four laymen elected by the Synod of the Diocese of Huron;

(*c*) not more than ten members elected by the Alumni Association of Huron College in such manner as the Corporation shall determine; and

(*d*) eight members elected by the members of the council of Huron College as it existed immediately prior to the coming into force of this Act, other than members elected by the Synod of the Diocese of Huron and by the Alumni Association of Huron College and, on the expiration of the term of office or on the death of any member so elected, the remaining members of the Corporation shall elect their successors.

(3) In the event of an equality of votes in any such election, the Bishop of Huron has a casting vote. Casting vote

(4) The *ex officio* and elected members shall appoint twelve members, ten of whom shall be laymen, who shall also be members of the Executive Board. Appointed members

9.—(1) No person shall be eligible for election to the Corporation under clauses *b* and *d* of subsection 2 of section 8 whose customary place of residence is not within the Diocese of Huron. Eligibility

(2) No person shall be eligible for election under clause *c* of subsection 2 of section 8 who is not an alumnus of Huron College and whose customary place of residence is not within the Province of Ontario. Idem

(3) No person shall be eligible for appointment under subsection 4 of section 8 whose customary place of residence is not within the Diocese of Huron. Idem

10.—(1) Subject to subsection 2, an elected member of the Corporation shall hold office for a term of four years, shall hold office until his successor is elected, and shall be eligible for re-election from time to time. Term of office

(2) No member who has served three consecutive terms shall be eligible for re-election until at least one year has elapsed after the termination of the third of such terms. Eligibility for re-election

(3) At the first election of members after the coming into force of this Act, the Synod of the Diocese of Huron shall elect two clergymen and two laymen as members for a two-year term, and two clergymen and two laymen for a four-year term. First election

11.—(1) A member appointed to the Corporation under subsection 4 of section 8 shall hold office for a term of six years, shall hold office until his successor is appointed, and Term of office of appointed members

after at least one year has elapsed after the termination of his previous term of office shall be eligible for re-appointment from time to time.

First appointment

(2) At the first appointment of members under subsection 4 of section 8 after the coming into force of this Act, the *ex officio* and elected members of the Corporation shall appoint four members for a two-year term, four members for a four-year term and four members for a six-year term.

Time for first elections and appointments

12. The first election and appointment of members shall take place not more than six months after the coming into force of this Act, and shall thereafter take place at two-year intervals as close as may be to the commencement of the academic year in each year in which members are elected or appointed.

Vacancies

13.—(1) If a member of the Corporation during his term of office ceases to be eligible as a member, or becomes mentally incapacitated, or otherwise incapable of acting as a member, he shall *ipso facto* vacate his office, and it shall be the duty of the Corporation by resolution to declare his membership vacant.

Absence from meetings

(2) If an elected or appointed member is absent from three consecutive meetings without leave of the Corporation entered on its minutes, he shall *ipso facto* vacate his office, and it shall be the duty of the Corporation by resolution to declare his membership vacant.

Proof

(3) A resolution passed under this section entered in the minutes of the Corporation shall be conclusive evidence of the vacancy declared therein.

Filling vacancy

14. Where a vacancy on the Corporation occurs before the expiration of the term of office for which a member has been appointed or elected, the vacancy shall, subject to clause *d* of subsection 2 of section 8, be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, as the case may be, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership became vacant.

Quorum

15. Fifteen members, not including *ex officio* members, shall constitute a quorum of the Corporation.

Twenty-one members may exercise powers

16. Notwithstanding any vacancies, so long as there are at least twenty-one members, not including *ex officio* members, the Corporation may exercise all or any of its powers.

17.—(1) The Corporation shall have power, Powers of Corporation

(*a*) to repeal, alter, modify or amend any constitution, by-law, resolution or regulation governing the College heretofore passed, enacted or adopted;

(*b*) to make regulations pertaining to the Corporation and its transactions;

(*c*) to appoint committees including a committee to make recommendations with respect to the conferring of honorary degrees in divinity, and to confer on any such committee authority to act for the Corporation with respect to any matter within its power;

(*d*) to confer Bachelor, Master and Doctor degrees in divinity as well as diplomas and certificates in divinity;

(*e*) to confer honorary degrees in divinity;

(*f*) to appoint not more than twenty-four honorary members of the Corporation and not more than twenty-four honorary Fellows of Huron College to hold office for such terms respectively as the Corporation may from time to time determine, and any person so appointed shall be eligible for re-appointment on the expiration of his term, provided that an honorary member of the Corporation so appointed shall not be entitled to vote in the proceedings of the Corporation;

(*g*) to provide for the affiliation of the College with any other institution of higher learning, and for the dissolution of any such affiliation or of any existing affiliation;

(*h*) to adopt a corporate seal.

(2) The Corporation shall meet at least twice a year to receive the report of the Executive Board. Meetings

18.—(1) There shall be a chairman of the Corporation elected by the Corporation from among its members other than *ex officio* members. Chairman

(2) No person shall hold the office of Chairman of the Corporation who is not a British subject and whose customary place of residence is not within the Province of Ontario. Qualification

Eligibility of staff

(3) No person shall hold the office of Chairman of the Corporation who is a member of the teaching or administrative staff of the College, or is one of its employees, or who is the employee of or a member of the governing body of any other degree-granting body.

Term of office

(4) The Chairman of the Corporation shall hold office for a term of four years commencing with the date of his election, and continuing thereafter until his successor is elected.

Vacancy

(5) If the Chairman of the Corporation during his term of office ceases to be eligible as chairman or becomes mentally incapacitated or otherwise incapable of acting, he shall *ipso facto* vacate his office, and a declaration of the existence of such vacancy by the Corporation and entered in its minutes shall be conclusive evidence thereof.

Duties of Chairman

19. The Chairman of the Corporation shall preside at all meetings of the Corporation and at all convocations, and shall admit to degrees, titles and diplomas such candidates, including the recipients of honorary degrees, as may be qualified under the terms of this Act.

Absence of Chairman, etc.

20. In the case of the absence or illness of the Chairman of the Corporation, or of a vacancy in that office, the Bishop of Huron, or, if he is absent, the Vice-Chairman of the Corporation, shall preside at all meetings of the Corporation or, in the case of the absence or illness of the Bishop of Huron and of the Vice-Chairman of the Corporation, the Corporation may appoint one of its members to act as chairman *pro tempore*, and the member so appointed shall act as and have all the powers of the Chairman of the Corporation.

Vice-Chairman

21.—(1) There shall be a vice-chairman of the Corporation elected by the Corporation from among its members other than *ex officio* members.

Qualifications, etc.

(2) The office of Vice-Chairman of the Corporation shall be subject to the same qualifications or eligibility, tenure and termination of office as provided with respect to the office of Chairman of the Corporation.

Duties

(3) In the absence of the Chairman of the Corporation or there being a vacancy in that office, the Vice-Chairman of the Corporation shall, in addition to presiding at meetings of the Corporation, preside at convocation.

Absence

(4) In the absence of both Chairman and Vice-Chairman of the Corporation, or if both offices are vacant, the duties

of the Chairman of the Corporation at convocation shall be performed by the Principal or by a member of the faculty of the College appointed by the Principal for that purpose.

22. There shall be an Executive Board of the College to consist of the Bishop of Huron, any Coadjutor or Suffragan Bishop of Huron, the Chairman of the Corporation, the Principal and twelve members appointed as provided in subsection 4 of section 8. Executive Board

23. If any appointed member of the Executive Board is absent from three consecutive meetings without leave of the Executive Board entered on its minutes, he shall *ipso facto* vacate his office and it shall be the duty of the Executive Board by resolution to declare his membership vacant, and any such resolution shall *ipso facto* vacate the membership of such person as a member of the Corporation. Absence from meetings

24. Where a vacancy on the Executive Board occurs before the expiration of the term of office for which a member has been appointed, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed, and the member so appointed shall hold office for the remainder of the term of office of the member whose membership became vacant. Filling vacancies

25.—(1) The Bishop of Huron shall be Chairman of the Executive Board, and in the case of the absence or illness of the Bishop of Huron, the Coadjutor or Suffragan Bishop shall act as Chairman, and in the case of the absence or illness of the Bishop of Huron and of the Coadjutor or Suffragan Bishop of Huron, the Executive Board may appoint one of its members to act as chairman *pro tempore*, and the member so appointed shall act as and have all powers of the Chairman of the Executive Board. Chairman

(2) The Comptroller, Bursar or other senior financial officer of the College shall be Secretary of the Executive Board but shall not be entitled to vote at proceedings thereof. Secretary

26. Six members, not including *ex officio* members, shall constitute a quorum of the Executive Board. Quorum

27. Notwithstanding any vacancies, so long as there is a quorum of members, the Executive Board may exercise all or any of its powers. Quorum may exercise powers

28. The Executive Board shall report at least twice a year to the Corporation. Report

Power of Executive Board to make regulations

29.—(1) The Executive Board shall have power to make regulations,

(*a*) pertaining to the meetings of the Executive Board and its transactions; and

(*b*) providing for the appointment of committees and for the conferring on any such committees of authority to act for the Executive Board with respect to any matter within its power.

Powers of Executive Board

(2) The Executive Board shall have power,

(*a*) to appoint the Principal of the College, the deans, the professors and all other members of the teaching staff of the College, the Bursar and all other officers, clerks and other employees, as the Executive Board may think necessary for the purposes of the College, to fix their salaries and remuneration, and to determine by written contract or otherwise their tenure of office, and to provide for the retirement and superannuation of such personnel;

(*b*) except in such matters as are specifically reserved to the Corporation, to act on behalf of and in the name of the Corporation and on behalf of and in the name of the College, and to appoint by resolution or otherwise a member or members of the Executive Board or any other person or persons to execute on behalf of the Executive Board, on behalf of the Corporation, or on behalf of the College, either documents or other instruments in writing generally or specific documents or other instruments in writing, and to affix the seal of the Corporation;

(*c*) to establish departments and chairs in any subjects taught in the College;

(*d*) to enter into agreements for the founding, establishment or maintenance of chairs, scholarships, prizes, bursaries and other awards;

(*e*) to provide for the management, government and control of the buildings, residences, and other properties operated and maintained by the College;

(*f*) to fix the fees to be paid for instruction in faculties and courses, for all ancillary activities, and for examinations, degrees, titles and diplomas;

(*g*) to sell any of the real property vested in the Corporation or lease the same for any period of years with such right of renewal and under and subject to such rents, covenants, agreements and conditions as the Executive Board may see fit;

(*h*) to dedicate real property vested in the Corporation for public highways and other public purposes on such terms and conditions as the Executive Board may see fit;

(*i*) to expend such funds as the Executive Board may deem necessary for the support and maintenance of the College, and for the betterment of existing buildings, and the erection of such new buildings as the Executive Board may deem necessary for the use and purposes of the College and for the furnishing and equipment of such existing and newly-erected buildings;

(*j*) subject to the limitations imposed by any trust, to invest all such money as shall come to the College in such manner as the Executive Board shall see fit, within, however, the category of investments permitted from time to time as investments for the assets of Canadian life insurance companies;

(*k*) to purchase, assume and hold by gift or devise real property for the purposes of the College without licence in mortmain;

(*l*) to purchase and acquire all such property as the Executive Board may deem necessary for the purposes of the College, and such power shall include that of purchasing the interest of a lessee in any real property vested in the Council which is under lease;

(*m*) to borrow from time to time from banks or elsewhere, on such terms as may be agreed on, such sums of money as may be required for the purposes of the College;

(*n*) to deal with any matter that may be referred to it by the Corporation.

Residual powers of Executive Board

30. All powers over, in respect of or in relation to the College, its properties, employees, personnel and students, which are not by the terms of this Act directed to be exercised by any other person or body of persons, shall be vested in the Executive Board.

Academic Council

31. There shall be an Academic Council of the College to consist of,

(*a*) the Principal and the professors of the College, who shall be *ex officio* members;

(*b*) nine members elected by the associate professors, assistant professors and other members of the teaching staff, other than professors, from their number; and

(*c*) the members, being not more than one-half the number of members provided for in clauses *a* and *b*, appointed by those members of the Corporation who are not professors, associate professors, assistant professors, or other members of the teaching staff of the College.

Term of office of elected members

32.—(1) Elected members of the Council shall hold office for a term of three years, provided that, at the first election of members after the coming into force of this Act, three members shall be elected for a one-year term, three members shall be elected for a two-year term and three members shall be elected for a three-year term, and any such elected member shall cease to hold office when he ceases to be a member of the teaching staff of the College.

Term of office of appointed members

(2) The members of the Corporation appointed to the Council shall hold office for a term of one year and shall be eligible for re-appointment, and any such appointed member shall cease to hold office when he ceases to be a member of the Corporation.

Chairman

33.—(1) The Principal shall be Chairman of the Council.

Secretary

(2) The Registrar shall be the Secretary of the Council and, in the case of the absence or illness of the Registrar, the Council may appoint one of its members to act as secretary *pro tempore*, and the member so appointed shall act as and have all the powers of the Secretary of the Council.

Quorum

34. A majority of its members shall constitute a quorum of the Council.

Exercise of powers

35. Notwithstanding any vacancies, so long as at least one-half of its members remain in office, the Council may exercise all or any of its powers.

Power of council to make regulations

36. The Council shall have power to make regulations pertaining to its meetings and its transactions.

37. Subject to the provisions of any affiliation agreement from time to time in existence, the Council shall have power, Powers of Council

(*a*) to take under consideration all matters relating to the academic life of the College, and make such rules and take such action as may be found necessary for conduct of convocation and for the maintenance of satisfactory academic standards and developments;

(*b*) to deal with all matters of degrees in courses, examinations, appointments of examiners, and regulation of curricula;

(*c*) to consider and deal with all applications for admission to courses in Arts and Theology, and to recommend all candidates to be presented for degrees (other than honorary degrees), titles, diplomas and certificates.

38.—(1) There shall be a Principal of Huron College appointed by the Executive Board. Principal

(2) The Principal may, but need not necessarily be, the holder of a professorship or other College office and shall be a clergyman of the Anglican Communion. Qualification

(3) It shall be the duty of the Principal to see that the statutes, regulations and rules of the College are faithfully observed, to administer discipline, to order and preside over College exercises, and to supervise all the internal affairs of the College. Duties

(4) The Principal shall present an annual report of the College to the members of the Corporation. Annual report

(5) When the Principal is absent or incapacitated by illness or during a vacancy in the office, the Executive Board shall nominate one of the professors who shall have the powers and perform the duties of the Principal. Absence or vacancy

39. The action of the Corporation and of the Executive Board in any matter with which they may respectively deal shall be by resolution or by by-law as the Corporation or the Executive Board, as the case may be, may determine, but it shall not be essential to the validity of any such resolution or by-law that it be under the corporate seal of the College if it is authenticated in the manner prescribed by the Corporation or by the Executive Board, as the case may be. Authentication of by-laws, resolutions

40. The accounts of the Corporation shall be audited at least once a year by an auditor or auditors appointed by the Executive Board. Audit

Repeal

41. The following are repealed:

1863 (26 Vict.), c. 31 (Can.)

1. *An Act to incorporate "Huron College"*, being chapter 31 of the Statutes of the Province of Canada, 1863 (26 Victoria);

1868-9, c. 52

2. *An Act to Amend the Act Twenty-six Victoria, Chapter thirty-one, entitled "An Act to Incorporate Huron College"*, being chapter 52 of the Statutes of Ontario, 1868-9;

1890, c. 141

3. *An Act to amend an Act to Incorporate Huron College*, being chapter 141 of the Statutes of Ontario, 1890;

1906, c. 139

4. *An Act to amend the Constitution of Huron College*, being chapter 139 of the Statutes of Ontario, 1906;

1922, c. 150

5. *An Act to amend the Constitution of Huron College*, being chapter 150 of the Statutes of Ontario, 1922;

1935, c. 84

6. *The Huron College Act, 1935.*

Commencement

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

Short title

43. This Act may be cited as *The Huron College Act, 1958.*

BILL

An Act respecting Huron College

1st Reading

February 14th, 1958

2nd Reading

February 27th, 1958

3rd Reading

March 6th, 1958

MR. STEWART (Middlesex North)

1958

No. 5

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the Stratford Shakespearean Festival Foundation of Canada

MR. EDWARDS

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 5 1958

BILL

An Act respecting the Stratford Shakespearean Festival Foundation of Canada

Preamble

WHEREAS the Stratford Shakespearean Festival Foundation of Canada, a corporation incorporated under the laws of the Province of Ontario, by its petition has prayed for special legislation to provide that certain of its lands, buildings, equipment and undertaking be exempt from all municipal taxation, except for local improvements; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Tax exemption

1.—(1) The lands, buildings, equipment and undertaking of the Stratford Shakespearean Festival Foundation of Canada, comprising the Festival Theatre situate on the east side of Queen Street, Stratford, which lands are more particularly described in the Schedule hereto, so long as the same are occupied by and used for the purposes of the Foundation, shall be exempt from all municipal taxation, except for local improvements.

Arrears of taxes

(2) All arrears of taxes and any interest or penalties thereon for the period from January 1, 1957, until the date that this Act comes into force, levied by the City of Stratford in respect of such lands, buildings, equipment and undertaking, are hereby cancelled and the Foundation and its property are hereby released from all liability therefor, and the treasurer of the City of Stratford shall strike such taxes off the roll.

Commencement

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

Short title

3. This Act may be cited as *The Stratford Shakespearean Festival Foundation of Canada Act, 1958.*

SCHEDULE

All and Singular that certain parcel or tract of land and premises situate, lying and being in the City of Stratford (formerly in the Township of North Easthope) in the County of Perth and Province of Ontario and being composed of parts of Lots forty-six (46) and forty-seven (47) in the First Concession of the said Township, now in the City of Stratford, which said parcel or tract of land is more particularly described as follows:

Premising that the Easterly limit of Queen Street has a bearing of due north and referring all bearings herein thereto;

Commencing at a point in the Easterly limit of Queen Street distant Four hundred and twenty and seventy-eight one-hundredths (420.78) feet Northerly from the intersection of the said Easterly limit of Queen Street with the Northerly limit of Water Street;

Thence South eighty-six degrees thirty-four minutes thirty seconds East (86° 34′ 30″ E.), two hundred and twenty-eight and fifty-six one-hundredths feet (228.56′);

Thence due South fifty-six and ninety-five one-hundredths feet (56.95′);

Thence North Easterly two hundred and twelve and forty-five one-hundredths feet (212.45′) more or less to a point in the Easterly limit of the lands in Registered Instrument number 32289, which said point is distant four hundred and thirty-five feet (435.0′) Easterly from the Easterly limit of Queen Street measured on a course parallel to the Northerly limit of Water Street and also distant three hundred and ninety-eight and seventy-six one-hundredths feet (398.76′) Northerly from the Northerly limit of Water Street measured on a course parallel to the Easterly limit of Queen Street;

Thence due South along the Easterly limit of the lands in Instrument number 32289 a distance of Thirty-eight and forty-five one-hundredths feet (38.45′) more or less to a point therein distant Three Hundred and Sixty and thirty-one one-hundredths feet (360.31′) measured Northerly from the Northerly limit of Water Street on a course parallel to the Easterly limit of Queen Street;

Thence North Easterly on a curve to the left of radius One Hundred and ninety feet (190.0′), said curve having an arc of Three Hundred and twenty-three and ten one-hundredths feet (323.10′) and a corresponding chord of Two Hundred and eighty-six and ten one-hundredths feet (286.10′) on a bearing of North Ten degrees, eight minutes and twenty seconds East (N. 10°, 08,′ 20″ E.);

Thence South Fifty-one degrees, Seventeen minutes and Forty-six seconds West (S. 51°, 17′, 46″ W.) a distance of Twenty feet (20.0′);

Thence North Westerly on a curve to the left of radius One Hundred and Seventy feet (170.0′), said curve having an arc of Three Hundred and forty-five and fifty-eight one-hundredths feet (345.58′) and a corresponding chord of Two Hundred and eighty-nine and seven one-hundredths feet (289.07′) on a bearing of South Eighty-three degrees, Three minutes and Thirty-nine seconds West (S. 83°, 03′, 39″ W.);

Thence South Eighty-two degrees, Twenty-four minutes and Ten seconds West (S. 82°, 24′, 10″ W.) a distance of One Hundred and Eighty-four and Forty-two one-hundredths feet (184.42′) to a point in the Easterly limit of Queen Street distant Five Hundred and seventy feet (570.0′) Northerly from the intersection of the Easterly limit of Queen Street and the Northerly limit of Water Street;

Thence Southerly along the Easterly limit of Queen Street One hundred and forty-nine and twenty-two one-hundredths feet (149.22′) to the point of commencement.

BILL

An Act respecting the
Stratford Shakespearean Festival
Foundation of Canada

1st Reading

2nd Reading

3rd Reading

MR. EDWARDS

(*Private Bill*)

1958

No. 5

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the Stratford Shakespearean Festival Foundation of Canada

MR. EDWARDS

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 5 1958

BILL

An Act respecting the Stratford Shakespearean Festival Foundation of Canada

Preamble

WHEREAS the Stratford Shakespearean Festival Foundation of Canada, a corporation incorporated under the laws of the Province of Ontario, by its petition has prayed for special legislation to provide that certain of its lands, buildings, equipment and undertaking be exempt from all municipal taxation, except for local improvements; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Tax exemption

R.S.O. 1950, c. 24

1.—(1) The council of The Corporation of the City of Stratford may pass by-laws exempting from taxes for municipal or school purposes or both, other than local improvement rates, the land, as defined in *The Assessment Act*, of the Stratford Shakespearean Festival Foundation of Canada comprising the Festival Theatre situate on the east side of Queen Street, Stratford, which lands are more particularly described in the Schedule hereto, provided that the land is owned or leased by the Foundation and occupied by, used solely and carried on for the purposes of the Foundation, on such conditions as may be set out in the by-law.

Arrears of taxes

(2) The council may by by-law cancel all arrears of taxes and any interest or penalties thereon for the period from January 1, 1957, until the date that this Act comes into force, levied by the City of Stratford in respect of such lands, and release the Foundation and its property from all liability therefor.

Commencement

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

Short title

3. This Act may be cited as *The Stratford Shakespearean Festival Foundation of Canada Act, 1958.*

SCHEDULE

All and Singular that certain parcel or tract of land and premises situate, lying and being in the City of Stratford (formerly in the Township of North Easthope) in the County of Perth and Province of Ontario and being composed of parts of Lots forty-six (46) and forty-seven (47) in the First Concession of the said Township, now in the City of Stratford, which said parcel or tract of land is more particularly described as follows:

Premising that the Easterly limit of Queen Street has a bearing of due north and referring all bearings herein thereto;

Commencing at a point in the Easterly limit of Queen Street distant Four hundred and twenty and seventy-eight one-hundredths (420.78) feet Northerly from the intersection of the said Easterly limit of Queen Street with the Northerly limit of Water Street;

Thence South eighty-six degrees thirty-four minutes thirty seconds East (86° 34′ 30″ E.), two hundred and twenty-eight and fifty-six one-hundredths feet (228.56′);

Thence due South fifty-six and ninety-five one-hundredths feet (56.95′);

Thence North Easterly two hundred and twelve and forty-five one-hundredths feet (212.45′) more or less to a point in the Easterly limit of the lands in Registered Instrument number 32289, which said point is distant four hundred and thirty-five feet (435.0′) Easterly from the Easterly limit of Queen Street measured on a course parallel to the Northerly limit of Water Street and also distant three hundred and ninety-eight and seventy-six one-hundredths feet (398.76′) Northerly from the Northerly limit of Water Street measured on a course parallel to the Easterly limit of Queen Street;

Thence due South along the Easterly limit of the lands in Instrument number 32289 a distance of Thirty-eight and forty-five one-hundredths feet (38.45′) more or less to a point therein distant Three Hundred and Sixty and thirty-one one-hundredths feet (360.31′) measured Northerly from the Northerly limit of Water Street on a course parallel to the Easterly limit of Queen Street;

Thence North Easterly on a curve to the left of radius One Hundred and ninety feet (190.0′), said curve having an arc of Three Hundred and twenty-three and ten one-hundredths feet (323.10′) and a corresponding chord of Two Hundred and eighty-six and ten one-hundredths feet (286.10′) on a bearing of North Ten degrees, eight minutes and twenty seconds East (N. 10°, 08,′ 20″ E.);

Thence South Fifty-one degrees, Seventeen minutes and Forty-six seconds West (S. 51°, 17′, 46″ W.) a distance of Twenty feet (20.0′);

Thence North Westerly on a curve to the left of radius One Hundred and Seventy feet (170.0′), said curve having an arc of Three Hundred and forty-five and fifty-eight one-hundredths feet (345.58′) and a corresponding chord of Two Hundred and eighty-nine and seven one-hundredths feet (289.07′) on a bearing of South Eighty-three degrees, Three minutes and Thirty-nine seconds West (S. 83°, 03′, 39″ W.);

Thence South Eighty-two degrees, Twenty-four minutes and Ten seconds West (S. 82°, 24′, 10″ W.) a distance of One Hundred and Eighty-four and Forty-two one-hundredths feet (184.42′) to a point in the Easterly limit of Queen Street distant Five Hundred and seventy feet (570.0′) Northerly from the intersection of the Easterly limit of Queen Street and the Northerly limit of Water Street;

Thence Southerly along the Easterly limit of Queen Street One hundred and forty-nine and twenty-two one-hundredths feet (149.22′) to the point of commencement.

BILL

An Act respecting the
Stratford Shakespearean Festival
Foundation of Canada

1st Reading

February 13th, 1958

2nd Reading

February 27th, 1958

3rd Reading

MR. EDWARDS

(Reprinted as amended by the Committee on Private Bills)

1958

No. 5

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the Stratford Shakespearean Festival Foundation of Canada

MR. EDWARDS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 5 1958

BILL

An Act respecting the Stratford Shakespearean Festival Foundation of Canada

Preamble

WHEREAS the Stratford Shakespearean Festival Foundation of Canada, a corporation incorporated under the laws of the Province of Ontario, by its petition has prayed for special legislation to provide that certain of its lands, buildings, equipment and undertaking be exempt from all municipal taxation, except for local improvements; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Tax exemption

R.S.O. 1950, c. 24

1.—(1) The council of The Corporation of the City of Stratford may pass by-laws exempting from taxes for municipal or school purposes or both, other than local improvement rates, the land, as defined in *The Assessment Act*, of the Stratford Shakespearean Festival Foundation of Canada comprising the Festival Theatre situate on the east side of Queen Street, Stratford, which lands are more particularly described in the Schedule hereto, provided that the land is owned or leased by the Foundation and occupied by, used solely and carried on for the purposes of the Foundation, on such conditions as may be set out in the by-law.

Arrears of taxes

(2) The council may by by-law cancel all arrears of taxes and any interest or penalties thereon for the period from January 1, 1957, until the date that this Act comes into force, levied by the City of Stratford in respect of such lands, and release the Foundation and its property from all liability therefor.

Commencement

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

Short title

3. This Act may be cited as *The Stratford Shakespearean Festival Foundation of Canada Act, 1958.*

SCHEDULE

All and Singular that certain parcel or tract of land and premises situate, lying and being in the City of Stratford (formerly in the Township of North Easthope) in the County of Perth and Province of Ontario and being composed of parts of Lots forty-six (46) and forty-seven (47) in the First Concession of the said Township, now in the City of Stratford, which said parcel or tract of land is more particularly described as follows:

Premising that the Easterly limit of Queen Street has a bearing of due north and referring all bearings herein thereto;

Commencing at a point in the Easterly limit of Queen Street distant Four hundred and twenty and seventy-eight one-hundredths (420.78) feet Northerly from the intersection of the said Easterly limit of Queen Street with the Northerly limit of Water Street;

Thence South eighty-six degrees thirty-four minutes thirty seconds East (86° 34′ 30″ E.), two hundred and twenty-eight and fifty-six one-hundredths feet (228.56′);

Thence due South fifty-six and ninety-five one-hundredths feet (56.95′);

Thence North Easterly two hundred and twelve and forty-five one-hundredths feet (212.45′) more or less to a point in the Easterly limit of the lands in Registered Instrument number 32289, which said point is distant four hundred and thirty-five feet (435.0′) Easterly from the Easterly limit of Queen Street measured on a course parallel to the Northerly limit of Water Street and also distant three hundred and ninety-eight and seventy-six one-hundredths feet (398.76′) Northerly from the Northerly limit of Water Street measured on a course parallel to the Easterly limit of Queen Street;

Thence due South along the Easterly limit of the lands in Instrument number 32289 a distance of Thirty-eight and forty-five one-hundredths feet (38.45′) more or less to a point therein distant Three Hundred and Sixty and thirty-one one-hundredths feet (360.31′) measured Northerly from the Northerly limit of Water Street on a course parallel to the Easterly limit of Queen Street;

Thence North Easterly on a curve to the left of radius One Hundred and ninety feet (190.0′), said curve having an arc of Three Hundred and twenty-three and ten one-hundredths feet (323.10′) and a corresponding chord of Two Hundred and eighty-six and ten one-hundredths feet (286.10′) on a bearing of North Ten degrees, eight minutes and twenty seconds East (N. 10°, 08,′ 20″ E.);

Thence South Fifty-one degrees, Seventeen minutes and Forty-six seconds West (S. 51°, 17′, 46″ W.) a distance of Twenty feet (20.0′);

Thence North Westerly on a curve to the left of radius One Hundred and Seventy feet (170.0′), said curve having an arc of Three Hundred and forty-five and fifty-eight one-hundredths feet (345.58′) and a corresponding chord of Two Hundred and eighty-nine and seven one-hundredths feet (289.07′) on a bearing of South Eighty-three degrees, Three minutes and Thirty-nine seconds West (S. 83°, 03′, 39″ W.);

Thence South Eighty-two degrees, Twenty-four minutes and Ten seconds West (S. 82°, 24′, 10″ W.) a distance of One Hundred and Eighty-four and Forty-two one-hundredths feet (184.42′) to a point in the Easterly limit of Queen Street distant Five Hundred and seventy feet (570.0′) Northerly from the intersection of the Easterly limit of Queen Street and the Northerly limit of Water Street;

Thence Southerly along the Easterly limit of Queen Street One hundred and forty-nine and twenty-two one-hundredths feet (149.22′) to the point of commencement.

BILL

An Act respecting the
Stratford Shakespearean Festival
Foundation of Canada

1st Reading

February 13th, 1958

2nd Reading

February 27th, 1958

3rd Reading

March 6th, 1958

MR. EDWARDS

1958

No. 6

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Township of Grantham

Mr. Jolley

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 6 1958

BILL

An Act respecting the Township of Grantham

Preamble

WHEREAS The Corporation of the Township of Grantham by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Composition of council

R.S.O. 1950, c. 243

1.—(1) Notwithstanding subsection 1 of section 53 of *The Municipal Act* and notwithstanding any other general or special Act, the council of the Township of Grantham shall consist of a reeve, deputy reeve and seven councillors, and they shall all be elected by general vote.

Effective date

(2) Subsection 1 shall apply to the council for the year 1959 and for all subsequent years.

Commencement

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

Short title

3. This Act may be cited as *The Township of Grantham Act, 1958.*

BILL

An Act respecting
the Township of Grantham

1st Reading

2nd Reading

3rd Reading

MR. JOLLEY

(*Private Bill*)

1958

No. 6

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the Township of Grantham

MR. JOLLEY

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 6 1958

BILL

An Act respecting the Township of Grantham

WHEREAS The Corporation of the Township of Grantham by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Notwithstanding subsection 1 of section 53 of *The Municipal Act* and notwithstanding any other general or special Act, the council of the Township of Grantham shall consist of a reeve, deputy reeve and seven councillors, and they shall all be elected by general vote. Composition of council R.S.O. 1950, c. 243

(2) Subsection 1 shall apply to the council for the year 1959 and for all subsequent years. Effective date

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

3. This Act may be cited as *The Township of Grantham Act, 1958.* Short title

BILL

An Act respecting
the Township of Grantham

1st Reading

February 13th, 1958

2nd Reading

February 27th, 1958

3rd Reading

March 6th, 1958

MR. JOLLEY

1958

No. 7

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the City of Waterloo

MR. WINTERMEYER

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 7 1958

BILL

An Act respecting the City of Waterloo

WHEREAS The Corporation of the City of Waterloo by its petition has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 2 of *The Town of Waterloo Act, 1939* is repealed and the following substituted therefor: 1939, c. 77, s. 2, subs. 1, re-enacted

(1) The Civic Auditorium shall be under the management and control of a commission consisting of, Commission

(*a*) the mayor; and

(*b*) eight resident ratepayers who are not aldermen to be appointed by the council of the corporation.

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

3. This Act may be cited as *The City of Waterloo Act, 1958*. Short title

BILL

An Act respecting
the City of Waterloo

1st Reading

2nd Reading

3rd Reading

MR. WINTERMEYER

(*Private Bill*)

1957

No. 7

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the City of Waterloo

MR. WINTERMEYER

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 7 1958

BILL

An Act respecting the City of Waterloo

Preamble

WHEREAS The Corporation of the City of Waterloo by its petition has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1939, c. 77, s. 2, subs. 1, re-enacted

1. Subsection 1 of section 2 of *The Town of Waterloo Act, 1939* is repealed and the following substituted therefor:

Commission

(1) The Civic Auditorium shall be under the management and control of a commission consisting of,

(*a*) the mayor; and

(*b*) eight resident ratepayers who are not aldermen to be appointed by the council of the corporation.

Commencement

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

Short title

3. This Act may be cited as *The City of Waterloo Act, 1958.*

BILL

An Act respecting
the City of Waterloo

1st Reading

February 20th, 1958

2nd Reading

March 4th, 1958

3rd Reading

March 6th, 1958

MR. WINTERMEYER

1958

No. 8

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the Township of London

MR. STEWART (Middlesex North)

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 8 1958

BILL

An Act respecting the Township of London

WHEREAS The Corporation of the Township of London by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) By-law No. 3010 of The Corporation of the Township of London entitled "a by-law to establish a Pension Plan for the employees of the Township of London" passed on the 18th day of December, 1957, set forth as the Schedule hereto, is hereby ratified and confirmed and declared to be legal, valid and binding upon the Corporation and the employees and ratepayers thereof. Pension by-law confirmed

(2) The Corporation may do all such acts, matters and things as are necessary for the full and proper establishment of the pension plan in accordance with By-law No. 3010 and the carrying out of its obligations thereunder, and may amend such by-law from time to time with the approval of the Department of Municipal Affairs. Powers of Corporation

2. This Act shall be deemed to have come into force on the 1st day of January, 1958. Commencement

3. This Act may be cited as *The Township of London Act, 1958*. Short title

SCHEDULE

THE CORPORATION OF THE TOWNSHIP OF LONDON

By-law Number 3010

Being a by-law to establish a Pension Plan for the employees of the Township of London.

Whereas it is deemed advisable to establish a Pension Plan for the employees engaged in the affairs and purposes of The Corporation of the Township of London.

Now Therefore the Council of the Corporation of the Township of London enacts as a by-law thereof as follows:

Article I

Definitions

1. In this by-law unless a contrary intention appears,

(*a*) "Anniversary Date" shall mean July 1st in each year;

(*b*) "Commencement Date" shall mean January 1, 1958;

(*c*) "Contract" shall mean the group annuity contract to be entered into by the Corporation and The Insurer for the purposes of providing the benefits under this Plan;

(*d*) "Corporation" shall mean the Corporation of the Township of London;

(*e*) "Council" shall mean the Council of the Corporation of the Township of London;

(*f*) "Earnings" shall mean the salaries or wages received from the employer during the calendar year prior to the Commencement Date or Anniversary Date, as applicable;

(*g*) "Employer" shall mean the Corporation, or any Board, Commission, Committee, Body or Local Authority established or exercising any power or authority under any special or general Act with respect to any of the affairs or purposes of the Corporation;

(*h*) "Employee" shall mean any officer, clerk, workman, servant or other person, who is employed by an employer as defined in Section (*g*) of this Article I, but does not include a person holding an elective office or appointment;

(*i*) "Insurer" shall mean The Standard Life Assurance Company;

(*j*) "Interest" shall mean that rate of interest paid by the insurer, compounded annually, calculated from the end of the year of payment of contributions;

(*k*) "Member" shall mean an employee who has met the requirements of eligibility for admission to the Plan;

(*l*) "Permanent Employee" shall mean a regular, full-time employee and any other employee who meets the requirements as established by the Council;

(*m*) "Plan" shall mean this pension plan for the employees of the Corporation;

(*n*) "Previous Plan" shall mean the employees' pension plan established as of December 1st, 1949;

(*o*) "Service" shall mean employment with an employer;

(*p*) Words importing the masculine gender include the feminine gender unless the context indicates otherwise.

Article II

Eligibility

1. All Permanent Employees who are in the service on the Commencement Date are eligible to participate in the Plan on that date, or on any Anniversary Date.

2. With the exception of employees of the Police Commission, an employee who is employed after the Commencement Date will be eligible to participate in the Plan provided that:

(*a*) He has not attained age 60.

(*b*) He is classified as a Permanent Employee.

(*c*) He has completed one year of service.

(*d*) He has attained age 21 if a male employee, or age 25 if a female employee.

3. All employees who are employed after the Commencement Date shall become members of the Plan on the Anniversary Date following the fulfilment of the eligibility requirements.

4. Employees of the Police Commission shall complete the application form on entering the service and their membership in the plan shall commence from the 1st day of the month next following the date of employment.

5. An eligible employee must complete the application form authorizing the deductions from his earnings as required under the provisions of this by-law and submit proof of age satisfactory to the insurer.

6. Any employee whose service with an employer is terminated and who subsequently returns to service will, for the purpose of this plan, be classed as a new employee.

Article III

Normal Retirement Age

1. Normal retirement age for members shall be the first day of the month next following the 65th birthday except that male members who on the Commencement Date are over age 60 will attain normal retirement age on July 1st, 1963.

Article IV

Amount of Pension

1. The yearly pension payable on retirement at normal retirement age shall be calculated by multiplying the number of complete years in each salary grade, after joining the Plan and for which contributions are paid, by the corresponding rate of pension shown in Column 3 of the table which appears in Article IX, and adding the figures so obtained.

2. The amount of pension payable under this Plan shall be in addition to any pension payable to registered members of the Previous Plan.

Article V

Payment of Pension

1. The pension at normal retirement age is payable by monthly instalments which are guaranteed to continue for 5 years certain and during the lifetime of the member thereafter.

2. The first payment of pension is payable on the date on which normal retirement age is attained.

3. If the total yearly pension payable under this Plan is less than $60.00 the member will receive in lieu of all other benefits under this Plan a lump sum which shall be the present value of the pension payable under this Plan as at such date of payment.

Article VI

Option forms of Pension

1. At any time before the attainment of normal retirement age a member may elect on the form provided by the insurer to receive at normal retirement age in lieu of any other pension under the Plan, one of the following optional forms of pension:

(*a*) A pension guaranteed to continue for 10 years certain and life thereafter.

(*b*) A pension guaranteed to continue for the lifetime of the member only.

(*c*) A pension guaranteed to continue until the death of the member and a nominated beneficiary.

(*d*) A pension which would be increased from normal retirement age until age 70, and decreased thereafter, the difference between the two amounts of pension being the amount of the pension payable according to the *Old Age Security Act* of the Government of Canada at the time the option is elected by the member.

Article VII

Early Retirement

1. With the written consent of the Corporation a member may retire at any time after attaining age 55.

2. The pension payable on early retirement will be the actuarial equivalent of the pension payable at normal retirement age calculated to the date of early retirement.

3. The first pension payment will be made on the first day of the month following receipt of notice by the Insurer of the date of early retirement.

4. The pension on early retirement would be payable for life but as a minimum would continue until an amount equal to the member's total contributions have been returned.

Article VIII

Deferred Retirement

1. If, with the written consent of the Corporation, a member continues in the service of an employer after normal retirement age, contributions will be required and pension benefits will continue to accrue according to the table shown under Article IX.

2. The pension payable after deferred retirement shall be guaranteed for 5 years certain and life thereafter.

Article IX

Salary Grade (1)	Annual Pay (2) Over	Annual Pay (2) Up to and Including	Annual Pension at Normal Pension Age for each complete year's contribution to the plan. (3) 2%	Employee's Contributions (4) Yearly	Employee's Contributions (4) Monthly
A	$ 0	$ 1,100	$ 20.00	$ 50.16	$ 4.18
B	1,100	1,300	24.00	60.19	5.02
C	1,300	1,500	28.00	70.23	5.86
D	1,500	1,700	32.00	80.26	6.69
E	1,700	1,900	36.00	90.29	7.53
F	1,900	2,100	40.00	100.32	8.36
G	2,100	2,500	46.00	115.37	9.62
H	2,500	2,900	54.00	135.43	11.29
I	2,900	3,300	62.00	155.50	12.96
J	3,300	3,700	70.00	175.56	14.63
K	3,700	4,300	80.00	200.64	16.72
L	4,300	4,900	92.00	230.74	19.23
M	4,900	5,500	104.00	260.83	21.74
N	5,500	6,500	120.00	300.96	25.08
O	6,500	7,500	140.00	351.12	29.26
P	7,500	8,500	160.00	401.28	33.44
Q	8,500	9,500	180.00	451.44	37.62
R	9,500	10,500	200.00	501.60	41.80
S	10,500	11,500	220.00	551.76	45.98
T	11,500	12,500	240.00	601.92	50.16
U	12,500	13,500	260.00	652.08	54.34
V	13,500	14,500	280.00	702.24	58.52
W	14,500	15,500	300.00	752.40	62.70
X	15,500	16,500	320.00	802.56	66.88
Y	16,500	17,500	340.00	852.72	71.06
Z	17,500	18,500	360.00	902.88	75.24
AA	18,500	19,500	380.00	953.04	79.42
BB	19,500	20,000	400.00	1,003.20	83.60

Article X

Contributions

1. The Employer shall deduct from the earnings of each member the amounts shown in Column 4 of Section 1 of Article IX according to the Member's earnings.

2. If an employee is temporarily absent from active duty, but is not receiving full remuneration, contributions may be discontinued during absence and a corresponding reduction made in the amount of pension.

3. Contributions made by members:

(*a*) Shall not be pledged or assigned as security for a loan, and

(*b*) Shall not be withdrawn in whole or in part while the member remains in the service.

4. The Corporation shall contribute the amount required in excess of an employee's contribution to purchase the benefits provided under the Plan; and the contributions made by the Corporation in respect of a member of the plan shall be as determined by the Insurer and may be greater than the contribution made by such member.

5. The deductions from the earnings of each member and the contributions by the Corporation shall be applied to provide the benefits herein set forth and for such purpose the Reeve and Clerk of the Corporation be and they are hereby authorized to enter into a group annuity contract with the Insurer.

Article XI

Change in Salary Grade

1. Change of salary grade will take effect for the purpose of this Plan on any Anniversary Date on which the earnings calculated as at that date entail a change of salary grade.

Article XII

Payment on Death

1. A member shall in writing name a beneficiary to receive the amount payable on his death.

2. Where

(*a*) the member does not name a beneficiary, or

(*b*) the member having named a beneficiary revokes the same and does not make a further nomination, or

(*c*) the nomination of a beneficiary is found to be invalid, or

(*d*) the beneficiary nominated predeceases the member and a further nomination is not made,

then any payment under the Plan shall be made to the heirs, executors or administrators of such member.

3. The amount payable in the event of a member's death shall be in accordance with the following:

(*a*) If a member dies while in the service of an employer and before retirement at normal retirement age, a return will be made of the whole of the member's contributions with interest thereon.

(*b*) If a member who has exercised the deferred retirement option dies after normal retirement age but before retirement on pension, payment will be made of the value of 5 years payments of the pension which would have been payable had the member retired on the date of death.

(*c*) If a pensioner dies before receiving the total number of instalments guaranteed, payments will be continued until the end of the guaranteed period and shall then cease.

4. The member, or after the member's death, the nominated beneficiary, if a spouse or dependant, may elect that settlement, under (*a*) or (*b*) of Section 3 of this Article XII, be made in accordance with one of the following options:

(*a*) In a lump sum; or

(*b*) In instalments over a period not exceeding 10 years. This option is only available to a beneficiary who is the member's spouse or dependant; or

(*c*) A life pension with or without a guaranteed period. The guaranteed period shall not exceed 10 years.

5. When the nominated beneficiary is not a spouse or dependant of the member, payment will be made in a lump sum, unless option (*c*) of Section 4 of this Article XII was elected by the member.

6. Any payment made to the member's estate will be made in a lump sum.

Article XIII

Termination of Employment before Normal Retirement Age

1. If a member leaves the service of an employer before retirement on pension, the following options shall be available in respect of the member's own contributions, provided the choice is indicated to the employer within thirty days after termination of employment. If the member's choice is not indicated within thirty days after termination of employment, the member shall be deemed to have selected the option described in subsection (*a*) of this Section 1.

(*a*) The member may elect to receive a return of his contributions with interest thereon.

(*b*) The member may elect to receive a deferred pension to commence at normal retirement age based on the contributions of the member prior to the date of termination.

2. If, on termination of employment before normal retirement age, a member elects a deferred pension as provided in subsection (*b*), Section 1, of this Article XIII, there will be added thereto a percentage of the pension which has been purchased by the contributions made by the Corporation on the member's behalf according to the following scale:

5 years service or less	6%
6 years service	20%
7 years service	40%
8 years service	60%
9 years service	80%
10 years service or after the attainment of age 55	100%

Article XIV

Transfer of Pension Funds

1. Where a member of this Plan has become or becomes a member of:

(*a*) the civil services of Ontario or Canada,

(*b*) the civic service of any other employer or local board, or

(*c*) the staff of any board, commission, or public institution established under any Act of the Legislature,

council shall, on the written request of the employee, by by-law authorize the transfer of and shall transfer a sum equal to the credit of the employee in this Plan including the payments and deductions made by the employer and employee together with interest thereon, to any like fund or plan maintained to provide superannuation benefits or pensions for the member of such civil or civic service or staff, as the case may be, where such fund or plan allows such transfers thereto.

2. Where a member of,

(*a*) the civil service of Ontario or Canada,

(*b*) the civic service of any other employer or local board, or

(*c*) the staff of any board, commission or public institution established under any Act of the Legislature,

on or after the first day of January, 1958, has become or becomes an employee of an employer, and a sum of money is transferred from any fund or plan maintained to provide superannuation benefits or pensions for the members of such civil or civic service or staff, as the case may be, to the credit of the employee, the council shall by by-law authorize the transfer

into and shall transfer into this Plan the said sum applicable to the employee. Any sum transferred into this Plan under the provisions of this Article XIV shall be applied under the Contract with the Insurer to purchase benefits according to the terms of this Plan.

Article XV

Transitional Provisions

1. To ensure that the rights acquired by any employee registered under the Previous Plan are not lost or diminished, it is hereby provided,

(*a*) that the pension payable under the Previous Plan shall be in addition to the pension payable under this Plan,

(*b*) that after the effective date no further payments or contributions shall be made in respect of the Previous Plan.

2. An employee who contributed to, but failed to register under, the previous plan may become a member of this Plan and the periods of service for which the member contributed to the previous Plan are to be recognized, and a yearly pension at normal retirement age will be provided equal to 40% of the employee's contributions while an unregistered member of the previous plan.

Read a first and second time this 18th day of December, 1957.

Read a third time and finally passed this 18th day of December, 1957.

J. H. Gillies,
Reeve.

J. R. Reynolds,
Clerk.

BILL

An Act respecting the Township of London

1st Reading

2nd Reading

3rd Reading

MR. STEWART (Middlesex North)

(*Private Bill*)

1958

No. 8

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the Township of London

MR. STEWART (Middlesex North)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 8 1958

BILL

An Act respecting the Township of London

WHEREAS The Corporation of the Township of London by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) By-law No. 3010 of The Corporation of the Township of London entitled "a by-law to establish a Pension Plan for the employees of the Township of London" passed on the 18th day of December, 1957, set forth as the Schedule hereto, is hereby ratified and confirmed and declared to be legal, valid and binding upon the Corporation and the employees and ratepayers thereof. Pension by-law confirmed

(2) The Corporation may do all such acts, matters and things as are necessary for the full and proper establishment of the pension plan in accordance with By-law No. 3010 and the carrying out of its obligations thereunder, and may amend such by-law from time to time with the approval of the Department of Municipal Affairs. Powers of Corporation

2. This Act shall be deemed to have come into force on the 1st day of January, 1958. Commencement

3. This Act may be cited as *The Township of London Act, 1958*. Short title

SCHEDULE

THE CORPORATION OF THE TOWNSHIP OF LONDON

By-law Number 3010

Being a by-law to establish a Pension Plan for the employees of the Township of London.

Whereas it is deemed advisable to establish a Pension Plan for the employees engaged in the affairs and purposes of The Corporation of the Township of London.

Now Therefore the Council of the Corporation of the Township of London enacts as a by-law thereof as follows:

Article I

Definitions

1. In this by-law unless a contrary intention appears,

(*a*) "Anniversary Date" shall mean July 1st in each year;

(*b*) "Commencement Date" shall mean January 1, 1958;

(*c*) "Contract" shall mean the group annuity contract to be entered into by the Corporation and The Insurer for the purposes of providing the benefits under this Plan;

(*d*) "Corporation" shall mean the Corporation of the Township of London;

(*e*) "Council" shall mean the Council of the Corporation of the Township of London;

(*f*) "Earnings" shall mean the salaries or wages received from the employer during the calendar year prior to the Commencement Date or Anniversary Date, as applicable;

(*g*) "Employer" shall mean the Corporation, or any Board, Commission, Committee, Body or Local Authority established or exercising any power or authority under any special or general Act with respect to any of the affairs or purposes of the Corporation;

(*h*) "Employee" shall mean any officer, clerk, workman, servant or other person, who is employed by an employer as defined in Section (*g*) of this Article I, but does not include a person holding an elective office or appointment;

(*i*) "Insurer" shall mean The Standard Life Assurance Company;

(*j*) "Interest" shall mean that rate of interest paid by the insurer, compounded annually, calculated from the end of the year of payment of contributions;

(*k*) "Member" shall mean an employee who has met the requirements of eligibility for admission to the Plan;

(*l*) "Permanent Employee" shall mean a regular, full-time employee and any other employee who meets the requirements as established by the Council;

(*m*) "Plan" shall mean this pension plan for the employees of the Corporation;

(*n*) "Previous Plan" shall mean the employees' pension plan established as of December 1st, 1949;

(*o*) "Service" shall mean employment with an employer;

(*p*) Words importing the masculine gender include the feminine gender unless the context indicates otherwise.

Article II

Eligibility

1. All Permanent Employees who are in the service on the Commencement Date are eligible to participate in the Plan on that date, or on any Anniversary Date.

2. With the exception of employees of the Police Commission, an employee who is employed after the Commencement Date will be eligible to participate in the Plan provided that:

(*a*) He has not attained age 60.

(*b*) He is classified as a Permanent Employee.

(*c*) He has completed one year of service.

(*d*) He has attained age 21 if a male employee, or age 25 if a female employee.

3. All employees who are employed after the Commencement Date shall become members of the Plan on the Anniversary Date following the fulfilment of the eligibility requirements.

4. Employees of the Police Commission shall complete the application form on entering the service and their membership in the plan shall commence from the 1st day of the month next following the date of employment.

5. An eligible employee must complete the application form authorizing the deductions from his earnings as required under the provisions of this by-law and submit proof of age satisfactory to the insurer.

6. Any employee whose service with an employer is terminated and who subsequently returns to service will, for the purpose of this plan, be classed as a new employee.

Article III

Normal Retirement Age

1. Normal retirement age for members shall be the first day of the month next following the 65th birthday except that male members who on the Commencement Date are over age 60 will attain normal retirement age on July 1st, 1963.

Article IV

Amount of Pension

1. The yearly pension payable on retirement at normal retirement age shall be calculated by multiplying the number of complete years in each salary grade, after joining the Plan and for which contributions are paid, by the corresponding rate of pension shown in Column 3 of the table which appears in Article IX, and adding the figures so obtained.

2. The amount of pension payable under this Plan shall be in addition to any pension payable to registered members of the Previous Plan.

Article V

Payment of Pension

1. The pension at normal retirement age is payable by monthly instalments which are guaranteed to continue for 5 years certain and during the lifetime of the member thereafter.

2. The first payment of pension is payable on the date on which normal retirement age is attained.

3. If the total yearly pension payable under this Plan is less than $60.00 the member will receive in lieu of all other benefits under this Plan a lump sum which shall be the present value of the pension payable under this Plan as at such date of payment.

Article VI

Option forms of Pension

1. At any time before the attainment of normal retirement age a member may elect on the form provided by the insurer to receive at normal retirement age in lieu of any other pension under the Plan, one of the following optional forms of pension:

(*a*) A pension guaranteed to continue for 10 years certain and life thereafter.

(*b*) A pension guaranteed to continue for the lifetime of the member only.

(*c*) A pension guaranteed to continue until the death of the member and a nominated beneficiary.

(*d*) A pension which would be increased from normal retirement age until age 70, and decreased thereafter, the difference between the two amounts of pension being the amount of the pension payable according to the *Old Age Security Act* of the Government of Canada at the time the option is elected by the member.

Article VII

Early Retirement

1. With the written consent of the Corporation a member may retire at any time after attaining age 55.

2. The pension payable on early retirement will be the actuarial equivalent of the pension payable at normal retirement age calculated to the date of early retirement.

3. The first pension payment will be made on the first day of the month following receipt of notice by the Insurer of the date of early retirement.

4. The pension on early retirement would be payable for life but as a minimum would continue until an amount equal to the member's total contributions have been returned.

Article VIII

Deferred Retirement

1. If, with the written consent of the Corporation, a member continues in the service of an employer after normal retirement age, contributions will be required and pension benefits will continue to accrue according to the table shown under Article IX.

2. The pension payable after deferred retirement shall be guaranteed for 5 years certain and life thereafter.

Article IX

Salary Grade (1)	Annual Pay (2) Over	Annual Pay (2) Up to and Including	Annual Pension at Normal Pension Age for each complete year's contribution to the plan. (3) 2%	Employee's Contributions (4) Yearly	Employee's Contributions (4) Monthly
A	$ 0	$ 1,100	$ 20.00	$ 50.16	$ 4.18
B	1,100	1,300	24.00	60.19	5.02
C	1,300	1,500	28.00	70.23	5.86
D	1,500	1,700	32.00	80.26	6.69
E	1,700	1,900	36.00	90.29	7.53
F	1,900	2,100	40.00	100.32	8.36
G	2,100	2,500	46.00	115.37	9.62
H	2,500	2,900	54.00	135.43	11.29
I	2,900	3,300	62.00	155.50	12.96
J	3,300	3,700	70.00	175.56	14.63
K	3,700	4,300	80.00	200.64	16.72
L	4,300	4,900	92.00	230.74	19.23
M	4,900	5,500	104.00	260.83	21.74
N	5,500	6,500	120.00	300.96	25.08
O	6,500	7,500	140.00	351.12	29.26
P	7,500	8,500	160.00	401.28	33.44
Q	8,500	9,500	180.00	451.44	37.62
R	9,500	10,500	200.00	501.60	41.80
S	10,500	11,500	220.00	551.76	45.98
T	11,500	12,500	240.00	601.92	50.16
U	12,500	13,500	260.00	652.08	54.34
V	13,500	14,500	280.00	702.24	58.52
W	14,500	15,500	300.00	752.40	62.70
X	15,500	16,500	320.00	802.56	66.88
Y	16,500	17,500	340.00	852.72	71.06
Z	17,500	18,500	360.00	902.88	75.24
AA	18,500	19,500	380.00	953.04	79.42
BB	19,500	20,000	400.00	1,003.20	83.60

Article X

Contributions

1. The Employer shall deduct from the earnings of each member the amounts shown in Column 4 of Section 1 of Article IX according to the Member's earnings.

2. If an employee is temporarily absent from active duty, but is not receiving full remuneration, contributions may be discontinued during absence and a corresponding reduction made in the amount of pension.

3. Contributions made by members:

(*a*) Shall not be pledged or assigned as security for a loan, and

(*b*) Shall not be withdrawn in whole or in part while the member remains in the service.

4. The Corporation shall contribute the amount required in excess of an employee's contribution to purchase the benefits provided under the Plan; and the contributions made by the Corporation in respect of a member of the plan shall be as determined by the Insurer and may be greater than the contribution made by such member.

5. The deductions from the earnings of each member and the contributions by the Corporation shall be applied to provide the benefits herein set forth and for such purpose the Reeve and Clerk of the Corporation be and they are hereby authorized to enter into a group annuity contract with the Insurer.

Article XI

Change in Salary Grade

1. Change of salary grade will take effect for the purpose of this Plan on any Anniversary Date on which the earnings calculated as at that date entail a change of salary grade.

Article XII

Payment on Death

1. A member shall in writing name a beneficiary to receive the amount payable on his death.

2. Where

(*a*) the member does not name a beneficiary, or

(*b*) the member having named a beneficiary revokes the same and does not make a further nomination, or

(*c*) the nomination of a beneficiary is found to be invalid, or

(*d*) the beneficiary nominated predeceases the member and a further nomination is not made,

then any payment under the Plan shall be made to the heirs, executors or administrators of such member.

3. The amount payable in the event of a member's death shall be in accordance with the following:

(*a*) If a member dies while in the service of an employer and before retirement at normal retirement age, a return will be made of the whole of the member's contributions with interest thereon.

(*b*) If a member who has exercised the deferred retirement option dies after normal retirement age but before retirement on pension, payment will be made of the value of 5 years payments of the pension which would have been payable had the member retired on the date of death.

(*c*) If a pensioner dies before receiving the total number of instalments guaranteed, payments will be continued until the end of the guaranteed period and shall then cease.

4. The member, or after the member's death, the nominated beneficiary, if a spouse or dependant, may elect that settlement, under (*a*) or (*b*) of Section 3 of this Article XII, be made in accordance with one of the following options:

(*a*) In a lump sum; or

(*b*) In instalments over a period not exceeding 10 years. This option is only available to a beneficiary who is the member's spouse or dependant; or

(*c*) A life pension with or without a guaranteed period. The guaranteed period shall not exceed 10 years.

5. When the nominated beneficiary is not a spouse or dependant of the member, payment will be made in a lump sum, unless option (*c*) of Section 4 of this Article XII was elected by the member.

6. Any payment made to the member's estate will be made in a lump sum.

Article XIII

Termination of Employment before Normal Retirement Age

1. If a member leaves the service of an employer before retirement on pension, the following options shall be available in respect of the member's own contributions, provided the choice is indicated to the employer within thirty days after termination of employment. If the member's choice is not indicated within thirty days after termination of employment, the member shall be deemed to have selected the option described in subsection (*a*) of this Section 1.

(*a*) The member may elect to receive a return of his contributions with interest thereon.

(*b*) The member may elect to receive a deferred pension to commence at normal retirement age based on the contributions of the member prior to the date of termination.

2. If, on termination of employment before normal retirement age, a member elects a deferred pension as provided in subsection (*b*), Section 1, of this Article XIII, there will be added thereto a percentage of the pension which has been purchased by the contributions made by the Corporation on the member's behalf according to the following scale:

5 years service or less	6%
6 years service	20%
7 years service	40%
8 years service	60%
9 years service	80%
10 years service or after the attainment of age 55	100%

Article XIV

Transfer of Pension Funds

1. Where a member of this Plan has become or becomes a member of:

(*a*) the civil services of Ontario or Canada,

(*b*) the civic service of any other employer or local board, or

(*c*) the staff of any board, commission, or public institution established under any Act of the Legislature,

council shall, on the written request of the employee, by by-law authorize the transfer of and shall transfer a sum equal to the credit of the employee in this Plan including the payments and deductions made by the employer and employee together with interest thereon, to any like fund or plan maintained to provide superannuation benefits or pensions for the member of such civil or civic service or staff, as the case may be, where such fund or plan allows such transfers thereto.

2. Where a member of,

(*a*) the civil service of Ontario or Canada,

(*b*) the civic service of any other employer or local board, or

(*c*) the staff of any board, commission or public institution established under any Act of the Legislature,

on or after the first day of January, 1958, has become or becomes an employee of an employer, and a sum of money is transferred from any fund or plan maintained to provide superannuation benefits or pensions for the members of such civil or civic service or staff, as the case may be, to the credit of the employee, the council shall by by-law authorize the transfer

into and shall transfer into this Plan the said sum applicable to the employee. Any sum transferred into this Plan under the provisions of this Article XIV shall be applied under the Contract with the Insurer to purchase benefits according to the terms of this Plan.

Article XV

Transitional Provisions

1. To ensure that the rights acquired by any employee registered under the Previous Plan are not lost or diminished, it is hereby provided,

(*a*) that the pension payable under the Previous Plan shall be in addition to the pension payable under this Plan,

(*b*) that after the effective date no further payments or contributions shall be made in respect of the Previous Plan.

2. An employee who contributed to, but failed to register under, the previous plan may become a member of this Plan and the periods of service for which the member contributed to the previous Plan are to be recognized, and a yearly pension at normal retirement age will be provided equal to 40% of the employee's contributions while an unregistered member of the previous plan.

Read a first and second time this 18th day of December, 1957.

Read a third time and finally passed this 18th day of December, 1957.

J. H. Gillies,
Reeve.

J. R. Reynolds,
Clerk.

BILL

An Act respecting
the Township of London

1st Reading

February 13th, 1958

2nd Reading

February 27th, 1958

3rd Reading

March 6th, 1958

MR. STEWART (Middlesex North)

1958

No. 9

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the City of Chatham

MR. PARRY

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 9 1958

BILL

An Act respecting the City of Chatham

Preamble

WHEREAS The Corporation of the City of Chatham, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Bus franchise by-law and agreement confirmed

1. By-law No. 4452 of the Corporation, passed on the 16th day of December, 1957, being a by-law to extend the franchise held by J. I. DeNure (Chatham) Limited for the operation of a passenger transportation bus service within the limits of the City of Chatham, set forth as the Schedule hereto, and the Agreement set forth in Schedule "A" to the by-law, are hereby confirmed and declared to be valid and binding upon the Corporation and the ratepayers thereof, and upon J. I. DeNure (Chatham) Limited, and upon any other person or persons affected thereby.

Bus franchise agreement as to payment R.S.O. 1950, c. 243

2.—(1) In addition to its powers under paragraph 92 of subsection 1 of section 388 of *The Municipal Act*, the council of the Corporation, with the approval of the Ontario Municipal Board, may in any agreement granting a bus franchise agree to pay to the person to whom the franchise is granted, by way of subsidies, such sums, in such instalments and on such conditions, as may be agreed upon.

Levy

(2) The council of the Corporation may levy in the year in which any such sum becomes due and payable, or in the year next following the year in which any such sum becomes due and payable, a special rate sufficient to raise such sum on all rateable property in the municipality or in the area defined in the agreement.

Assent and approval

(3) Subject to subsection 4, no agreement entered into under subsection 1 shall be valid unless it has received the assent of the electors qualified to vote on money matters, and has been approved by the Ontario Municipal Board.

Exception R.S.O. 1950, c. 262

(4) Notwithstanding section 67 of *The Ontario Municipal Board Act*,

(*a*) where the term of the franchise as set forth in the agreement is for two months or less, neither the assent of the electors nor the approval of the Ontario Municipal Board shall be required; and

(*b*) where the term of the franchise as set forth in the agreement is for more than two months but not more than one year, only the approval of the Ontario Municipal Board shall be required.

Interim levy for general purposes R.S.O. 1950, c. 243

3.—(1) In addition to its powers under section 308 of *The Municipal Act*, the council of the Corporation may, in any year, before the adoption of the estimates for that year, levy on the whole rateable real property in the municipality a rate of not more than 40 per cent of the rates levied in the preceding year on residential real property of public school supporters.

Annual levy reduced by amount of interim levy

(2) Where in any year a levy is made under subsection 1, the amount required to be raised by levy under section 308 of *The Municipal Act* with respect to real property shall be reduced by the amount to be raised by the levy under subsection 1.

Application of R.S.O. 1950, c. 24

(3) The provisions of *The Assessment Act* with respect to the levy of the yearly rates and the collection of taxes shall apply *mutatis mutandis* to the levy of rates and collection of taxes under this section.

Certain lands restricted as public park

4. The part of the unpaved portion of William Street in the City of Chatham lying between the westerly margin of the existing pavement and the westerly limit of the said Street allowance extending from Colborne Street northerly to Stanley Avenue, and that portion of Stanley Avenue lying between the southerly limit of the said Street allowance and a line running parallel thereto and located 15 feet northerly thereof extending westerly from William Street to the River Thames, are hereby restricted for use only as Public Park lands, unless some other proposed use receives the assent of the electors of the City of Chatham entitled to vote at municipal elections.

1895, c. 65, s. 2, repealed

5. Section 2 of *An Act to incorporate the City of Chatham*, being chapter 65 of the Statutes of Ontario, 1895, is repealed.

Commencement

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

Short title

7. This Act may be cited as *The City of Chatham Act, 1958*.

SCHEDULE

By-law Number 4452

OF THE CORPORATION OF THE CITY OF CHATHAM

A By-law to extend the Franchise held by J. I. DeNure (Chatham) Limited to the 31st day of December, 1967, for providing a transportation service in the City of Chatham.

Finally Passed the 16th day of December, 1957.

Whereas since the year 1948 a bus transportation service system has been operated for the citizens of the City of Chatham by J. I. DeNure (Chatham) Limited, under exclusive franchises.

And Whereas the present franchise held by the said J. I. DeNure (Chatham) Limited expires December 31st, 1957;

And Whereas the said J. I. DeNure (Chatham) Limited has requested that its franchise be extended for a period of ten years, to the 31st day of December, 1967;

And Whereas the Council of the Corporation of the City of Chatham is of the opinion that the transportation system offered by the said J. I. DeNure (Chatham) Limited presents a transportation service on the most economical and satisfactory terms available, or likely to be available over the said period, and deems it advisable to grant to the said J. I. DeNure (Chatham) Limited an exclusive franchise on the terms and conditions outlined in the Agreement marked Schedule "A" hereto;

And Whereas it will be necessary to obtain special legislation from the Legislative Assembly of the Province of Ontario for authority to make the payments provided for in the said Agreement;

Be It Therefore Enacted by the Municipal Council of the Corporation of the City of Chatham as follows:

1. That the Corporation of the City of Chatham hereby grants to J. I. DeNure (Chatham) Limited the exclusive right, franchise and privilege for the period of ten years from the 1st of January, 1958, to operate a passenger transportation system over, through and upon streets, avenues and public places within the limits of the City of Chatham in accordance with the provisions of the Agreement between the Corporation of the City of Chatham and J. I. DeNure (Chatham) Limited, marked Schedule "A" hereto.

2. That the Mayor and Clerk are hereby authorized to execute, on behalf of the Corporation of the City of Chatham, the said Agreement marked Schedule "A" hereto.

3. That the Mayor and Clerk are hereby authorized to sign, on behalf of the Corporation of the City of Chatham, a Petition to the Legislative Assembly of the Province of Ontario and to the Lieutenant-Governor-in-Council for special legislation authorizing the Corporation of the City of Chatham to make the payments called for in the said Agreement marked Schedule "A" hereto, and giving to the Corporation any other special powers necessary to enable it to enter into the said Agreement.

This by-law shall come into full force and effect as of January 1st, 1958,

(*a*) When the same has been assented to by the electors of the City of Chatham;

(*b*) When the Agreement marked Schedule "A" hereto has been executed by the parties; and

(*c*) When special legislation of the Legislative Assembly of the Province of Ontario comes into effect, enabling the Corporation of the City of Chatham to perform the said Agreement marked Schedule "A" hereto.

A. E. STIRLING,
Mayor.

W. L. FOREMAN,
Clerk.

SCHEDULE "A"

THIS AGREEMENT made in triplicate this 18th day of October, A.D. 1957.

BETWEEN:

THE CORPORATION OF THE CITY OF CHATHAM, hereinafter called the "Party",

OF THE FIRST PART,

—and—

J. I. DENURE (CHATHAM) LIMITED, hereinafter called the "Party"

OF THE SECOND PART.

WHEREAS the Party of the second part has been operating a bus transportation service for the citizens of the City of Chatham, under an Agreement dated 15th March, 1957, which expires December 31st, 1957;

AND WHEREAS the Party of the first part is desirous that a proper bus transportation service be continued;

AND WHEREAS it is desired to set forth the terms and conditions for the operating of the said transportation system in the City of Chatham;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises the Parties mutually covenant and agree for themselves, their successors and assigns, as follows:

1. The Party of the first part hereby grants to the Party of the second part, its successors and assigns as hereinafter provided, the exclusive right, franchise and privilege for the full period of ten years from the 1st day of January, 1958, for the operation of a passenger transportation system on a time schedule and, for such purpose, to maintain, lease, own and operate busses and other vehicles operated by gasoline or automotive power, together with any rolling stock and equipment necessary and incidental thereto, and upon the terms mentioned in and authorized by this Agreement, and for that purpose to use, occupy and operate upon such streets in the City of Chatham for the said term of ten years, and also to operate upon schedule as to days of the week (except Sunday and legal holidays) service, frequency of service as may be decided to be necessary by the Party of the first part.

2. The Party of the second part covenants to maintain a transportation service as required by the Party of the first part from time to time, upon such streets and upon such schedule as to days of the week, daily service, frequency of service, stopping places and fares, as required by the Party of the first part, provided the Party of the second part shall not be required to accept routes over unpaved streets for more than the period of one year, and subject always to the minimum requirements contained in paragraph 18 hereof, provided the mileage per day not to be reduced below what will average 125 miles per bus per day. The Party of the second part shall also provide and operate two special busses on routes and at the times shown on the Schedule attached hereto marked "A", during the period from 1st January, 1958, to December 31st, 1959, on all days when Secondary Schools are open, and shall receive therefor the sum of Fifty Dollars ($50.00) per day, payable twice monthly, in lieu of payment on mileage basis, provided the Party of the first part may at any time prior to December 31st, 1957, cancel this provision for two special busses. Between the dates December 31st, 1957, and December 31st, 1959, the Party of the first part may cancel this provision, but in such case shall compensate the Party of the second part, if it so requires, with respect to one special bus, the amount of the difference between the sale price it obtains for such bus and the book value of the bus. The request for compensation shall be made within two weeks of the cancellation of this provision; otherwise the right to compensation shall be lost to the Party of the second part.

3. Should the Party of the second part wilfully and continuously fail to operate the said passenger transportation system as herein agreed upon or as hereinafter may be agreed upon, the Party of the first part may grant or permit to be granted to any other person, partnership, company or corporation, the right to operate a transportation system as long as such failure continues, and it is further hereby mutually agreed by and between the Parties hereto that in the event of the Party of the second part failing to operate the said transportation system or to perform any of the conditions and obligations hereinafter set out, the Party of the first part shall be at liberty to give the Party of the second part notice in writing, setting out the particulars in which the Party of the second part has failed to perform or has violated any of the covenants and obligations herein set out, and in the event of the Party of the second part failing to operate after commencement of operations for a period of one month from the date of notice given by the Party of the first part of such non-performance, such notice to be given by registered mail directed to the Party of the second part at Chatham, Ontario, then this Agreement shall, at the option of the Party of the first part, become rescinded to all intents and purposes, and the rights and privileges herein shall cease and terminate, together with all licenses from the Party of the first part under which the Party of the second part may operate, and the Party of the second part shall not be entitled to any compensaton or damages whatsoever.

4. The Party of the second part shall, before operating any vehicles under the authority of this Agreement, obtain from the Board of Commissioners of Police for the City of Chatham, a license for each vehicle, and also pay to the Corporation of the City of Chatham any fee or charge as may be determined by By-law (not being in the nature of a license fee), provided, however, that the fee or charges for such licenses shall not exceed the sum of Ten Dollars ($10.00) for each vehicle per year. Such licenses are not to be arbitrarily issued, but shall be conditional upon the reasonable compliance of each vehicle as to condition, safety devices and other requisites, as pertaining thereto in this Agreement.

5. All vehicles used or operated under the authority of this Agreement shall be at all times fully equipped with approved safety devices and shall be kept and maintained in first class serviceable condition and present at all times a good appearance, and all vehicles while in operation shall be kept in a clean, sanitary condition.

6. The Party of the second part shall at all times keep the said vehicles insured in a Company satisfactory to the Party of the first part, against public liability to passenger and public and property damage, and be responsible for all accidents resulting from its negligence or through the negligence of its agents or workmen in operating any vehicle. The said insurance shall, at least, indemnify against such liability for injuries to any one person, for any one accident or for property damage to the amounts provided by the regulations respecting the licensing of public vehicles or by any statute or regulation of the Province of Ontario, and shall at all times keep such policies on file in the office of the City Clerk, and further shall indemnify and save the Party of the first part harmless from any and all costs or damages which may accrue in any manner by reason of the negligent act of omission or commission in the operation of any vehicle as herein set out.

7. The Party of the first part agrees to pass such by-laws as in its opinion are essential to conduct a proper transportation system in, over and upon the streets or highways within the limits of the City of Chatham, and to provide for bus stops at such designated street intersections as it may decide upon, which spaces shall be reserved for the use of the busses of the Party of the second part during schedule hours, and to prohibit parking on such reserved spaces during the said schedule hours.

8. It is agreed between the Parties hereto that the Party of the second part shall collect fares according to the following fare schedule:

(*a*) Single cash fare—15c, 8 tickets for $1.00.

(*b*) Children (other than school children) under 12 years of age not more than 51" in height—cash fare 10c. Children under 5 years of age when with a paying passenger ride free.

(*c*) Payment of fare either by cash or by ticket shall entitle a passenger to ride from any point within a route to any other point served by the Party of the second part in the City, and for the purpose of making such journey the passenger shall be entitled to transfer from one route to one or more routes as may be necessary to reach his destination, without the payment of additional fares. Provided that such transfers may be used only on the first connecting coach or bus.

(*d*) The foregoing rate schedule may be amended from time to time as determined by the Party of the first part.

9. Policemen and Firemen in the employ of the Party of the first part shall be carried free when in uniform and on duty, on runs within the City of Chatham, and employees of the Party of the second part and their dependents shall be carried free on such runs.

10. All revenue collected in fare boxes for transportation provided hereunder shall be the property of the Party of the first part, and delivery of such revenue shall be made daily to the City Offices, or to such other place as the Party of the first part may require. Tickets received in fare boxes shall be paid for by the Party of the second part twice monthly at 12½c each so long as tickets are sold 8 for $1.00, or at such rate as may be subsequently agreed upon.

11. In consideration of the performance of all of its covenants herein contained by the Party of the second part, the Party of the first part covenants to pay to the Party of the second part forty-eight cents (48c) for each mile its busses are operated in providing the transportation service required hereunder, excluding mileage for chartered trips within the City. The mileage to be paid for shall be determined twice monthly on a basis whereby the distances of the routes travelled are logged, and the total number of trips over such routes are counted, the amount of the payment to be arrived at by multiplying the mileage distances of the routes by the numbers of trips made, by the sum of forty-eight cents (48c). Payments shall be made twice monthly upon approval by the Municipal Council of the Party of the first part of the statement of mileage submitted by the Party of the second part. It is acknowledged that the said payment of forty-eight cents (48c) per mile is based on operation cost per mile of City bus line only, plus 6% interest on the capital investment of the Party of the second part, plus 3.3c per mile profit, as indicated in the October 1957 Auditors' statement prepared for the Party of the second part, which is attached as Schedule "B" hereto. If in any year semi-annual Auditors' statements of the Party of the second part show operation costs per mile based on the same factors, other than profit as contained in the October 1957 statement, are either increased or decreased, the rate per mile shall be adjusted for the said half year so that it will bear the same relation to the operating cost per mile plus 6% per annum on capital investment as forty-eight cents (48c) does to the October 1957 cost per mile, plus 6% per annum on capital investment, provided the adjustment shall be made to the nearest half cent. Any payment due to either Party on such adjustment shall be made in thirty days after demand. Semi-annual Auditors' statements shall be furnished as received, and all business records of the Party of the second part pertaining to City bus operation shall be made available, if requested by the Party of the first part. The Party of the second part agrees that before entering into any new wage contract with its employees it will obtain the approval of the City Council to the terms thereof, and that salaries for management shall not be increased without the consent of the Party of the first part. It is further agreed by the Parties hereto that the operating costs and depreciation charges in respect of the special busses referred to in paragraph 2 hereof shall be excluded in calculating operation costs per mile, and that if, after the payment of the stipulated price per mile is made to

the Party of the second part, there remains a surplus in any year, the surplus up to what would amount to three cents (3c) per mile of operation in that year shall be the property of the Party of the first part, and any surplus over that shall be divided equally between the Parties.

12. The Party of the first part undertakes to apply to the Legislative Assembly of the Province of Ontario for such powers as will enable the Party of the first part to do, perform and carry out each and every of the agreements and covenants on its part to be done, performed and carried out.

13. The said Party of the first part agrees to provide, erect and maintain, during the term of this franchise, usual 'Coach Stop' signs along the said routes at such places as the Parties hereto may agree upon.

14. The Party of the second part covenants not to assign its rights under this Agreement without the consent of the Party of the first part.

15. The Party of the first part agrees to keep all bus or coach route streets in a reasonably good state of repair at all times, and if by reason of unusual weather conditions or other circumstances any of the said route streets become impassable by reason of snow or ice, then in that event the Party of the first part agrees to act as promptly as is possible in the clearing of the snow and the sanding of such coach route streets as may be deemed to be unsafe or impassable by reason of icing. And until such condition as caused by unusual or inclement weather is remedied, the Party of the second part may, on notice to the City Manager, re-route its busses over such other coach route streets as in the opinion of the Party of the second part may be deemed advisable.

16. The Party of the first part agrees to assist the Party of the second part in preventing the Railroads from blocking the streets for periods of over five minutes at one time, excepting as permitted by law.

17. During the term of this Agreement or until the termination thereof, the Party of the first part shall not in any way depreciate the right, privilege or franchise hereby granted, and shall not grant or permit to be granted to any other person, partnership, firm or corporation, any right, privilege, license or franchise to construct, maintain, use or operate any lines of railway for local passenger trips, or any bus, jitney or other similar vehicles for the purpose of transporting passengers for gain or hire, the operation of which will come into competition with the transportation system of the Party of the second part. Provided that any such grant to operate a bus or jitney or other similar vehicle between any points in the City and any locality outside of the City not served by the transportation system of the Party of the second part shall not be deemed to depreciate the said right, privilege or franchise. In no case shall any bus, jitney or similar vehicle be permitted to take on passengers within the City and discharge the said passengers within the City. Provided further that this section shall not apply to any ordinary cabs or taxicabs kept for hire and used for transportation not over a fixed route, at fares fixed by the Board of Police Commissioners of the Party of the first part. In the event of any transportation of passengers over which the Corporation has no power or control, then the said Party of the first part is not to be held liable for any loss or damage sustained by the Party of the second part by reason thereof.

18. The Party of the second part in pursuance of the powers granted in paragraph 1 hereof, as a condition precedent to the execution of this Agreement, agrees to put in service six (6) modern busses in good condition and to have ready at all times for service, in conformance with the terms of the Agreement, two spare coaches or busses, also in good condition. The Party of the second part further agrees to expand and extend the said service to meet all reasonable requirements of a passenger transportation system within the limits of the City of Chatham, from time to time, and for this purpose to obtain such further new coaches or busses subject to an allowance of reasonable time to get delivery of such busses, or in any event such further coaches or busses in first class condition as are essential to the carrying on of a passenger transportation coach or bus service.

19. The performance of this Agreement by the Party of the second part shall be excused during such time as performance may be rendered impossible by disaster, act of God or other cause beyond the control of the Party of the second part.

20. All former Agreements between the Parties hereto in respect of bus transportation and franchise, are hereby abrogated and of no further force and effect.

21. Either Party may terminate its obligations under this Agreement after December 31st, 1959, on any December 31st upon giving at least six months' notice in writing to the other Party prior to the December 31st of the year in which the Agreement is to be terminated. If this Agreement is terminated by the Party of the first part prior to December 31st, 1967, except where terminated by reason of default of the Party of the second part, the Party of the first part shall, if requested by the Party of the second part, purchase all busses of the Party of the second part used in the City service under this Agreement, at their then book value as established by the Auditors' records prepared for the Party of the second part at the time. The Party of the second part agrees that in its accounting, its busses shall be depreciated ten per cent of cost per annum for a period of ten years from the date of purchase of each bus, and that when, in respect of each bus, the ten-year period has expired no charge for depreciation of such bus shall thereafter be included in its operating costs.

22. This Agreement shall be binding upon the Parties hereto, their successors and assigns, if assented to by the ratepayers of the City of Chatham, and when confirmed by special legislation of the Legislative Assembly of the Province of Ontario.

In Witness Whereof the Parties hereto have hereunto affixed their Corporate seals duly attested by the hands of their proper Officers.

Signed, Sealed and Delivered In the presence of: (Seal)	The Corporation of the City of Chatham: A. E. Stirling, *Mayor.* W. L. Foreman, *Clerk.*
(Seal)	J. I. DeNure (Chatham) Limited: J. I. DeNure.

Schedule "A"

[Plan of routes, showing time schedules, attached.]

Schedule "B"

CHATHAM COACH LINES, CHATHAM, ONTARIO

Statement of Operating Costs of City Runs
Period of Nine Months Ended September 30, 1957,
and Basis of Calculation of Same.

Item	Basis of Calculation		Amount
Bus Sundry Expenses	50% of Total		$ 109.16
Garage Supplies	50% of Total		459.02
Gasoline	Actual Cost		11,521.80
Grease and Oil	60% of Total		462.56
Insurance on Buses	3% on Income plus cost of Fire Insurance		2,527.87
Licenses	Actual Cost		798.00
Bus Repairs—Parts	60% of Total Cost		6,609.75
—Tires	60% of Total Cost		2,377.61
Taxes—Property and Business	60% of Total Cost		650.29
Sundry Repairs—Sublet Work	60% of Total Cost		1,230.90
Unemployment Insurance	Company's Portion		290.16
Uniforms	60% of Total Cost		245.62
Wages	Actual payments		36,816.00
Water	75% Total Consumption		53.05
DEPRECIATION			
Building	10% of Book Value	$ 866.18	
Buses	10% on Cost	6,979.12	
Garage Equipment	60% of Total	83.23	
Service Truck	Actual	35.80	
			7,964.33
Management	50% of Total		2,730.00
Accounting	50% of Total		150.00
Legal	Actual Payment		500.00
Advertising	50% of Total		91.09
General Expenses	50% of Total		133.18
Group Insurance	70% of Total		1,871.97
Light and Heat	75% of Total		485.42
Office Expense	Total for Period		102.54
Stationery and Tickets	Actual Payments		564.50
Telephone	25% of Total		153.82
Interest on Investment	6% on 50,000.00 for 9 months		2,250.00
TOTAL COST FOR PERIOD			$81,148.64

Miles Travelled	181.640	
Cost per mile		44.7
Profit per mile		3.3
Price per mile		48.0

BILL

An Act respecting
the City of Chatham

1st Reading

2nd Reading

3rd Reading

MR. PARRY

(*Private Bill*)

1958

No. 9

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the City of Chatham

MR. PARRY

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 9 1958

BILL

An Act respecting the City of Chatham

WHEREAS The Corporation of the City of Chatham, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 4452 of the Corporation, passed on the 16th day of December, 1957, being a by-law to extend the franchise held by J. I. DeNure (Chatham) Limited for the operation of a passenger transportation bus service within the limits of the City of Chatham, set forth as the Schedule hereto, and the Agreement set forth in Schedule "A" to the by-law, are hereby confirmed and declared to be valid and binding upon the Corporation and the ratepayers thereof, and upon J. I. DeNure (Chatham) Limited, and upon any other person or persons affected thereby. Bus franchise by-law and agreement confirmed

2.—(1) In addition to its powers under paragraph 92 of subsection 1 of section 388 of *The Municipal Act*, the council of the Corporation, with the approval of the Ontario Municipal Board, may in any agreement granting a bus franchise agree to pay to the person to whom the franchise is granted, by way of subsidies, such sums, in such instalments and on such conditions, as may be agreed upon. Bus franchise agreement as to payment R.S.O. 1950, c. 243

(2) The council of the Corporation may levy in the year in which any such sum becomes due and payable, or in the year next following the year in which any such sum becomes due and payable, a special rate sufficient to raise such sum on all rateable property in the municipality or in the area defined in the agreement. Levy

(3) Subject to subsection 4, no agreement entered into under subsection 1 shall be valid unless it has received the assent of the electors qualified to vote on money matters, and has been approved by the Ontario Municipal Board. Assent and approval

Exception R.S.O. 1950, c. 262

(4) Notwithstanding section 67 of *The Ontario Municipal Board Act*,

(*a*) where the term of the franchise as set forth in the agreement is for two months or less, neither the assent of the electors nor the approval of the Ontario Municipal Board shall be required; and

(*b*) where the term of the franchise as set forth in the agreement is for more than two months but not more than one year, only the approval of the Ontario Municipal Board shall be required.

Interim levy for general purposes R.S.O. 1950, c. 243

3.—(1) In addition to its powers under section 308 of *The Municipal Act*, the council of the Corporation may, in any year, before the adoption of the estimates for that year, levy on the whole rateable real property in the municipality a rate of not more than 40 per cent of the rates levied in the preceding year on residential real property of public school supporters.

Annual levy reduced by amount of interim levy

(2) Where in any year a levy is made under subsection 1, the amount required to be raised by levy under section 308 of *The Municipal Act* with respect to real property shall be reduced by the amount to be raised by the levy under subsection 1.

Application of R.S.O. 1950, c. 24

(3) The provisions of *The Assessment Act* with respect to the levy of the yearly rates and the collection of taxes shall apply *mutatis mutandis* to the levy of rates and collection of taxes under this section.

Certain lands restricted as public park

4. The part of the unpaved portion of William Street in the City of Chatham lying between the westerly margin of the existing pavement and the westerly limit of the said Street allowance extending from Colborne Street northerly to Stanley Avenue, and that portion of Stanley Avenue lying between the southerly limit of the said Street allowance and a line running parallel thereto and located 15 feet northerly thereof extending westerly from William Street to the River Thames, are hereby restricted for use only as Public Park lands, unless some other proposed use receives the assent of the electors of the City of Chatham entitled to vote at municipal elections.

1895, c. 65, s. 2, repealed

5. Section 2 of *An Act to incorporate the City of Chatham*, being chapter 65 of the Statutes of Ontario, 1895, is repealed.

Commencement

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

Short title

7. This Act may be cited as *The City of Chatham Act, 1958*.

SCHEDULE

By-law Number 4452

OF THE CORPORATION OF THE CITY OF CHATHAM

A By-law to extend the Franchise held by J. I. DeNure (Chatham) Limited to the 31st day of December, 1967, for providing a transportation service in the City of Chatham.

Finally Passed the 16th day of December, 1957.

Whereas since the year 1948 a bus transportation service system has been operated for the citizens of the City of Chatham by J. I. DeNure (Chatham) Limited, under exclusive franchises.

And Whereas the present franchise held by the said J. I. DeNure (Chatham) Limited expires December 31st, 1957;

And Whereas the said J. I. DeNure (Chatham) Limited has requested that its franchise be extended for a period of ten years, to the 31st day of December, 1967;

And Whereas the Council of the Corporation of the City of Chatham is of the opinion that the transportation system offered by the said J. I. DeNure (Chatham) Limited presents a transportation service on the most economical and satisfactory terms available, or likely to be available over the said period, and deems it advisable to grant to the said J. I. DeNure (Chatham) Limited an exclusive franchise on the terms and conditions outlined in the Agreement marked Schedule "A" hereto;

And Whereas it will be necessary to obtain special legislation from the Legislative Assembly of the Province of Ontario for authority to make the payments provided for in the said Agreement;

Be It Therefore Enacted by the Municipal Council of the Corporation of the City of Chatham as follows:

1. That the Corporation of the City of Chatham hereby grants to J. I. DeNure (Chatham) Limited the exclusive right, franchise and privilege for the period of ten years from the 1st of January, 1958, to operate a passenger transportation system over, through and upon streets, avenues and public places within the limits of the City of Chatham in accordance with the provisions of the Agreement between the Corporation of the City of Chatham and J. I. DeNure (Chatham) Limited, marked Schedule "A" hereto.

2. That the Mayor and Clerk are hereby authorized to execute, on behalf of the Corporation of the City of Chatham, the said Agreement marked Schedule "A" hereto.

3. That the Mayor and Clerk are hereby authorized to sign, on behalf of the Corporation of the City of Chatham, a Petition to the Legislative Assembly of the Province of Ontario and to the Lieutenant-Governor-in-Council for special legislation authorizing the Corporation of the City of Chatham to make the payments called for in the said Agreement marked Schedule "A" hereto, and giving to the Corporation any other special powers necessary to enable it to enter into the said Agreement.

This by-law shall come into full force and effect as of January 1st, 1958,

(*a*) When the same has been assented to by the electors of the City of Chatham;

(*b*) When the Agreement marked Schedule "A" hereto has been executed by the parties; and

(*c*) When special legislation of the Legislative Assembly of the Province of Ontario comes into effect, enabling the Corporation of the City of Chatham to perform the said Agreement marked Schedule "A" hereto.

A. E. STIRLING,
Mayor.

W. L. FOREMAN,
Clerk.

SCHEDULE "A"

THIS AGREEMENT made in triplicate this 18th day of October, A.D. 1957.

BETWEEN:

THE CORPORATION OF THE CITY OF CHATHAM, hereinafter called the "Party",

OF THE FIRST PART,

—and—

J. I. DENURE (CHATHAM) LIMITED, hereinafter called the "Party"

OF THE SECOND PART.

WHEREAS the Party of the second part has been operating a bus transportation service for the citizens of the City of Chatham, under an Agreement dated 15th March, 1957, which expires December 31st, 1957;

AND WHEREAS the Party of the first part is desirous that a proper bus transportation service be continued;

AND WHEREAS it is desired to set forth the terms and conditions for the operating of the said transportation system in the City of Chatham;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises the Parties mutually covenant and agree for themselves, their successors and assigns, as follows:

1. The Party of the first part hereby grants to the Party of the second part, its successors and assigns as hereinafter provided, the exclusive right, franchise and privilege for the full period of ten years from the 1st day of January, 1958, for the operation of a passenger transportation system on a time schedule and, for such purpose, to maintain, lease, own and operate busses and other vehicles operated by gasoline or automotive power, together with any rolling stock and equipment necessary and incidental thereto, and upon the terms mentioned in and authorized by this Agreement, and for that purpose to use, occupy and operate upon such streets in the City of Chatham for the said term of ten years, and also to operate upon schedule as to days of the week (except Sunday and legal holidays) service, frequency of service as may be decided to be necessary by the Party of the first part.

2. The Party of the second part covenants to maintain a transportation service as required by the Party of the first part from time to time, upon such streets and upon such schedule as to days of the week, daily service, frequency of service, stopping places and fares, as required by the Party of the first part, provided the Party of the second part shall not be required to accept routes over unpaved streets for more than the period of one year, and subject always to the minimum requirements contained in paragraph 18 hereof, provided the mileage per day not to be reduced below what will average 125 miles per bus per day. The Party of the second part shall also provide and operate two special busses on routes and at the times shown on the Schedule attached hereto marked "A", during the period from 1st January, 1958, to December 31st, 1959, on all days when Secondary Schools are open, and shall receive therefor the sum of Fifty Dollars ($50.00) per day, payable twice monthly, in lieu of payment on mileage basis, provided the Party of the first part may at any time prior to December 31st, 1957, cancel this provision for two special busses. Between the dates December 31st, 1957, and December 31st, 1959, the Party of the first part may cancel this provision, but in such case shall compensate the Party of the second part, if it so requires, with respect to one special bus, the amount of the difference between the sale price it obtains for such bus and the book value of the bus. The request for compensation shall be made within two weeks of the cancellation of this provision; otherwise the right to compensation shall be lost to the Party of the second part.

3. Should the Party of the second part wilfully and continuously fail to operate the said passenger transportation system as herein agreed upon or as hereinafter may be agreed upon, the Party of the first part may grant or permit to be granted to any other person, partnership, company or corporation, the right to operate a transportation system as long as such failure continues, and it is further hereby mutually agreed by and between the Parties hereto that in the event of the Party of the second part failing to operate the said transportation system or to perform any of the conditions and obligations hereinafter set out, the Party of the first part shall be at liberty to give the Party of the second part notice in writing, setting out the particulars in which the Party of the second part has failed to perform or has violated any of the covenants and obligations herein set out, and in the event of the Party of the second part failing to operate after commencement of operations for a period of one month from the date of notice given by the Party of the first part of such non-performance, such notice to be given by registered mail directed to the Party of the second part at Chatham, Ontario, then this Agreement shall, at the option of the Party of the first part, become rescinded to all intents and purposes, and the rights and privileges herein shall cease and terminate, together with all licenses from the Party of the first part under which the Party of the second part may operate, and the Party of the second part shall not be entitled to any compensation or damages whatsoever.

4. The Party of the second part shall, before operating any vehicles under the authority of this Agreement, obtain from the Board of Commissioners of Police for the City of Chatham, a license for each vehicle, and also pay to the Corporation of the City of Chatham any fee or charge as may be determined by By-law (not being in the nature of a license fee), provided, however, that the fee or charges for such licenses shall not exceed the sum of Ten Dollars ($10.00) for each vehicle per year. Such licenses are not to be arbitrarily issued, but shall be conditional upon the reasonable compliance of each vehicle as to condition, safety devices and other requisites, as pertaining thereto in this Agreement.

5. All vehicles used or operated under the authority of this Agreement shall be at all times fully equipped with approved safety devices and shall be kept and maintained in first class serviceable condition and present at all times a good appearance, and all vehicles while in operation shall be kept in a clean, sanitary condition.

6. The Party of the second part shall at all times keep the said vehicles insured in a Company satisfactory to the Party of the first part, against public liability to passenger and public and property damage, and be responsible for all accidents resulting from its negligence or through the negligence of its agents or workmen in operating any vehicle. The said insurance shall, at least, indemnify against such liability for injuries to any one person, for any one accident or for property damage to the amounts provided by the regulations respecting the licensing of public vehicles or by any statute or regulation of the Province of Ontario, and shall at all times keep such policies on file in the office of the City Clerk, and further shall indemnify and save the Party of the first part harmless from any and all costs or damages which may accrue in any manner by reason of the negligent act of omission or commission in the operation of any vehicle as herein set out.

7. The Party of the first part agrees to pass such by-laws as in its opinion are essential to conduct a proper transportation system in, over and upon the streets or highways within the limits of the City of Chatham, and to provide for bus stops at such designated street intersections as it may decide upon, which spaces shall be reserved for the use of the busses of the Party of the second part during schedule hours, and to prohibit parking on such reserved spaces during the said schedule hours.

8. It is agreed between the Parties hereto that the Party of the second part shall collect fares according to the following fare schedule:

(*a*) Single cash fare—15c, 8 tickets for $1.00.

(*b*) Children (other than school children) under 12 years of age not more than 51" in height—cash fare 10c. Children under 5 years of age when with a paying passenger ride free.

(*c*) Payment of fare either by cash or by ticket shall entitle a passenger to ride from any point within a route to any other point served by the Party of the second part in the City, and for the purpose of making such journey the passenger shall be entitled to transfer from one route to one or more routes as may be necessary to reach his destination, without the payment of additional fares. Provided that such transfers may be used only on the first connecting coach or bus.

(*d*) The foregoing rate schedule may be amended from time to time as determined by the Party of the first part.

9. Policemen and Firemen in the employ of the Party of the first part shall be carried free when in uniform and on duty, on runs within the City of Chatham, and employees of the Party of the second part and their dependents shall be carried free on such runs.

10. All revenue collected in fare boxes for transportation provided hereunder shall be the property of the Party of the first part, and delivery of such revenue shall be made daily to the City Offices, or to such other place as the Party of the first part may require. Tickets received in fare boxes shall be paid for by the Party of the second part twice monthly at 12½c each so long as tickets are sold 8 for $1.00, or at such rate as may be subsequently agreed upon.

11. In consideration of the performance of all of its covenants herein contained by the Party of the second part, the Party of the first part covenants to pay to the Party of the second part forty-eight cents (48c) for each mile its busses are operated in providing the transportation service required hereunder, excluding mileage for chartered trips within the City. The mileage to be paid for shall be determined twice monthly on a basis whereby the distances of the routes travelled are logged, and the total number of trips over such routes are counted, the amount of the payment to be arrived at by multiplying the mileage distances of the routes by the numbers of trips made, by the sum of forty-eight cents (48c). Payments shall be made twice monthly upon approval by the Municipal Council of the Party of the first part of the statement of mileage submitted by the Party of the second part. It is acknowledged that the said payment of forty-eight cents (48c) per mile is based on operation cost per mile of City bus line only, plus 6% interest on the capital investment of the Party of the second part, plus 3.3c per mile profit, as indicated in the October 1957 Auditors' statement prepared for the Party of the second part, which is attached as Schedule "B" hereto. If in any year semi-annual Auditors' statements of the Party of the second part show operation costs per mile based on the same factors, other than profit as contained in the October 1957 statement, are either increased or decreased, the rate per mile shall be adjusted for the said half year so that it will bear the same relation to the operating cost per mile plus 6% per annum on capital investment as forty-eight cents (48c) does to the October 1957 cost per mile, plus 6% per annum on capital investment, provided the adjustment shall be made to the nearest half cent. Any payment due to either Party on such adjustment shall be made in thirty days after demand. Semi-annual Auditors' statements shall be furnished as received, and all business records of the Party of the second part pertaining to City bus operation shall be made available, if requested by the Party of the first part. The Party of the second part agrees that before entering into any new wage contract with its employees it will obtain the approval of the City Council to the terms thereof, and that salaries for management shall not be increased without the consent of the Party of the first part. It is further agreed by the Parties hereto that the operating costs and depreciation charges in respect of the special busses referred to in paragraph 2 hereof shall be excluded in calculating operation costs per mile, and that if, after the payment of the stipulated price per mile is made to

the Party of the second part, there remains a surplus in any year, the surplus up to what would amount to three cents (3c) per mile of operation in that year shall be the property of the Party of the first part, and any surplus over that shall be divided equally between the Parties.

12. The Party of the first part undertakes to apply to the Legislative Assembly of the Province of Ontario for such powers as will enable the Party of the first part to do, perform and carry out each and every of the agreements and covenants on its part to be done, performed and carried out.

13. The said Party of the first part agrees to provide, erect and maintain, during the term of this franchise, usual 'Coach Stop' signs along the said routes at such places as the Parties hereto may agree upon.

14. The Party of the second part covenants not to assign its rights under this Agreement without the consent of the Party of the first part.

15. The Party of the first part agrees to keep all bus or coach route streets in a reasonably good state of repair at all times, and if by reason of unusual weather conditions or other circumstances any of the said route streets become impassable by reason of snow or ice, then in that event the Party of the first part agrees to act as promptly as is possible in the clearing of the snow and the sanding of such coach route streets as may be deemed to be unsafe or impassable by reason of icing. And until such condition as caused by unusual or inclement weather is remedied, the Party of the second part may, on notice to the City Manager, re-route its busses over such other coach route streets as in the opinion of the Party of the second part may be deemed advisable.

16. The Party of the first part agrees to assist the Party of the second part in preventing the Railroads from blocking the streets for periods of over five minutes at one time, excepting as permitted by law.

17. During the term of this Agreement or until the termination thereof, the Party of the first part shall not in any way depreciate the right, privilege or franchise hereby granted, and shall not grant or permit to be granted to any other person, partnership, firm or corporation, any right, privilege, license or franchise to construct, maintain, use or operate any lines of railway for local passenger trips, or any bus, jitney or other similar vehicles for the purpose of transporting passengers for gain or hire, the operation of which will come into competition with the transportation system of the Party of the second part. Provided that any such grant to operate a bus or jitney or other similar vehicle between any points in the City and any locality outside of the City not served by the transportation system of the Party of the second part shall not be deemed to depreciate the said right, privilege or franchise. In no case shall any bus, jitney or similar vehicle be permitted to take on passengers within the City and discharge the said passengers within the City. Provided further that this section shall not apply to any ordinary cabs or taxicabs kept for hire and used for transportation not over a fixed route, at fares fixed by the Board of Police Commissioners of the Party of the first part. In the event of any transportation of passengers over which the Corporation has no power or control, then the said Party of the first part is not to be held liable for any loss or damage sustained by the Party of the second part by reason thereof.

18. The Party of the second part in pursuance of the powers granted in paragraph 1 hereof, as a condition precedent to the execution of this Agreement, agrees to put in service six (6) modern busses in good condition and to have ready at all times for service, in conformance with the terms of the Agreement, two spare coaches or busses, also in good condition. The Party of the second part further agrees to expand and extend the said service to meet all reasonable requirements of a passenger transportation system within the limits of the City of Chatham, from time to time, and for this purpose to obtain such further new coaches or busses subject to an allowance of reasonable time to get delivery of such busses, or in any event such further coaches or busses in first class condition as are essential to the carrying on of a passenger transportation coach or bus service.

19. The performance of this Agreement by the Party of the second part shall be excused during such time as performance may be rendered impossible by disaster, act of God or other cause beyond the control of the Party of the second part.

20. All former Agreements between the Parties hereto in respect of bus transportation and franchise, are hereby abrogated and of no further force and effect.

21. Either Party may terminate its obligations under this Agreement after December 31st, 1959, on any December 31st upon giving at least six months' notice in writing to the other Party prior to the December 31st of the year in which the Agreement is to be terminated. If this Agreement is terminated by the Party of the first part prior to December 31st, 1967, except where terminated by reason of default of the Party of the second part, the Party of the first part shall, if requested by the Party of the second part, purchase all busses of the Party of the second part used in the City service under this Agreement, at their then book value as established by the Auditors' records prepared for the Party of the second part at the time. The Party of the second part agrees that in its accounting, its busses shall be depreciated ten per cent of cost per annum for a period of ten years from the date of purchase of each bus, and that when, in respect of each bus, the ten-year period has expired no charge for depreciation of such bus shall thereafter be included in its operating costs.

22. This Agreement shall be binding upon the Parties hereto, their successors and assigns, if assented to by the ratepayers of the City of Chatham, and when confirmed by special legislation of the Legislative Assembly of the Province of Ontario.

In Witness Whereof the Parties hereto have hereunto affixed their Corporate seals duly attested by the hands of their proper Officers.

Signed, Sealed and Delivered	The Corporation of the City of Chatham:
In the presence of:	
(Seal)	A. E. Stirling, *Mayor.*
	W. L. Foreman, *Clerk.*
	J. I. DeNure (Chatham) Limited:
(Seal)	J. I. DeNure.

Schedule "A"

[Plan of routes, showing time schedules, attached.]

Schedule "B"

CHATHAM COACH LINES, CHATHAM, ONTARIO

Statement of Operating Costs of City Runs
Period of Nine Months Ended September 30, 1957,
and Basis of Calculation of Same.

Item	Basis of Calculation		Amount
Bus Sundry Expenses	50% of Total		$ 109.16
Garage Supplies	50% of Total		459.02
Gasoline	Actual Cost		11,521.80
Grease and Oil	60% of Total		462.56
Insurance on Buses	3% on Income plus cost of Fire Insurance		2,527.87
Licenses	Actual Cost		798.00
Bus Repairs—Parts	60% of Total Cost		6,609.75
—Tires	60% of Total Cost		2,377.61
Taxes—Property and Business	60% of Total Cost		650.29
Sundry Repairs—Sublet Work	60% of Total Cost		1,230.90
Unemployment Insurance	Company's Portion		290.16
Uniforms	60% of Total Cost		245.62
Wages	Actual payments		36,816.00
Water	75% Total Consumption		53.05
DEPRECIATION			
Building	10% of Book Value	$ 866.18	
Buses	10% on Cost	6,979.12	
Garage Equipment	60% of Total	83.23	
Service Truck	Actual	35.80	
			7,964.33
Management	50% of Total		2,730.00
Accounting	50% of Total		150.00
Legal	Actual Payment		500.00
Advertising	50% of Total		91.09
General Expenses	50% of Total		133.18
Group Insurance	70% of Total		1,871.97
Light and Heat	75% of Total		485.42
Office Expense	Total for Period		102.54
Stationery and Tickets	Actual Payments		564.50
Telephone	25% of Total		153.82
Interest on Investment	6% on 50,000.00 for 9 months		2,250.00
TOTAL COST FOR PERIOD			$81,148.64

Miles Travelled	181.640	
Cost per mile		44.7
Profit per mile		3.3
Price per mile		48.0

BILL

An Act respecting
the City of Chatham

1st Reading

February 20th, 1958

2nd Reading

March 5th, 1958

3rd Reading

March 11th, 1958

MR. PARRY

1958

No. 10

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to incorporate Sudbury Young Women's Christian Association

Mr. Monaghan

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 10 1958

BILL

An Act to incorporate Sudbury Young Women's Christian Association

WHEREAS the several persons named in section 1 by their petition have prayed that special legislation be passed to incorporate Sudbury Young Women's Christian Association as a body corporate and politic for the purposes and with the powers hereinafter provided; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Grace Hartman, Evelyn Thompson, Dorothy Holloway, Estelle Marshall, Elaine Hubbs, Joan Job, Genevra Richards and Jean Dick, and such other persons as now are or hereafter shall become members thereof, shall be and they are hereby constituted a body corporate and politic under the name of "Sudbury Young Women's Christian Association", hereinafter called the "Association". Incorporation

2. All property real and personal belonging to or held in trust for the former association shall henceforth be vested in the Association incorporated under this Act to be held, used, administered and disposed of, subject to the provisions of this Act, in accordance with the constitution and by-laws of the Association. Vesting of property

3. All property vested by this Act in the Association shall remain liable for the payment or satisfaction of any debts or any obligations heretofore contracted or incurred in respect thereto to the same extent as it would have been liable therefor had this Act not been passed. Property liable for existing debts

4. The Association may acquire and hold in the City and District of Sudbury any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest, either absolutely or in trust, and may sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of Power to acquire and dispose of real estate

any such property for its purposes; provided that no land at any time acquired by the Association and not required for its actual use and purposes, or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

Provisional directors

5.—(1) The members of the provisional board of directors of the Association shall be the said Grace Hartman, Evelyn Thompson, Dorothy Holloway, Estelle Marshall, Elaine Hubbs, Joan Job, Genevra Richards and Jean Dick, who shall hold office until the first annual general meeting of the members of the Association, which shall be held not later than the 30th day of April, 1959.

Provisional constitution and by-laws

(2) It shall be the duty of the provisional directors to adopt a provisional constitution and by-laws of the Association and submit the same to the first annual general meeting of the members of the Association for their consideration and confirmation, and the provisional constitution and by-laws when so confirmed or as the same may be varied and amended at such meeting shall be the constitution and by-laws of the Association subject to any addition to, amendment or variation of or substitution for the same as may afterwards be made as provided for therein.

First directors

(3) At the first annual general meeting, the directors of the Association shall be elected as provided for in the provisional constitution and by-laws, and the directors so elected shall hold office in accordance with the constitution and by-laws as finally confirmed and adopted at such meeting.

Copies of by-laws, etc., to be sent to members

(4) The provisional directors shall furnish each member of the Association with a copy of the provisional constitution and by-laws at least fourteen days prior to the date upon which the first annual general meeting is to be held and shall at the same time give notice of such meeting to the members.

Officers and directors

6. The officers of the provisional board of directors of the Association shall be the officers of the Association and shall retain their respective offices until others shall be elected in their places under the constitution and by-laws of the Association.

Objects of Association

7. The objects of the Association shall be the spiritual, mental, social, educational and physical welfare and improvement of young women and girls by the erection, operation, maintenance and support of meetings, lectures, reading and

recreation rooms, libraries, gymnasia, athletic grounds, summer camps, aquatic facilities, dormitories, lunch rooms, and such other means as may from time to time be determined upon, and to establish, maintain and operate branch associations in the City and District of Sudbury, and the Association may make all or part of its facilities and equipment available for use by such community organizations as may have as their object the general good of the citizens of the said City upon such terms and conditions as may be determined by the Association.

Power to extend privileges to others

8. The buildings, lands, equipment and undertaking of or used by the Association, so long as they are occupied by, used and carried on for the purposes of the Association, shall be exempt from municipal taxation, except for local improvements.

Exemption from taxation

9. The Association may borrow money for its purposes upon its credit and may mortgage, hypothecate or pledge any of its property real and personal as security for any loan.

Borrowing powers

10. The Association may establish an endowment fund for the purpose of promoting and extending its aims and objects and in furtherance of such purpose to obtain, set aside and hold subscriptions, donations, gifts and bequests under such regulations and conditions in respect thereto as may from time to time be decided upon by the board of directors.

Endowment fund

11. The Association may lend money upon the security of real estate and may invest and re-invest any of its funds and moneys in any debentures of municipal or public school districts or corporations, Dominion or provincial debentures, bonds, stocks, or in Dominion or provincial securities, or in any security the payment of which is guaranteed by the Dominion of Canada or any province thereof, and for all purposes of any loan or investment it shall have all such rights and remedies for collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises.

Power to lend money and invest its funds

12. The Association may establish, aid or support such courses of technical, vocational or trades education as the board of directors of the Association from time to time determines.

Technical education

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

Commencement

14. This Act may be cited as *The Sudbury Young Women's Christian Association Act, 1958.*

Short title

BILL

An Act to incorporate
Sudbury Young Women's
Christian Association

1st Reading

2nd Reading

3rd Reading

MR. MONAGHAN

(*Private Bill*)

1958

No. 10

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

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An Act to incorporate Sudbury Young Women's Christian Association

Mr. Monaghan

(*Reprinted as amended by the Committee on Private Bills*)

TORONTO
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2. All property real and personal belonging to or held in trust for the former association shall henceforth be vested in the Association incorporated under this Act to be held, used, administered and disposed of, subject to the provisions of this Act, in accordance with the constitution and by-laws of the Association. Vesting of property

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any time acquired by the Association and not required for its actual use and purposes, or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

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Power to extend privileges to others

8. The council of a municipality may pass by-laws exempting from taxes for municipal or school purposes or both, other than local improvement charges, the land, as defined in *The Assessment Act*, of the Association, provided that the land is owned by the Association and occupied by, used solely and carried on for the purposes of the Association, on such conditions as may be set out in the by-law.

Exemption from taxation

R.S.O. 1950, c. 24

9. The Association may borrow money for its purposes upon its credit and may mortgage, hypothecate or pledge any of its property real and personal as security for any loan.

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10. The Association may establish an endowment fund for the purpose of promoting and extending its aims and objects and in furtherance of such purpose to obtain, set aside and hold subscriptions, donations, gifts and bequests under such regulations and conditions in respect thereto as may from time to time be decided upon by the board of directors.

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Short title

BILL

An Act to incorporate Sudbury Young Women's Christian Association

---

1st Reading

February 17th, 1958

2nd Reading

February 27th, 1958

3rd Reading

MR. MONAGHAN

(Reprinted as amended by the Committee on Private Bills)

1958

No. 10

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

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An Act to incorporate Sudbury Young Women's Christian Association

Mr. Monaghan

TORONTO
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2. All property real and personal belonging to or held in trust for the former association shall henceforth be vested in the Association incorporated under this Act to be held, used, administered and disposed of, subject to the provisions of this Act, in accordance with the constitution and by-laws of the Association. Vesting of property

3. All property vested by this Act in the Association shall remain liable for the payment or satisfaction of any debts or any obligations heretofore contracted or incurred in respect thereto to the same extent as it would have been liable therefor had this Act not been passed. Property liable for existing debts

4. The Association may acquire and hold in the City and District of Sudbury any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest, either absolutely or in trust, and may sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes; provided that no land at Power to acquire and dispose of real estate

any time acquired by the Association and not required for its actual use and purposes, or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

Provisional directors

5.—(1) The members of the provisional board of directors of the Association shall be the said Grace Hartman, Evelyn Thompson, Dorothy Holloway, Estelle Marshall, Elaine Hubbs, Joan Job, Genevra Richards and Jean Dick, who shall hold office until the first annual general meeting of the members of the Association, which shall be held not later than the 30th day of April, 1959.

Provisional constitution and by-laws

(2) It shall be the duty of the provisional directors to adopt a provisional constitution and by-laws of the Association and submit the same to the first annual general meeting of the members of the Association for their consideration and confirmation, and the provisional constitution and by-laws when so confirmed or as the same may be varied and amended at such meeting shall be the constitution and by-laws of the Association subject to any addition to, amendment or variation of or substitution for the same as may afterwards be made as provided for therein.

First directors

(3) At the first annual general meeting, the directors of the Association shall be elected as provided for in the provisional constitution and by-laws, and the directors so elected shall hold office in accordance with the constitution and by-laws as finally confirmed and adopted at such meeting.

Copies of by-laws, etc., to be sent to members

(4) The provisional directors shall furnish each member of the Association with a copy of the provisional constitution and by-laws at least fourteen days prior to the date upon which the first annual general meeting is to be held and shall at the same time give notice of such meeting to the members.

Officers and directors

6. The officers of the provisional board of directors of the Association shall be the officers of the Association and shall retain their respective offices until others shall be elected in their places under the constitution and by-laws of the Association.

Objects of Association

7. The objects of the Association shall be the spiritual, mental, social, educational and physical welfare and improvement of young women and girls by the erection, operation, maintenance and support of meetings, lectures, reading and recreation rooms, libraries, gymnasia, athletic grounds, summer camps, aquatic facilities, dormitories, lunch rooms,

and such other means as may from time to time be determined upon, and to establish, maintain and operate branch associations in the City and District of Sudbury, and the Association may make all or part of its facilities and equipment available for use by such community organizations as may have as their object the general good of the citizens of the said City upon such terms and conditions as may be determined by the Association.

Power to extend privileges to others

8. The council of a municipality may pass by-laws exempting from taxes for municipal or school purposes or both, other than local improvement charges, the land, as defined in *The Assessment Act*, of the Association, provided that the land is owned by the Association and occupied by, used solely and carried on for the purposes of the Association, on such conditions as may be set out in the by-law.

Exemption from taxation

R.S.O. 1950, c. 24

9. The Association may borrow money for its purposes upon its credit and may mortgage, hypothecate or pledge any of its property real and personal as security for any loan.

Borrowing powers

10. The Association may establish an endowment fund for the purpose of promoting and extending its aims and objects and in furtherance of such purpose to obtain, set aside and hold subscriptions, donations, gifts and bequests under such regulations and conditions in respect thereto as may from time to time be decided upon by the board of directors.

Endowment fund

11. The Association may lend money upon the security of real estate and may invest and re-invest any of its funds and moneys in any debentures of municipal or public school districts or corporations, Dominion or provincial debentures, bonds, stocks, or in Dominion or provincial securities, or in any security the payment of which is guaranteed by the Dominion of Canada or any province thereof, and for all purposes of any loan or investment it shall have all such rights and remedies for collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises.

Power to lend money and invest its funds

12. The Association may establish, aid or support such courses of technical, vocational or trades education as the board of directors of the Association from time to time determines.

Technical education

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

Commencement

14. This Act may be cited as *The Sudbury Young Women's Christian Association Act, 1958.*

Short title

BILL

An Act to incorporate Sudbury Young Women's Christian Association

---

1st Reading

February 17th, 1958

2nd Reading

February 27th, 1958

3rd Reading

March 6th, 1958

MR. MONAGHAN

1958

No. 11

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Village of Port Perry

Mr. Boyer

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 11 1958

BILL

An Act respecting the Village of Port Perry

WHEREAS The Corporation of the Village of Port Perry by its petition has represented that the council of the Corporation has made a capital expenditure in exploration for a well site and to develop and test the well, and has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of The Corporation of the Village of Port Perry is hereby authorized to pass a by-law without the approval of the Ontario Municipal Board to borrow the sum of $30,000 upon debentures, payable in not more than twenty years, to meet the expenditure incurred in the year 1956 for the exploration for a well site and for the development and testing of a well to supply water to the Corporation, and such by-law when duly passed shall be legal, valid and binding upon the Corporation and the ratepayers thereof. Debenture by-law authorized

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

3. This Act may be cited as *The Village of Port Perry Act, 1958*. Short title

BILL

An Act respecting
the Village of Port Perry

1st Reading

2nd Reading

3rd Reading

MR. BOYER

(*Private Bill*)

1958

No. 11

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

3. This Act may be cited as *The Village of Port Perry Act, 1958*. Short title

BILL

An Act respecting
the Village of Port Perry

1st Reading

February 20th, 1958

2nd Reading

March 5th, 1958

3rd Reading

March 11th, 1958

MR. BOYER

1958

No. 12

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting The Royal Victoria Hospital of Barrie

Mr. Johnston (Simcoe Centre)

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 12 1958

BILL

An Act respecting The Royal Victoria Hospital of Barrie

WHEREAS The Royal Victoria Hospital of Barrie by its petition has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

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 special or general Act, the councils of each of the townships of Oro, Vespra, Flos, Sunnidale, Essa and Innisfil and the Village of Elmvale, all in the County of Simcoe, are hereby authorized and empowered to pass by-laws for granting aid for the erection of additions to, equipment of and maintenance of The Royal Victoria Hospital of Barrie and may issue debentures therefor and may provide that the amount of such aid shall be levied against the lands in a defined area in the municipality, the residents of which defined area, in the opinion of the council of the municipality, derive special benefit from The Royal Victoria Hospital of Barrie. Aid to Royal Victoria Hospital

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

3. This Act may be cited as *The Royal Victoria Hospital of Barrie Act, 1958*. Short title

BILL

An Act respecting
The Royal Victoria Hospital of Barrie

1st Reading

2nd Reading

3rd Reading

MR. JOHNSTON (Simcoe Centre)

(*Private Bill*)

1958

No. 12

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting The Royal Victoria Hospital of Barrie

MR. JOHNSTON (Simcoe Centre)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 12 1958

BILL

An Act respecting The Royal Victoria Hospital of Barrie

WHEREAS The Royal Victoria Hospital of Barrie by its petition has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

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 special or general Act, the councils of each of the townships of Oro, Vespra, Flos, Sunnidale, Essa and Innisfil and the Village of Elmvale, all in the County of Simcoe, are hereby authorized and empowered to pass by-laws for granting aid for the erection of additions to, equipment of and maintenance of The Royal Victoria Hospital of Barrie and may issue debentures therefor and may provide that the amount of such aid shall be levied against the lands in a defined area in the municipality, the residents of which defined area, in the opinion of the council of the municipality, derive special benefit from The Royal Victoria Hospital of Barrie. Aid to Royal Victoria Hospital

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

3. This Act may be cited as *The Royal Victoria Hospital of Barrie Act, 1958.* Short title

An Act respecting The Royal Victoria Hospital of Barrie

1st Reading

February 20th, 1958

2nd Reading

March 4th, 1958

3rd Reading

March 6th, 1958

MR. JOHNSTON (Simcoe Centre)

1958

No. 13

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Village of West Lorne

Mr. Robarts

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 13 1958

BILL

An Act respecting the Village of West Lorne

WHEREAS The Corporation of the Village of West Lorne by its petition has prayed for special legislation to confirm and validate By-law No. 613 and By-law No. 623 of the Corporation; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 613 and By-law No. 623 of The Corporation of the Village of West Lorne, set forth as the Schedule hereto, are hereby confirmed and declared to be legal, valid and binding from the date of the passing of such by-laws. By-laws confirmed

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

3. This Act may be cited as *The Village of West Lorne Act, 1958*. Short title

SCHEDULE

By-law No. 613

A By-law to provide for the repair and improvement of the Wilton Drain outlet and branch in the Township of Aldborough and for the borrowing on the credit of the Municipality of West Lorne the sum of Thirteen Hundred and Sixty Dollars ($1360.00) for completing same.

Provisionally adopted October 22, 1955.

Whereas complaint has been made to Council of the Village of West Lorne regarding the present condition of that certain Ditch or Drain in West Lorne and the Township of Aldborough called and known as the Wilton Drain Outlet and Branch and the said Council has been requested to take such steps as may be necessary to repair the said Ditch or Drain;

And Whereas thereupon the said Council procured an examination to be made by H. H. Todgham, C.E., being a person competent for such purpose, of the foresaid Wilton Drain Outlet and Branch and has also procured Plans, Specifications and Estimate of the said Drainage work to be made by the said H. H. Todgham and an assessment to be made by him of the land and roads affected by such Drainage work and of other lands and roads liable for Contribution thereto, stating as nearly as he can the proportions of Benefit, Outlet Liability or Injuring Liability, which in his opinion will be derived or incurred in Consequence of such Drainage work by each road or lot, or portion of lots, and said assessment so being made the assessment hereinafter by this by-law enacted to be assessed and levied upon the roads and lots, hereinafter in that behalf specially set forth and described, and the report of the said H. H. Todgham in respect thereof and of the said Drainage work being as follows:

Chatham, Ontario, October 7, 1955.

To the Reeve and Council of the Village of West Lorne.

Gentlemen:

In compliance with your instructions we have made an examination and survey of the Wilton Drain Outlet from the junction of the Wilton and Trigger Drains on Lot 36, Registered Plan No. 199, within your village to a point on the north half of Lot 17, Concession 10, in the Township of Aldborough, and we submit herewith a plan, profile and specification for its repair and improvement. The plan shows the location of the work and lands affected by it; the profile and specification show the dimensions, grades, disposal of material and other particulars of the work.

Excavated material is to be placed on the adjoining farm lands. We determine the amounts to be paid to owners under Section 8 of *The Municipal Drainage Act* for the construction or enlargement of farm bridges to the extent rendered necessary by the work, and for damages to lands and crops (if any) occasioned by disposal of material, as follows:

Village of West Lorne

Con.	Lot or Part		Owner	Allowances for Bridges	Allowances for Damages
Reg. Plan 199	Lot	36.....	.....	.....	$ 6.00

Township of Aldborough

9	Pt. SW¼	18.....	John L. McKillop..	$ 40.00	25.00
	Pt. SW¼	18.....	Peter Ocolisan.....	20.00	15.00

Con.	Lot or Part		Owner	Allowances for Bridges	Allowances for Damages
10	N½	17.....	Mike Hay.....	$ 50.00	$ 34.00
	N½	18.....	Mike Hay.....	20.00	20.00
				$ 130.00	$ 94.00

The following is our estimate of the cost of the work and incidental expenses:—

VILLAGE OF WEST LORNE

350 cu. yds. of Excavation & Levelling.....	$140.00	
Outlet Wall.....	140.00	
		$ 280.00

TOWNSHIP OF ALDBOROUGH

3350 cu. yds. Excavation & Levelling.....	$ 960.00
Allowances under Section 8.....	230.00
Survey, Plans and Report.....	225.00
Assistance and Expenses.....	80.00
Aldborough Township By-law.....	35.00
Aldborough Township Clerk's Fees.....	45.00
West Lorne By-law.....	10.00
West Lorne Clerk's Fees.....	45.00
Letting and Superintending.....	90.00
	$2,000.00

We assess the above estimated cost against lands and roads as shown in the annexed schedule.

After completion that portion of the drain within the limits of the Village is to be maintained by the Village and that portion in the Township of Aldborough is to be maintained by the Township. The cost of maintenance is to be charged to the lands and roads herein assessed and in the same relative proportions, subject to any variations made under *The Municipal Drainage Act.*

We have the honour to be, Gentlemen,
Your obedient servants,
BRISCO AND TODGHAM.

SCHEDULE OF ASSESSMENT

WILTON DRAIN OUTLET

VILLAGE OF WEST LORNE AND TOWNSHIP OF ALDBOROUGH

VILLAGE OF WEST LORNE

Con.	Lot or Part		Acres Affected	Owner	Benefit	Outlet
Roads and Streets in the Village of West Lorne....					.....	$1,360.00
Total Assessment—Village of West Lorne.....					.....	$1,360.00

TOWNSHIP OF ALDBOROUGH

8	Pt. S½ S. of Ry.	17	5	J. Keil Estate.....	.....	$ 8.00
	Pt. S½ S. of Ry.	17	3	L. Hosey.....	.....	5.00
	Pt. S½ S. of Ry.	17	4	R. Dewsnap.....	.....	6.00

TOWNSHIP OF ALDBOROUGH—*Continued*

Con.	Lot or Part		Acres Affected	Owner	Benefit	Outlet
8	Pt. S½ S. of Ry.	17	4	Evergreen Cemetery....	.....	$ 6.00
	Pt. Lot	17	6	New York Central Ry....	.....	9.00
	Pt. Lot	17	2	Chesapeake & Ohio Ry..	.....	3.00
	Pt. S½ N. of Ry.	17	43	Wm. Hauser.....	.....	64.00
	W. Pt. N½	17	1	Paul Kovacs.....	.....	2.00
	E. Pt. N½	17	5	Ray Coleman.....	.....	7.00
	S½ N½	18	35	K. Phoenix.....	.....	52.00
	N½	19	65	Albert & Anna Schmidt..	.....	92.00
	Pt. SE¼	19	13	Henry Asher.....	.....	20.00
	Pt. SE¼	19	2½	Beatrice Vogan.....	.....	4.00
	Pt. SE¼	19	1	Lilly Gordon.....	.....	2.00
	Pt. SE¼	19	15	Ernest Bainard.....	.....	22.00
9	Pt. NW¼	17	½	H.E.P. Commission.....	.....	1.00
	W½ NE¼	17	1	William Hauser.....	.....	2.00
	Pt. SW¼	18	35	John L. McKillop.....	$ 25.00	42.00
	Pt. SW¼	18	15	Peter Ocalison.....	25.00	15.00
	Pt. SW¼	19	15½	Vince Ocalison.....	.....	16.00
	Pt. SW¼	19	13	West Elgin High School.	.....	13.00
	Pt. SE¼	19	20	Vince Ocalison.....	.....	20.00
10	N½	17	15	Mike Hay.....	100.00	.....
	N½	18	20	Mike Hay.....	50.00	15.00
Total of Lands—Twp. of Aldborough.....					$200.00	$ 426.00
Road between Lots 18 and 19 opposite N½, Concession 10, County of Elgin.....					.....	$ 5.00
Road between Concessions 8 and 9, opposite Lot 17, County of Elgin.....					.....	5.00
Road between Concessions 9 and 10, opposite Lot 18, Township of Aldborough.....					.....	4.00
Total on Roads—Twp. of Aldborough.....					.....	$ 14.00
Total on Lands and Roads—Twp. of Aldborough...					$200.00	$ 440.00
TOTAL ASSESSMENT.....					$200.00	$1,800.00

Chatham, Ontario, October 7th, 1955.

BRISCOE AND TODGHAM

AND WHEREAS the Council of the Village of West Lorne are of the opinion that the repair of the Wilton Drain Outlet and Branch as set forth in the report of the said H. H. Todgham is desirable;

THEREFORE the said Municipal Council of the Village of West Lorne pursuant to the provisions of *The Municipal Drainage Act*, enacts as follows:

1. That the said report, plans, specification, assessments, and estimates are hereby adopted and the drainage work as therein indicated and set forth shall be made and constructed in accordance therewith.

2. The Reeve of the said Village of West Lorne may borrow on the credit of the said Village of West Lorne the sum of Thirteen Hundred and Sixty 00/100 Dollars ($1360.00) being the said Municipality's proportion of the funds necessary for the work, and may issue Debentures of Corporation to that amount in sums of not less than Fifty Dollars each and payable within Ten Years from the date of said Debenture with interest at the rate of 4½ per cent per annum, that is to say, in Ten Equal Annual Instalments. Such Debentures to be payable at the office of the Treasurer of the Village of West Lorne.

3. The Debentures issued under this By-law shall be redeemable in whole or in part at the option of the Municipality at the office of the Treasurer of the Village of West Lorne on any Interest payment date prior to Maturity, at the redemption price of 100 per centum of their face value, together with accrued Interest to the date set for redemption. Where only a portion of the Debentures of this issue is to be redeemed such portion shall comprise only the Debentures that have the latest maturity dates, and no Debenture shall be called for such redemption in priority to any such Debenture that has a later date of Maturity, from and after the Date set for redemption. Interest on the Debenture called as aforesaid for redemption, shall cease to accrue and such Debenture shall become due and payable on such date; provided that if the Municipality defaults in carrying out such redemption, Interest shall accrue and be payable on the principal amount of said Debentures so called for redemption at the rate specified therein, until such Debentures are paid.

READ A THIRD TIME and finally passed the 28th day of October, 1955.

D. E. MCGILL,
Reeve.

(SEAL)

R. E. EVANS,
Clerk.

By-Law No. 623

A By-law to provide for the repair and improvement of the Trigger Drain and Branches in the Village of West Lorne and for the borrowing on the credit of the Municipality of the Village of West Lorne the sum of Nine Thousand, Eight Hundred and Thirty-five dollars for completing the same.

Provisionally adopted June 23rd, 1956.

Whereas complaint has been made to the Council of the Village of West Lorne regarding the present condition of that certain ditch or drain in the Village of West Lorne called and known as the Trigger Drain and Branches and the said Council has been requested to take such steps as may be necessary to repair the said ditch or drain; and

Whereas, thereupon the said Council has procured an examination to be made by H. H. Todgham, C.E., being a person competent for such purpose, of the said area proposed to be drained, and the means suggested for the drainage thereof, and of other lands and roads liable to assessment under *The Municipal Drainage Act*, and has also procured plans, specifications and estimates of the drainage work to be made by the said H. H. Todgham and an assessment to be made by him of the lands and roads to be benefited by such drainage work, and of other lands and roads liable for contribution thereto, stating as nearly as he can the proportion of benefit, outlet liability and injuring liability which in his opinion will be derived or incurred in consequence of such drainage work by every road and lot, or portion of lot, the said assessment so being the assessment hereinafter by this by-law enacted to be assessed and levied upon the roads and lots, or parts of lots, hereinafter in that behalf specially set forth and described; and the report of the said H. H. Todgham in respect thereof, and of the said drainage work being as follows:

Chatham, Ontario, May 30th, 1956.

To the Reeve and Council of the Village of West Lorne.

Gentlemen:

In compliance with your instructions we have made an examination and survey and we submit herewith plans, profile and specification for the repair and improvement of the Trigger Drain. The plans show the location of the drain and the lands affected by it; the profile and specification show the dimensions, grades and other particulars of the work.

Under this report we propose to repair that portion of the Trigger Drain lying north of the south limit of the Chesapeake & Ohio Railway. That portion of the drain lying south of the Chesapeake & Ohio Railway is to be deepened and improved. The outlet portion of the drain south of Robinson Street is to be improved by removing the existing tile and making the drain an open ditch. Approximately 175 feet of the lower end of this open ditch will have a new course slightly to the south-west of the present course to provide a better alignment. From the south limit of Robinson Street to the catch basin on the south side of Main Street, the improved drain is to be of 27-inch diameter pipe. From the catch basin on the south side of Main Street to a new catch basin to be constructed just north of the south limit of the Chesapeake & Ohio Railway the improved drain is to be of 18-inch diameter pipe. The present open ditch over the 18-inch and 27-inch pipe is to be backfilled with material taken from the excavation of the open ditch portion of the drain. A slight depression is to be left to provide surface drainage to the catch basins.

From the north side of the New York Central Railway to the head of the Trigger Drain at the line between Lots 17 and 18 the existing tile is to be cleaned and replaced.

Where the Trigger Drain crosses the lands of the Chesapeake & Ohio Railway and the New York Central Railway there is presently a 10-inch diameter tile drain with an overflow ditch above it, which are to be repaired. It is our opinion that, considering the present use of the lands

within that part of the drainage area lying north of the railways, the capacity provided by cleaning and repairing the existing tile and open drains on the railway lands will be sufficient at this time. However, should residential developments take place in the lands north of the railways it will be necessary to provide additional outlet through the railways at a greater depth than the bottom of the open ditch and it will then be necessary to install a larger tile drain beneath the railway lands. Capacity for this future development is provided by the covered portion of the proposed drain south of Main Street. Depending on the type and location of this development it may be necessary to construct an additional drain near Kinney and Morden Streets which can be connected to the Trigger Drain at Main and Wellington. The 18-inch diameter pipe which is proposed under this report is probably not adequate to serve a complete development north of the railways and it will be necessary to provide additional capacity between the railways and the catch basin at Main and Wellington should complete development north of the railways take place. The 27-inch pipe south of Main Street will be large enough to take as much storm water as is ever likely to be brought to it.

It is proposed that the enclosed portion of the drain south of the railways will be approximately 18 inches below the present tile drain at the railway and approximately 2 feet below the present tile drain at Robinson Street. This increased depth will provide a much-improved outlet for any drains which are brought to the Trigger Drain. It is intended that at the proposed depth it will be possible to provide reasonably deep drainage throughout the greater part of the Trigger Drain watershed.

The filling in of the present open portion of the Trigger Drain from the railways to Robinson Street will be of great benefit to the adjoining residential properties in that the removal of the present unsightly ditch will not only make the area a more pleasant one in which to live but will also considerably increase the value of the adjoining properties from a sale point of view. The streets on which the covered portion is to be constructed will also benefit in that maintenance of the road grade will be easier and less expensive and a rather serious hazard to automobile and pedestrian traffic will be removed. The open outlet portion of the drain will be through what is now farm lands. Should this land develop into a residential area the open ditch can quite easily be converted to a covered drain for any portion of its length.

A sufficient amount of the material excavated from the open portion of the drain is to be used to backfill the existing open ditch from the south limit of Robinson Street to the catch basin on the south side of the Chesapeake & Ohio Railways lands. Material taken from the new course of the open ditch at its outlet is to be used to fill the portion of the existing open ditch which is being replaced. Excess material not required for either of the preceding purposes is to be deposited on the adjoining land. We determine the amounts to be paid to the owner under Section 8 of *The Municipal Dainage Act* for the enlargement of farm bridges to the extent rendered necessary by the work, or for severance in lieu thereof, and for damages to lands and crops (if any) occasioned by the disposal of material and the excavation thereof, to be as follows:

Lot or Part	Allowances for Bridges	Allowances for Damages
Lot 36, Registered Plan 199	$125.00	$75.00

The following is our estimate of the cost of the work and incidental expenses:

700 cu. yds. Excavation, Hauling and Backfilling	$ 600.00
5,000 cu. yds. Excavation and Levelling	1,100.00
Stake 15-00 to Stake 18-05—305 ft. of 27-inch drain	2,800.00
Stake 25-32 to Stake 29-47—415 ft. of cleaning 10-inch drain and repairing	125.00
Stake 18-05 to Stake 25-32—727 ft. of 18-inch drain	3,800.00
Stake 29-47 to Stake 36-54—707 ft. of cleaning 8-inch drain	200.00
Construction of 3 new catch basins	300.00
Outlet Wall	200.00

Allowances under Section 8	$ 200.00
Survey, Plans and Reports	700.00
Assistance and Expenses	100.00
West Lorne—Clerk's Fees	150.00
West Lorne—By-law	50.00
Aldborough Township—Clerk's Fees	40.00
Aldborough Township—By-law	35.00
Restaking	75.00
Letting and Superintending	125.00
	$10,600.00

We estimate the cost of cleaning the existing tile and open drains on the lands of the Chesapeake & Ohio Railway to be $25.00. Should the Chesapeake & Ohio Railway exercise its option of performing the work on its own lands, it shall be paid the sum of $25.00 for this work.

We estimate the cost of cleaning the existing tile and open drains on the lands of the New York Central Railway to be $100.00. Should the New York Central Railway exercise its option of performing the work on its own lands, it shall be paid the sum of $100.00 for this work.

The railways must decide whether or not they wish to exercise their option of performing the work on their own lands, before tenders are called for the work on the balance of the drain so that the work on the railway lands may be either included in or excluded from any dealings between the Village of West Lorne and interested contractors.

We assess the above estimated cost against lands and roads as shown in the annexed schedule.

In addition to the work provided for in the above estimate and schedule of assessment it will be necessary to make provision for carrying the surface water from the north side to the south side of the pavement on Main Street and we assess the cost of this against the County of Elgin as the authority having jurisdiction over the maintenance of this street. The County will have the option of providing, for installation by the contractor, a 10-inch diameter metal pipe culvert under the pavement or in the alternative, of constructing a catch basin on the north side of the pavement. It will also be necessary to replace the pavement where it is removed for the purpose of constructing the drain. This replacement is to be carried out by the County.

After completion the drain is to be maintained by the Village of West Lorne at the expense of the lands and roads herein assessed and in the same relative proportions, subject to any variations, made under *The Municipal Drainage Act.*

We have the honour to be, Gentlemen,
Your obedient servants,
TODGHAM AND CASE.

(Seal)

Per: (Sgd.) H. H. TODGHAM, B.A.Sc.,
O.L.S., M.E.I.C.

SCHEDULE OF ASSESSMENT

Trigger Drain

Village of West Lorne

Registered Plan	Village Lot or Part	Benefit	Outlet
75	1—Block A		$ 40.00
	2 "		40.00
	3 "		40.00
	4 "		40.00
	5 "		40.00
	6 "		40.00
	7 "		40.00
	8 "		40.00
	9 "		40.00
	10 "		40.00
	11 "		40.00
	12 "		40.00
	100		40.00
	101		40.00
	102		40.00
	103		40.00
	104		40.00
	105	$ 125.00	40.00
	106	25.00	40.00
	107		40.00
	108		40.00
	109		40.00
	110		40.00
	111		40.00
	112		40.00
	113		40.00
	114		40.00
	115		40.00
	116		40.00
	117		40.00
	118		40.00
	119		40.00
	120		10.00
	121	25.00	10.00
	122	125.00	10.00
	123		10.00
	124		10.00
	125		10.00
	126		10.00
	127		10.00
	128		10.00
	129		10.00
	130		10.00
	131		10.00
	132		10.00
	133		10.00
	134		10.00
	135		19.00
	136		10.00
	137		10.00
	138		10.00
	139		10.00
	140		10.00
	141		10.00
	143		10.00
	144		10.00
	145		10.00
	146		10.00
	147		10.00
	148		10.00

Registered Plan	Village Lot or Part	Benefit	Outlet
75	149	.....	$ 10.00
	150	.....	10.00
	151	.....	10.00
	152	.....	10.00
	153	.....	10.00
	154	.....	10.00
	155	.....	10.00
	156	$ 25.00	40.00
	157	.....	40.00
	158	.....	40.00
	159	.....	40.00
	160	.....	40.00
	161	.....	40.00
	162	.....	40.00
	163	.....	40.00
	164	.....	40.00
	165	.....	50.00
	166	.....	50.00
	167	.....	50.00
	168	.....	50.00
	169	25.00	50.00
	170 Pt. S. Rlwy.	.....	50.00
	171 " " "	.....	50.00
	172 " " "	25.00	50.00
	173 " " "	100.00	50.00
	174 " " "	15.00	45.00
	175 " " "	15.00	40.00
	176 " " "	15.00	40.00
	181	.....	5.00
	182	.....	5.00
	183	10.00	5.00
	184	10.00	6.00
	185	.....	6.00
	186	.....	6.00
	187	.....	7.00
	188	.....	7.00
	189	.....	8.00
	190	.....	8.00
	191	.....	8.00
	192	.....	8.00
	193	.....	6.00
	194	.....	6.00
	195	.....	6.00
	196	.....	6.00
	197	.....	6.00
	198	.....	6.00
	199	.....	6.00
	200	.....	6.00
	201	.....	6.00
	202	.....	8.00
	203	.....	7.00
	204	.....	5.00
	226	.....	6.00
	227	.....	6.00
	228	.....	6.00
	229	.....	6.00
	230	.....	6.00
	231	.....	6.00
	232	.....	6.00
	233	.....	6.00
	234	.....	6.00
	235	.....	6.00
	236	.....	6.00
	237	.....	6.00
	238	.....	6.00
	239	.....	6.00

Registered Plan	Village Lot or Part	Benefit	Outlet
75	240	.....	$ 6.00
	241	.....	6.00
	242	$ 10.00	6.00
	243	10.00	6.00
	244	.....	6.00
	245	.....	6.00
	246	5.00	6.00
	247	5.00	6.00
	248	10.00	6.00
	249	10.00	6.00
	250	.....	6.00
	251	.....	6.00
	252	.....	6.00
	253	.....	6.00
	254	.....	6.00
	255	.....	6.00
	256	.....	6.00
	257	.....	6.00
	258	.....	6.00
	259	.....	6.00
	260	.....	6.00
	261	.....	6.00
	262	.....	6.00
	263	.....	6.00
	264	.....	6.00
	265	.....	6.00
	280	.....	6.00
	281	.....	6.00
	282	.....	6.00
	283	.....	6.00
	284	.....	6.00
	285	.....	6.00
	286	.....	6.00
	287	.....	6.00
	288	.....	6.00
	289	.....	6.00
	290	.....	6.00
	291	.....	6.00
	292	.....	6.00
	293	.....	6.00
	294	.....	6.00
	295	.....	6.00
	296	5.00	6.00
	297	5.00	6.00
	298	5.00	6.00
	299	5.00	6.00
	300	.....	6.00
	301	.....	6.00
	302	.....	6.00
	303	.....	6.00
	304	.....	6.00
	305	.....	6.00
	306	.....	6.00
	307	.....	6.00
	308	.....	6.00
	309	.....	6.00
	310	.....	6.00
	311	.....	6.00
	312	.....	6.00
	313	.....	6.00
	314	.....	6.00
	315	.....	6.00
	316	.....	6.00
	317	.....	6.00
	318	.....	6.00
	319	.....	6.00
167	1 Block 1	.....	40.00

Registered Plan	Village Lot or Part	Benefit	Outlet
167	2 Block 1	.....	$ 40.00
	3 "	.....	40.00
	4 "	.....	40.00
	5 "	.....	40.00
	6 "	.....	40.00
	7 "	.....	40.00
	8 "	.....	40.00
199	1	.....	2.00
	2	.....	60.00
	3	.....	60.00
	4	.....	60.00
	5	.....	100.0
	8	.....	50.00
	9	.....	50.00
	10	$ 60.00	50.00
	11	60.00	50.00
	12	150.00	45.00
	13	75.00	45.00
	14	125.00	40.00
	15	.....	40.00
	16	.....	40.00
	17	.....	40.00
	18	.....	40.00
	35	.....	85.00
	36	30.00	.....
	37	.....	40.00
	38	.....	40.00
	39	.....	40.00
	40	.....	40.00
	111	.....	5.00
	C & O Railway Lands		
Rt. of Way, Pt. 170, Plan 75		.....	5.00
" " " " 171 "		.....	5.00
" " " " 172 "		.....	5.00
" " " " 173 "		.....	5.00
" " " " 174 "		.....	5.00
" " " " 175 "		.....	5.00
" " " " 176 "		.....	5.00
" " " All 177 "		10.00	25.00
" " " " 178 "		.....	25.00
" " " " 179 "		.....	25.00
" " " " 180 "		.....	25.00
" " " Pt. Twp. Lot 17, Con. 8, ½ acre.		.....	5.00
	N.Y.C. Railway Lands		
Rt. of Way, Pt. Twp. Lot 17, Con. 8, 3 acres..		.....	20.00
" " " " 18, Con. 8, 12 acres.		.....	80.00
Total of Lands—Village of West Lorne		$1,120.00	$4,780.00

Roads of West Lorne

Gilbert Street	.....	$ 70.00
Anne Street	.....	70.00
Hughes Street	.....	70.00
Victoria Street	.....	15.00
Finney Street	.....	50.00
Kinney Street	.....	30.00
Schleihauf Street	.....	30.00
Munro Street	$ 400.00	150.00
Main Street	500.00	200.00
Robinson Street	100.00	25.00
Becher Street	.....	25.00
Morden Street	.....	25.00

Roads of West Lorne—Continued

James Street	$1,000.00	$ 75.00
Wellington Street	1,000.00	100.00
Total on Roads—Village of West Lorne	$3,000.00	$ 935.00
TOTAL ASSESSMENT—Village of West Lorne	$4,120.00	$5,715.00

TOWNSHIP OF ALDBOROUGH

Con.	Lot or Part		Acres Affected	Owner	Benefit	Outlet
8	Pt. S½	17	43	William Hauser	$ 25.00	$ 200.00
	Pt. N½	17	1	Paul Kovacs	.....	5.00
	Pt. N½	17	5	Ray Coleman	.....	25.00
	Pt. of Pt. S Ry	17	5	J. Heil Est.	.....	60.00
	"	17	5	L. Hosey	.....	60.00
	"	17	4	R. Dewsnap	.....	60.00
	"	17	4	Evergreen Cemetery	.....	60.00
	Pt. Lot	17	2	C. & O. Railway	.....	10.00
	" "	17	3	N.Y.C. Railway	.....	15.00
	S½ N½	18	15	K. Phoenix	.....	75.00
9	Pt. NW¼	17	½	H.E.P.C.	.....	10.00
	W½ NE¼	17	2	William Hauser	.....	60.00
Total on Lands—Twp. of Aldborough					$ 25.00	$ 640.00
Road between Cons. 8 and 9—County of Elgin					.....	$ 100.00
Total Assessment—Twp. of Aldborough					$ 25.00	$ 740.00
TOTAL ASSESSMENT—West Lorne and Aldborough					$4,145.00	$6,455.00

AND WHEREAS the said Council are of opinion that the drainage of the area described is desirable;

THEREFORE the said Municipal Council of the said Village of West Lorne, pursuant to the provisions of *The Municipal Drainage Act*, enacts as follows:

1. The said report, plans, specifications, assessments and estimates are hereby adopted, and the drainage work as therein indicated and set forth shall be made and constructed in accordance therewith.

2. The Reeve of the said Village of West Lorne may borrow on the credit of the said Village of West Lorne the sum of ninety-eight hundred and thirty-five dollars being said municipality's proportion of the funds necessary for the work and may issue debentures of the Corporation to that amount in sums of not less than Fifty Dollars each, and payable within ten years from the date of the said debentures with interest at the rate of 4½ per centum per annum, that is to say, in ten equal annual instalments, such debentures to be payable at the office of the Treasurer of the Village of West Lorne.

3. For paying the sum of $1,120.00 the amount charged against the said lands and roads for benefit, and the sum of $4,780.00 the amount charged against said lands and roads for outlet liability, apart from lands and roads belonging to or controlled by the Municipality, and for covering interest thereon for 10 years at the rate of 4½ per centum per annum, the following total special rates, over and above all other rates, shall be assessed, levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the undermentioned lots and parts of lots and roads, and the amount of the said total special rates and interest against each lot or part of lot respectively shall be divided into ten equal parts, and one such part shall be assessed, levied and collected as aforesaid, in each year, for ten years after the final passing of this by-law, during which the said debentures have to run.

Name	Plan	Block Lot	No. of Lots	Total Assessment	To cover Interest for 10 years at 4½%	Total Special Rate	Annual Assessment
Schleihauf, Otto	75	181-182	2 x $5.00	$ 10.00			
	75	183	1	15.00			
	75	184	1	16.00			
	75	185-186	2 x $6.00	12.00			
	75	187	1	7.00			
			7	60.00			
	75	239-241	3 x $6.00	18.00			
	75	242-243	2 x $16.00	32.00			
	75	244-245	2 x $6.00	12.00			
	75	246	1	11.00			
			15	133.00			
	75	247	1	11.00			
	75	248-249	2 x $16.00	32.00			
	75	250-252	3 x $6.00	18.00			
			21	194.00			
	75	264-295	18 x $6.00	108.00			
	75	296-299	4 x $11.00	44.00			
	75	300-319	20 x $6.00	120.00			
			63	466.00			
	199	5	1	100.00			
				$ 566.00	$ 147.20	$ 713.20	$ 71.32
Erie Flooring Co.	75	188	1	7.00			
	75	189-192	4 x $8.00	32.00			
	75	193-199	7 x $6.00	42.00			
	75	202	1 x $8.00	8.00			
	75	Pt. 203	½ x $3.50	3.50			
	75	228-238	11 x $6.00	66.00			
	75	253-263	11 x $6.00	66.00			
				$ 224.50	58.30	282.80	28.28

Prevett, R. and E.	75		111-116	6 x $40.00	240.00	62.40	302.40	30.24
McGill, G. and M.	75		100	1	40.00			
	75		127-133	7 x $10.00	70.00			
	75		150-155	6 x $10.00	60.00	44.20	214.20	21.42
Fisher, J. and M.	75		134-135	2 x $10.00	20.00			
	199		36	1	30.00			
A. & B. McKillop	75		148-149	2 x $10.00	20.00	18.20	88.20	8.82
Walker, N. and F.	75		143-147	5 x $10.00	50.00	13.00	63.00	6.30
Abdey, F. and W.	75		158-159	2 x $40.00	80.00	20.80	100.80	10.08
	75		166-167	2 x $25.00	50.00	13.00	63.00	6.30
Pituk, J. and A.	75		160	1	40.00	10.40	50.40	5.04
	75		161 pt.	½	20.00	5.20	25.20	2.52
McKillop, Jas. A.	75		161 pt.	½	20.00	5.20	25.20	2.52
Anglican Church	75		162-163	2 x $40.00	80.00	20.80	100.80	10.08
Harvey, Hazel	75		164	1	40.00	10.40	50.40	5.04
	75		165 pt.	½	25.00	6.50	31.50	3.15
Brown, L. A.	75		165 pt.	½	25.00	6.50	31.50	3.15
Gray, Jas.	75		166 pt.	½	25.00	6.50	31.50	3.15
	75		167 pt.	½	25.00	6.50	31.50	3.15
	75		168	1	50.00	13.00	63.00	6.30
	75		169	1	75.00	19.50	94.50	9.45
Hardaker, Tena	75		200-201	2 x $6.00	12.00	3.20	15.20	1.52
Brown, R. and B.	75		203 pt.	½	3.50	.90	4.40	.44
	75		204	1	5.00	1.30	6.30	.63
Lowes, C. and G.	75		226	1	6.00	1.60	7.60	.76
Gordon, J. and M.	75		227	1	6.00	1.60	7.60	.76
Elliott, L. and H.	75	1	1 pt.	½	20.00			
	75	1	2 pt.	½	20.00			
	75	1	3 pt.	¼	10.00	13.00	63.00	6.30
Hosey, Larry	75	1	1 pt.	½	20.00			
	75	1	3 pt.	¼	10.00	7.80	37.80	3.78
Schleihauf, Don	75	1	2 pt.	½	20.00	5.20	25.20	2.52
Heil, Alice	75	1	3 pt.	¼	10.00	2.60	12.60	1.26

Name	Plan	Block	Lot	No. of Lots	Total Assessment	To cover Interest for 10 years at 4½%	Total Special Rate	Annual Assessment
Buttinger, J. and J.	75	1	3 pt.	¼	$ 10.00			
	75	1	4	1	40.00	$13.00	$ 63.00	$ 6.30
Liddel, St. Clair	75	1	5	1	40.00	10.40	50.40	5.04
Weiss, J. and F.	75	1	6	1	40.00			
	199		40	1	40.00	20.80	100.80	10.08
Lyons, S. and M.	75	1	7-8	2 x $40.00	80.00	20.80	100.80	10.08
Evergreen Cemetery	199		1 pt.	¼	2.00	.50	2.50	.25
Hauser, R. and B.	199		2-3	2 x $60.00	120.00	30.20	151.20	15.12
Button, Louisa	75	A	1	1	40.00	10.40	50.40	5.04
Ripley, T. and V.	75	A	2	1	40.00	10.40	50.40	5.04
Cullen, Fred	75	A	3	1	40.00	10.40	50.40	5.04
Edward, Fred	75	A	4	1	40.00	10.40	50.40	5.04
Marks, J. and V.	75	A	5	1	40.00	10.40	50.40	5.04
Murray, N. and O.	75	A	6	1	40.00	10.40	50.40	5.04
Schleihauf, P. and J.	75	A	7	1	40.00	10.40	50.40	5.04
Munn, B. and G.	75	A	8	1	40.00	10.40	50.40	5.04
Graham, R. S.	75	A	9	1	40.00	10.40	50.40	5.04
Ross, G. and M.	75	A	10	1	40.00	10.40	50.40	5.04
Schleihauf, R. and D.	75	A	11-12	2 x $40.00	80.00	20.80	100.80	10.08
Cummings, P.	75		101	1	50.00	13.00	63.00	6.30
Branchflower, D. and E.	75		102	1	40.00	10.40	50.40	5.04
McCallum, E. and A.	75		103	1	40.00	10.40	50.40	5.04
Hopper, M. & H.	75		104-105	2	205.00			
	75		122-123	2	145.00	91.00	441.00	44.10
Lippon, C. and M.	75		106	1	65.00			
	75		120-121	2	45.00	29.00	139.00	13.90
Page, Geo.	75		107	1	40.00	10.40	50.40	5.04
Gardiner, E. and E.	75		108	1	40.00	10.40	50.40	5.04
Tansley, R. and A.	75		109	1	40.00	10.40	50.40	5.04
Robinson, R. and A.	75		110	1	40.00	10.40	50.40	5.04

Lippold, G. and S.	75	117	1	40.00	10.40	50.40	5.04
Brown, A. and V.	75	118	1	40.00	10.40	50.40	5.04
Bragg, R. and L.	75	119	1	40.00	10.40	50.40	5.04
Canadian Legion	75	124	1	10.00	2.60	12.60	1.26
McGill, W. and J.	75	125	1	10.00	2.60	12.60	1.26
McCallum, J. A.	75	136	1	10.00	2.60	12.60	1.26
Willetts, P. and V.	75	137	1	10.00	2.60	12.60	1.26
Bird, Mrs. E.	75	138	1	10.00	2.60	12.60	1.26
Turner, Mildred	75	139	1	10.00	2.60	12.60	1.26
Dewsi, A. and L.	75	140	1	10.00	2.60	12.60	1.26
Miller Lumber Co.	75	141	1	10.00	2.60	12.60	1.26
Henderson, N.	75	156	1	65.00	16.90	81.90	8.19
Vanseeder, Alfred	75	157	1	40.00	10.40	50.40	5.04
Uzas, Mary	199	4	1	60.00	15.60	75.60	7.56
Hayes, M.	199	8	1	50.00			
	75	170-171	2 pt.	100.00	39.00	189.00	18.90
Kovacs, D. and J.	199	9	1	50.00			
	199	18	1	40.00	23.40	113.40	11.34
Weiss, Barbara	199	10	1	110.00			
	199	17	1	40.00	39.00	189.00	18.90
Bell, P. and G.	199	12	1	120.00			
	199	11 pt.	½	55.00	45.50	220.50	22.05
Bury, Ernest	199	11 pt.	½	55.00			
	199	12	1	195.00	65.00	315.00	31.50
Skinner, R. B. and J.	199	14	1	165.00			
	199	15	1	40.00	53.30	258.30	25.83
Dawdy, Claude	199	16	1	40.00	10.40	50.40	5.04
Okolisan, V. and M.	199	35	1	85.00	22.10	107.10	10.71
Murray, M.	199	37	1	40.00	10.40	50.40	5.04
West Lorne Lumber Co.	199	38-39	2 x $40.00	80.00	20.80	100.80	10.08
Reid, C. and V.	199	111	1	5.00	1.30	6.30	.63
Springs, J. and B.	75	172 pt.	½	75.00			
	75	173 pt.	½	150.00			
	75	174 pt.	½	60.00			

Name	Plan	Block	Lot	No. of Lots	Total Assessment	To cover Interest for 10 years at 4½%	Total Special Rate	Annual Assessment
Springs, J. and B.	75		175 pt.	½	$ 55.00			
	75		176 pt.	½	55.00	$ 102.70	$ 497.70	$ 40.77
C. and O. Railway	75		170 pt. to 176	7½	35.00			
	75		177 pt.	½	35.00			
	75		178 pt.	3 ½ lots	75.00			
			17 pt.	..	5.00	39.00	189.00	18.90
N.Y.C. Railway			17 pt.	3 acres	20.00			
			18 pt.	12 acres	80.00	26.00	126.00	12.60
TOTAL					$5,900.00	$1,534.50	$ 7,434.50	$ 743.45
ROADS					3,935.00	1,023.10	4,958.10	495.81
TOTAL IN WEST LORNE					$9,835.00	$2,557.60	$12,392.60	$1,239.26

4. For paying the sum of $9,835.00 the amount assessed against the said roads and lands of the Municipality, and for covering interest thereon for 10 years at the rate of 4½ per centum per annum, a special rate in the dollar, sufficient to produce the required yearly amount therefor shall, over and above all other rates, be levied and collected in the same manner and at the same time as other taxes are levied and collected upon and from the whole rateable property in the said Village of West Lorne in each year for 10 years, after the final passing of this by-law, during which the said debentures have to run.

5. This by-law shall be printed and served together with the notice of the sitting of the Court of Revision to be held thereon and of proceedings to quash this said by-law, upon each of the assessed owners or their lessees or the occupants of their lands, or the agents of such owners, by leaving a copy thereof on the lands if occupied by some grown-up person, and if unoccupied and the owner or his agent does not reside in the Municipality, to be sent by registered letter to the last known address of such owner and shall come into force after the final passing thereof, and may be cited as the "Trigger Drain By-law".

6. The Corporation shall have the right, at its option, to redeem the said debentures in this issue either in whole or in part on any date prior to maturity at the places where and in the moneys in which the said debentures are expressed to be payable, upon payment of the principal amount thereof together with interest accrued to the date of redemption and upon giving previous notice of said intention to redeem by advertising once in *The Ontario Gazette* and once in a daily newspaper of general provincial circulation, published in the City of Toronto, and once in a local newspaper, such notice to be advertised as aforesaid at least thirty days before the date fixed for redemption. Notice of intention so to redeem shall also be sent by post at least thirty days prior to the date set for such redemption to each person in whose name a debenture so to be redeemed is registered at the address shown in the Debenture Registry Book. Where only a portion of the debentures of this issue is so to be redeemed, such portion shall comprise only the debentures that have the latest maturity date and no debenture of this issue shall be called for such redemption in priority to any such debenture that has a later maturity date.

READ A THIRD TIME AND FINALLY PASSED this 20th day of July, 1956.

D. E. MCGILL,

Reeve.

(Seal)

R. E. EVANS,

Clerk.

BILL

An Act respecting
the Village of West Lorne

1st Reading

2nd Reading

3rd Reading

MR. ROBARTS

(*Private Bill*)

1958

No. 13

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Village of West Lorne

Mr. Robarts

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 13 1958

BILL

An Act respecting the Village of West Lorne

WHEREAS The Corporation of the Village of West Lorne by its petition has prayed for special legislation to confirm and validate By-law No. 613 and By-law No. 623 of the Corporation; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 613 and By-law No. 623 of The Corporation of the Village of West Lorne, set forth as the Schedule hereto, are hereby confirmed and declared to be legal, valid and binding from the date of the passing of such by-laws. By-laws confirmed

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

3. This Act may be cited as *The Village of West Lorne Act, 1958*. Short title

SCHEDULE

By-law No. 613

A By-law to provide for the repair and improvement of the Wilton Drain outlet and branch in the Township of Aldborough and for the borrowing on the credit of the Municipality of West Lorne the sum of Thirteen Hundred and Sixty Dollars ($1360.00) for completing same.

Provisionally adopted October 22, 1955.

Whereas complaint has been made to Council of the Village of West Lorne regarding the present condition of that certain Ditch or Drain in West Lorne and the Township of Aldborough called and known as the Wilton Drain Outlet and Branch and the said Council has been requested to take such steps as may be necessary to repair the said Ditch or Drain;

And Whereas thereupon the said Council procured an examination to be made by H. H. Todgham, C.E., being a person competent for such purpose, of the foresaid Wilton Drain Outlet and Branch and has also procured Plans, Specifications and Estimate of the said Drainage work to be made by the said H. H. Todgham and an assessment to be made by him of the land and roads affected by such Drainage work and of other lands and roads liable for Contribution thereto, stating as nearly as he can the proportions of Benefit, Outlet Liability or Injuring Liability, which in his opinion will be derived or incurred in Consequence of such Drainage work by each road or lot, or portion of lots, and said assessment so being made the assessment hereinafter by this by-law enacted to be assessed and levied upon the roads and lots, hereinafter in that behalf specially set forth and described, and the report of the said H. H. Todgham in respect thereof and of the said Drainage work being as follows:

Chatham, Ontario, October 7, 1955.

To the Reeve and Council of the Village of West Lorne.

Gentlemen:

In compliance with your instructions we have made an examination and survey of the Wilton Drain Outlet from the junction of the Wilton and Trigger Drains on Lot 36, Registered Plan No. 199, within your village to a point on the north half of Lot 17, Concession 10, in the Township of Aldborough, and we submit herewith a plan, profile and specification for its repair and improvement. The plan shows the location of the work and lands affected by it; the profile and specification show the dimensions, grades, disposal of material and other particulars of the work.

Excavated material is to be placed on the adjoining farm lands. We determine the amounts to be paid to owners under Section 8 of *The Municipal Drainage Act* for the construction or enlargement of farm bridges to the extent rendered necessary by the work, and for damages to lands and crops (if any) occasioned by disposal of material, as follows:

Village of West Lorne

Con.	Lot or Part		Owner	Allowances for Bridges	Allowances for Damages
Reg. Plan 199	Lot	36.....	.....	.....	$ 6.00

Township of Aldborough

9	Pt. SW¼	18.....	John L. McKillop..	$ 40.00	25.00
	Pt. SW¼	18.....	Peter Ocolisan.....	20.00	15.00

Con.	Lot or Part		Owner	Allowances for Bridges	Allowances for Damages
10	N½	17.....	Mike Hay.....	$ 50.00	$ 34.00
	N½	18.....	Mike Hay.....	20.00	20.00
				$ 130.00	$ 94.00

The following is our estimate of the cost of the work and incidental expenses:—

VILLAGE OF WEST LORNE

350 cu. yds. of Excavation & Levelling.....	$140.00	
Outlet Wall.....	140.00	
		$ 280.00

TOWNSHIP OF ALDBOROUGH

3350 cu. yds. Excavation & Levelling.....	$ 960.00
Allowances under Section 8.....	230.00
Survey, Plans and Report.....	225.00
Assistance and Expenses.....	80.00
Aldborough Township By-law.....	35.00
Aldborough Township Clerk's Fees.....	45.00
West Lorne By-law.....	10.00
West Lorne Clerk's Fees.....	45.00
Letting and Superintending.....	90.00
	$2,000.00

We assess the above estimated cost against lands and roads as shown in the annexed schedule.

After completion that portion of the drain within the limits of the Village is to be maintained by the Village and that portion in the Township of Aldborough is to be maintained by the Township. The cost of maintenance is to be charged to the lands and roads herein assessed and in the same relative proportions, subject to any variations made under *The Municipal Drainage Act.*

We have the honour to be, Gentlemen,
Your obedient servants,
BRISCO AND TODGHAM.

SCHEDULE OF ASSESSMENT

WILTON DRAIN OUTLET

VILLAGE OF WEST LORNE AND TOWNSHIP OF ALDBOROUGH

VILLAGE OF WEST LORNE

Con.	Lot or Part		Acres Affected	Owner	Benefit	Outlet
Roads and Streets in the Village of West Lorne....					.....	$1,360.00
Total Assessment—Village of West Lorne.....					.....	$1,360.00

TOWNSHIP OF ALDBOROUGH

8	Pt. S½ S. of Ry.	17	5	J. Keil Estate.....	.....	$ 8.00
	Pt. S½ S. of Ry.	17	3	L. Hosey.....	.....	5.00
	Pt. S½ S. of Ry.	17	4	R. Dewsnap.....	.....	6.00

TOWNSHIP OF ALDBOROUGH—*Continued*

Con.	Lot or Part		Acres Affected	Owner	Benefit	Outlet
8	Pt. S½ S. of Ry.	17	4	Evergreen Cemetery....	.....	$ 6.00
	Pt. Lot	17	6	New York Central Ry....	.....	9.00
	Pt. Lot	17	2	Chesapeake & Ohio Ry..	.....	3.00
	Pt. S½ N. of Ry.	17	43	Wm. Hauser.....	.....	64.00
	W. Pt. N½	17	1	Paul Kovacs.....	.....	2.00
	E. Pt. N½	17	5	Ray Coleman.....	.....	7.00
	S½ N½	18	35	K. Phoenix.....	.....	52.00
	N½	19	65	Albert & Anna Schmidt..	.....	92.00
	Pt. SE¼	19	13	Henry Asher.....	.....	20.00
	Pt. SE¼	19	2½	Beatrice Vogan.....	.....	4.00
	Pt. SE¼	19	1	Lilly Gordon.....	.....	2.00
	Pt. SE¼	19	15	Ernest Bainard.....	.....	22.00
9	Pt. NW¼	17	½	H.E.P. Commission.....	.....	1.00
	W½ NE¼	17	1	William Hauser.....	.....	2.00
	Pt. SW¼	18	35	John L. McKillop.....	$ 25.00	42.00
	Pt. SW¼	18	15	Peter Ocalison.....	25.00	15.00
	Pt. SW¼	19	15½	Vince Ocalison.....	.....	16.00
	Pt. SW¼	19	13	West Elgin High School.	.....	13.00
	Pt. SE¼	19	20	Vince Ocalison.....	.....	20.00
10	N½	17	15	Mike Hay.....	100.00	.....
	N½	18	20	Mike Hay.....	50.00	15.00
Total of Lands—Twp. of Aldborough.....					$200.00	$ 426.00
Road between Lots 18 and 19 opposite N½, Concession 10, County of Elgin.....					.....	$ 5.00
Road between Concessions 8 and 9, opposite Lot 17, County of Elgin.....					.....	5.00
Road between Concessions 9 and 10, opposite Lot 18, Township of Aldborough.....					.....	4.00
Total on Roads—Twp. of Aldborough.....					.....	$ 14.00
Total on Lands and Roads—Twp. of Aldborough...					$200.00	$ 440.00
TOTAL ASSESSMENT.....					$200.00	$1,800.00

Chatham, Ontario, October 7th, 1955.

BRISCOE AND TODGHAM

AND WHEREAS the Council of the Village of West Lorne are of the opinion that the repair of the Wilton Drain Outlet and Branch as set forth in the report of the said H. H. Todgham is desirable;

THEREFORE the said Municipal Council of the Village of West Lorne pursuant to the provisions of *The Municipal Drainage Act*, enacts as follows:

1. That the said report, plans, specification, assessments, and estimates are hereby adopted and the drainage work as therein indicated and set forth shall be made and constructed in accordance therewith.

2. The Reeve of the said Village of West Lorne may borrow on the credit of the said Village of West Lorne the sum of Thirteen Hundred and Sixty 00/100 Dollars ($1360.00) being the said Municipality's proportion of the funds necessary for the work, and may issue Debentures of Corporation to that amount in sums of not less than Fifty Dollars each and payable within Ten Years from the date of said Debenture with interest at the rate of 4½ per cent per annum, that is to say, in Ten Equal Annual Instalments. Such Debentures to be payable at the office of the Treasurer of the Village of West Lorne.

3. The Debentures issued under this By-law shall be redeemable in whole or in part at the option of the Municipality at the office of the Treasurer of the Village of West Lorne on any Interest payment date prior to Maturity, at the redemption price of 100 per centum of their face value, together with accrued Interest to the date set for redemption. Where only a portion of the Debentures of this issue is to be redeemed such portion shall comprise only the Debentures that have the latest maturity dates, and no Debenture shall be called for such redemption in priority to any such Debenture that has a later date of Maturity, from and after the Date set for redemption. Interest on the Debenture called as aforesaid for redemption, shall cease to accrue and such Debenture shall become due and payable on such date; provided that if the Municipality defaults in carrying out such redemption, Interest shall accrue and be payable on the principal amount of said Debentures so called for redemption at the rate specified therein, until such Debentures are paid.

READ A THIRD TIME and finally passed the 28th day of October, 1955.

D. E. MCGILL,
Reeve.

(SEAL)

R. E. EVANS,
Clerk.

By-Law No. 623

A By-law to provide for the repair and improvement of the Trigger Drain and Branches in the Village of West Lorne and for the borrowing on the credit of the Municipality of the Village of West Lorne the sum of Nine Thousand, Eight Hundred and Thirty-five dollars for completing the same.

Provisionally adopted June 23rd, 1956.

Whereas complaint has been made to the Council of the Village of West Lorne regarding the present condition of that certain ditch or drain in the Village of West Lorne called and known as the Trigger Drain and Branches and the said Council has been requested to take such steps as may be necessary to repair the said ditch or drain; and

Whereas, thereupon the said Council has procured an examination to be made by H. H. Todgham, C.E., being a person competent for such purpose, of the said area proposed to be drained, and the means suggested for the drainage thereof, and of other lands and roads liable to assessment under *The Municipal Drainage Act*, and has also procured plans, specifications and estimates of the drainage work to be made by the said H. H. Todgham and an assessment to be made by him of the lands and roads to be benefited by such drainage work, and of other lands and roads liable for contribution thereto, stating as nearly as he can the proportion of benefit, outlet liability and injuring liability which in his opinion will be derived or incurred in consequence of such drainage work by every road and lot, or portion of lot, the said assessment so being the assessment hereinafter by this by-law enacted to be assessed and levied upon the roads and lots, or parts of lots, hereinafter in that behalf specially set forth and described; and the report of the said H. H. Todgham in respect thereof, and of the said drainage work being as follows:

Chatham, Ontario, May 30th, 1956.

To the Reeve and Council of the Village of West Lorne.

Gentlemen:

In compliance with your instructions we have made an examination and survey and we submit herewith plans, profile and specification for the repair and improvement of the Trigger Drain. The plans show the location of the drain and the lands affected by it; the profile and specification show the dimensions, grades and other particulars of the work.

Under this report we propose to repair that portion of the Trigger Drain lying north of the south limit of the Chesapeake & Ohio Railway. That portion of the drain lying south of the Chesapeake & Ohio Railway is to be deepened and improved. The outlet portion of the drain south of Robinson Street is to be improved by removing the existing tile and making the drain an open ditch. Approximately 175 feet of the lower end of this open ditch will have a new course slightly to the south-west of the present course to provide a better alignment. From the south limit of Robinson Street to the catch basin on the south side of Main Street, the improved drain is to be of 27-inch diameter pipe. From the catch basin on the south side of Main Street to a new catch basin to be constructed just north of the south limit of the Chesapeake & Ohio Railway the improved drain is to be of 18-inch diameter pipe. The present open ditch over the 18-inch and 27-inch pipe is to be backfilled with material taken from the excavation of the open ditch portion of the drain. A slight depression is to be left to provide surface drainage to the catch basins.

From the north side of the New York Central Railway to the head of the Trigger Drain at the line between Lots 17 and 18 the existing tile is to be cleaned and replaced.

Where the Trigger Drain crosses the lands of the Chesapeake & Ohio Railway and the New York Central Railway there is presently a 10-inch diameter tile drain with an overflow ditch above it, which are to be repaired. It is our opinion that, considering the present use of the lands

within that part of the drainage area lying north of the railways, the capacity provided by cleaning and repairing the existing tile and open drains on the railway lands will be sufficient at this time. However, should residential developments take place in the lands north of the railways it will be necessary to provide additional outlet through the railways at a greater depth than the bottom of the open ditch and it will then be necessary to install a larger tile drain beneath the railway lands. Capacity for this future development is provided by the covered portion of the proposed drain south of Main Street. Depending on the type and location of this development it may be necessary to construct an additional drain near Kinney and Morden Streets which can be connected to the Trigger Drain at Main and Wellington. The 18-inch diameter pipe which is proposed under this report is probably not adequate to serve a complete development north of the railways and it will be necessary to provide additional capacity between the railways and the catch basin at Main and Wellington should complete development north of the railways take place. The 27-inch pipe south of Main Street will be large enough to take as much storm water as is ever likely to be brought to it.

It is proposed that the enclosed portion of the drain south of the railways will be approximately 18 inches below the present tile drain at the railway and approximately 2 feet below the present tile drain at Robinson Street. This increased depth will provide a much-improved outlet for any drains which are brought to the Trigger Drain. It is intended that at the proposed depth it will be possible to provide reasonably deep drainage throughout the greater part of the Trigger Drain watershed.

The filling in of the present open portion of the Trigger Drain from the railways to Robinson Street will be of great benefit to the adjoining residential properties in that the removal of the present unsightly ditch will not only make the area a more pleasant one in which to live but will also considerably increase the value of the adjoining properties from a sale point of view. The streets on which the covered portion is to be constructed will also benefit in that maintenance of the road grade will be easier and less expensive and a rather serious hazard to automobile and pedestrian traffic will be removed. The open outlet portion of the drain will be through what is now farm lands. Should this land develop into a residential area the open ditch can quite easily be converted to a covered drain for any portion of its length.

A sufficient amount of the material excavated from the open portion of the drain is to be used to backfill the existing open ditch from the south limit of Robinson Street to the catch basin on the south side of the Chesapeake & Ohio Railways lands. Material taken from the new course of the open ditch at its outlet is to be used to fill the portion of the existing open ditch which is being replaced. Excess material not required for either of the preceding purposes is to be deposited on the adjoining land. We determine the amounts to be paid to the owner under Section 8 of *The Municipal Dainage Act* for the enlargement of farm bridges to the extent rendered necessary by the work, or for severance in lieu thereof, and for damages to lands and crops (if any) occasioned by the disposal of material and the excavation thereof, to be as follows:

Lot or Part	Allowances for Bridges	Allowances for Damages
Lot 36, Registered Plan 199	$125.00	$75.00

The following is our estimate of the cost of the work and incidental expenses:

700 cu. yds. Excavation, Hauling and Backfilling	$ 600.00
5,000 cu. yds. Excavation and Levelling	1,100.00
Stake 15-00 to Stake 18-05—305 ft. of 27-inch drain	2,800.00
Stake 25-32 to Stake 29-47—415 ft. of cleaning 10-inch drain and repairing	125.00
Stake 18-05 to Stake 25-32—727 ft. of 18-inch drain	3,800.00
Stake 29-47 to Stake 36-54—707 ft. of cleaning 8-inch drain	200.00
Construction of 3 new catch basins	300.00
Outlet Wall	200.00

Allowances under Section 8	$ 200.00
Survey, Plans and Reports	700.00
Assistance and Expenses	100.00
West Lorne—Clerk's Fees	150.00
West Lorne—By-law	50.00
Aldborough Township—Clerk's Fees	40.00
Aldborough Township—By-law	35.00
Restaking	75.00
Letting and Superintending	125.00
	$10,600.00

We estimate the cost of cleaning the existing tile and open drains on the lands of the Chesapeake & Ohio Railway to be $25.00. Should the Chesapeake & Ohio Railway exercise its option of performing the work on its own lands, it shall be paid the sum of $25.00 for this work.

We estimate the cost of cleaning the existing tile and open drains on the lands of the New York Central Railway to be $100.00. Should the New York Central Railway exercise its option of performing the work on its own lands, it shall be paid the sum of $100.00 for this work.

The railways must decide whether or not they wish to exercise their option of performing the work on their own lands, before tenders are called for the work on the balance of the drain so that the work on the railway lands may be either included in or excluded from any dealings between the Village of West Lorne and interested contractors.

We assess the above estimated cost against lands and roads as shown in the annexed schedule.

In addition to the work provided for in the above estimate and schedule of assessment it will be necessary to make provision for carrying the surface water from the north side to the south side of the pavement on Main Street and we assess the cost of this against the County of Elgin as the authority having jurisdiction over the maintenance of this street. The County will have the option of providing, for installation by the contractor, a 10-inch diameter metal pipe culvert under the pavement or in the alternative, of constructing a catch basin on the north side of the pavement. It will also be necessary to replace the pavement where it is removed for the purpose of constructing the drain. This replacement is to be carried out by the County.

After completion the drain is to be maintained by the Village of West Lorne at the expense of the lands and roads herein assessed and in the same relative proportions, subject to any variations, made under *The Municipal Drainage Act.*

We have the honour to be, Gentlemen,
Your obedient servants,
TODGHAM AND CASE.

(Seal)

Per: (Sgd.) H. H. TODGHAM, B.A.Sc.,
O.L.S., M.E.I.C.

SCHEDULE OF ASSESSMENT

Trigger Drain

Village of West Lorne

Registered Plan	Village Lot or Part	Benefit	Outlet
75	1—Block A	.....	$ 40.00
	2 "	.....	40.00
	3 "	.....	40.00
	4 "	.....	40.00
	5 "	.....	40.00
	6 "	.....	40.00
	7 "	.....	40.00
	8 "	.....	40.00
	9 "	.....	40.00
	10 "	.....	40.00
	11 "	.....	40.00
	12 "	.....	40.00
	100	.....	40.00
	101	.....	40.00
	102	.....	40.00
	103	.....	40.00
	104	.....	40.00
	105	$ 125.00	40.00
	106	25.00	40.00
	107	.....	40.00
	108	.....	40.00
	109	.....	40.00
	110	.....	40.00
	111	.....	40.00
	112	.....	40.00
	113	.....	40.00
	114	.....	40.00
	115	.....	40.00
	116	.....	40.00
	117	.....	40.00
	118	.....	40.00
	119	.....	40.00
	120	.....	10.00
	121	25.00	10.00
	122	125.00	10.00
	123	.....	10.00
	124	.....	10.00
	125	.....	10.00
	126	.....	10.00
	127	.....	10.00
	128	.....	10.00
	129	.....	10.00
	130	.....	10.00
	131	.....	10.00
	132	.....	10.00
	133	.....	10.00
	134	.....	10.00
	135	.....	19.00
	136	.....	10.00
	137	.....	10.00
	138	.....	10.00
	139	.....	10.00
	140	.....	10.00
	141	.....	10.00
	143	.....	10.00
	144	.....	10.00
	145	.....	10.00
	146	.....	10.00
	147	.....	10.00
	148	.....	10.00

Registered Plan	Village Lot or Part	Benefit	Outlet
75	149	.....	$ 10.00
	150	.....	10.00
	151	.....	10.00
	152	.....	10.00
	153	.....	10.00
	154	.....	10.00
	155	.....	10.00
	156	$ 25.00	40.00
	157	.....	40.00
	158	.....	40.00
	159	.....	40.00
	160	.....	40.00
	161	.....	40.00
	162	.....	40.00
	163	.....	40.00
	164	.....	40.00
	165	.....	50.00
	166	.....	50.00
	167	.....	50.00
	168	.....	50.00
	169	25.00	50.00
	170 Pt. S. Rlwy	.....	50.00
	171 " " "	.....	50.00
	172 " " "	25.00	50.00
	173 " " "	100.00	50.00
	174 " " "	15.00	45.00
	175 " " "	15.00	40.00
	176 " " "	15.00	40.00
	181	.....	5.00
	182	.....	5.00
	183	10.00	5.00
	184	10.00	6.00
	185	.....	6.00
	186	.....	6.00
	187	.....	7.00
	188	.....	7.00
	189	.....	8.00
	190	.....	8.00
	191	.....	8.00
	192	.....	8.00
	193	.....	6.00
	194	.....	6.00
	195	.....	6.00
	196	.....	6.00
	197	.....	6.00
	198	.....	6.00
	199	.....	6.00
	200	.....	6.00
	201	.....	6.00
	202	.....	8.00
	203	.....	7.00
	204	.....	5.00
	226	.....	6.00
	227	.....	6.00
	228	.....	6.00
	229	.....	6.00
	230	.....	6.00
	231	.....	6.00
	232	.....	6.00
	233	.....	6.00
	234	.....	6.00
	235	.....	6.00
	236	.....	6.00
	237	.....	6.00
	238	.....	6.00
	239	.....	6.00

Registered Plan	Village Lot or Part	Benefit	Outlet
75	240	.....	$ 6.00
	241	.....	6.00
	242	$ 10.00	6.00
	243	10.00	6.00
	244	.....	6.00
	245	.....	6.00
	246	5.00	6.00
	247	5.00	6 00
	248	10.00	6.00
	249	10.00	6.00
	250	.....	6.00
	251	.....	6.00
	252	.....	6.00
	253	.....	6.00
	254	.....	6.00
	255	.....	6.00
	256	.....	6.00
	257	.....	6.00
	258	.....	6.00
	259	.....	6.00
	260	.....	6.00
	261	.....	6.00
	262	.....	6.00
	263	.....	6.00
	264	.....	6.00
	265	.....	6.00
	280	.....	6.00
	281	.....	6.00
	282	.....	6.00
	283	.....	6.00
	284	.....	6.00
	285	.....	6.00
	286	.....	6.00
	287	.....	6.00
	288	.....	6.00
	289	.....	6.00
	290	.....	6.00
	291	.....	6.00
	292	.....	6.00
	293	.....	6.00
	294	.....	6.00
	295	.....	6.00
	296	5.00	6.00
	297	5.00	6.00
	298	5.00	6.00
	299	5.00	6.00
	300	.....	6.00
	301	.....	6.00
	302	.....	6.00
	303	.....	6.00
	304	.....	6.00
	305	.....	6.00
	306	.....	6.00
	307	.....	6.00
	308	.....	6.00
	309	.....	6.00
	310	.....	6.00
	311	.....	6.00
	312	.....	6.00
	313	.....	6.00
	314	.....	6.00
	315	.....	6.00
	316	.....	6.00
	317	.....	6.00
	318	.....	6.00
	319	.....	6.00
167	1 Block 1	.....	40.00

Registered Plan	Village Lot or Part	Benefit	Outlet
167	2 Block 1	.....	$ 40.00
	3 "	.....	40.00
	4 "	.....	40.00
	5 "	.....	40.00
	6 "	.....	40.00
	7 "	.....	40.00
	8 "	.....	40.00
199	1	.....	2.00
	2	.....	60.00
	3	.....	60.00
	4	.....	60.00
	5	.....	100.0
	8	.....	50.00
	9	.....	50.00
	10	$ 60.00	50.00
	11	60.00	50.00
	12	150.00	45.00
	13	75.00	45.00
	14	125.00	40.00
	15	.....	40.00
	16	.....	40.00
	17	.....	40.00
	18	.....	40.00
	35	.....	85.00
	36	30.00	.....
	37	.....	40.00
	38	.....	40.00
	39	.....	40.00
	40	.....	40.00
	111	.....	5.00
	C & O Railway Lands		
Rt. of Way, Pt. 170, Plan 75		.....	5.00
" " " " 171 "		.....	5.00
" " " " 172 "		.....	5.00
" " " " 173 "		.....	5.00
" " " " 174 "		.....	5.00
" " " " 175 "		.....	5.00
" " " " 176 "		.....	5.00
" " "	All 177 "	10.00	25.00
" " " " 178 "		.....	25.00
" " " " 179 "		.....	25.00
" " " " 180 "		.....	25.00
" " "	Pt. Twp. Lot 17, Con. 8, ½ acre	.....	5.00
	N.Y.C. Railway Lands		
Rt. of Way, Pt. Twp. Lot 17, Con. 8, 3 acres		.....	20.00
" " " " 18, Con. 8, 12 acres		.....	80.00
Total of Lands—Village of West Lorne		$1,120.00	$4,780.00
	Roads of West Lorne		
Gilbert Street		.....	$ 70.00
Anne Street		.....	70.00
Hughes Street		.....	70.00
Victoria Street		.....	15.00
Finney Street		.....	50.00
Kinney Street		.....	30.00
Schleihauf Street		.....	30.00
Munro Street		$ 400.00	150.00
Main Street		500.00	200.00
Robinson Street		100.00	25.00
Becher Street		.....	25.00
Morden Street		.....	25.00

Roads of West Lorne—Continued

James Street	$1,000.00	$ 75.00
Wellington Street	1,000.00	100.00
Total on Roads—Village of West Lorne	$3,000.00	$ 935.00
TOTAL ASSESSMENT—Village of West Lorne	$4,120.00	$5,715.00

TOWNSHIP OF ALDBOROUGH

Con.	Lot or Part		Acres Affected	Owner	Benefit	Outlet
8	Pt. S½	17	43	William Hauser	$ 25.00	$ 200.00
	Pt. N½	17	1	Paul Kovacs	.....	5.00
	Pt. N½	17	5	Ray Coleman	.....	25.00
	Pt. of Pt. S Ry	17	5	J. Heil Est.	.....	60.00
	"	17	5	L. Hosey	.....	60.00
	"	17	4	R. Dewsnap	.....	60.00
	"	17	4	Evergreen Cemetery	.....	60.00
	Pt. Lot	17	2	C. & O. Railway	.....	10.00
	" "	17	3	N.Y.C. Railway	.....	15.00
	S½ N½	18	15	K. Phoenix	.....	75.00
9	Pt. NW¼	17	½	H.E.P.C.	.....	10.00
	W½ NE¼	17	2	William Hauser	.....	60.00
Total on Lands—Twp. of Aldborough					$ 25.00	$ 640.00
Road between Cons. 8 and 9—County of Elgin					.....	$ 100.00
Total Assessment—Twp. of Aldborough					$ 25.00	$ 740.00
TOTAL ASSESSMENT—West Lorne and Aldborough					$4,145.00	$6,455.00

AND WHEREAS the said Council are of opinion that the drainage of the area described is desirable;

THEREFORE the said Municipal Council of the said Village of West Lorne, pursuant to the provisions of *The Municipal Drainage Act*, enacts as follows:

1. The said report, plans, specifications, assessments and estimates are hereby adopted, and the drainage work as therein indicated and set forth shall be made and constructed in accordance therewith.

2. The Reeve of the said Village of West Lorne may borrow on the credit of the said Village of West Lorne the sum of ninety-eight hundred and thirty-five dollars being said municipality's proportion of the funds necessary for the work and may issue debentures of the Corporation to that amount in sums of not less than Fifty Dollars each, and payable within ten years from the date of the said debentures with interest at the rate of 4½ per centum per annum, that is to say, in ten equal annual instalments, such debentures to be payable at the office of the Treasurer of the Village of West Lorne.

3. For paying the sum of $1,120.00 the amount charged against the said lands and roads for benefit, and the sum of $4,780.00 the amount charged against said lands and roads for outlet liability, apart from lands and roads belonging to or controlled by the Municipality, and for covering interest thereon for 10 years at the rate of 4½ per centum per annum, the following total special rates, over and above all other rates, shall be assessed, levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the undermentioned lots and parts of lots and roads, and the amount of the said total special rates and interest against each lot or part of lot respectively shall be divided into ten equal parts, and one such part shall be assessed, levied and collected as aforesaid, in each year, for ten years after the final passing of this by-law, during which the said debentures have to run.

Name	Plan	Block	Lot	No. of Lots	Total Assessment	To cover Interest for 10 years at 4½%	Total Special Rate	Annual Assessment
Schleihauf, Otto	75		181-182	2 x $5.00	$ 10.00			
	75		183	1	15.00			
	75		184	1	16.00			
	75		185-186	2 x $6.00	12.00			
	75		187	1	7.00			
				7	60.00			
	75		239-241	3 x $6.00	18.00			
	75		242-243	2 x $16.00	32.00			
	75		244-245	2 x $6.00	12.00			
	75		246	1	11.00			
				15	133.00			
	75		247	1	11.00			
	75		248-249	2 x $16.00	32.00			
	75		250-252	3 x $6.00	18.00			
				21	194.00			
	75		264-295	18 x $6.00	108.00			
	75		296-299	4 x $11.00	44.00			
	75		300-319	20 x $6.00	120.00			
				63	466.00			
	199		5	1	100.00			
					$ 566.00	$ 147.20	$ 713.20	$ 71.32
Erie Flooring Co.	75		188	1	7.00			
	75		189-192	4 x $8.00	32.00			
	75		193-199	7 x $6.00	42.00			
	75		202	1 x $8.00	8.00			
	75		Pt. 203	½ x $3.50	3.50			
	75		228-238	11 x $6.00	66.00			
	75		253-263	11 x $6.00	66.00			
					$ 224.50	58.30	282.80	28.28

Prevett, R. and E.	75		111-116	6 x $40.00	240.00	62.40	302.40	30.24
McGill, G. and M.	75		100	1	40.00			
	75		127-133	7 x $10.00	70.00			
	75		150-155	6 x $10.00	60.00	44.20	214.20	21.42
Fisher, J. and M.	75		134-135	2 x $10.00	20.00			
	199		36	1	30.00			
A. & B. McKillop	75		148-149	2 x $10.00	20.00	18.20	88.20	8.82
Walker, N. and F.	75		143-147	5 x $10.00	50.00	13.00	63.00	6.30
Abdey, F. and W.	75		158-159	2 x $40.00	80.00	20.80	100.80	10.08
	75		166-167	2 x $25.00	50.00	13.00	63.00	6.30
Pituk, J. and A.	75		160	1	40.00	10.40	50.40	5.04
	75		161 pt.	½	20.00	5.20	25.20	2.52
McKillop, Jas. A.	75		161 pt.	½	20.00	5.20	25.20	2.52
Anglican Church	75		162-163	2 x $40.00	80.00	20.80	100.80	10.08
Harvey, Hazel	75		164	1	40.00	10.40	50.40	5.04
	75		165 pt.	½	25.00	6.50	31.50	3.15
Brown, L. A.	75		165 pt.	½	25.00	6.50	31.50	3.15
Gray, Jas.	75		166 pt.	½	25.00	6.50	31.50	3.15
	75		167 pt.	½	25.00	6.50	31.50	3.15
	75		168	1	50.00	13.00	63.00	6.30
	75		169	1	75.00	19.50	94.50	9.45
Hardaker, Tena	75		200-201	2 x $6.00	12.00	3.20	15.20	1.52
Brown, R. and B.	75		203 pt.	½	3.50	.90	4.40	.44
	75		204	1	5.00	1.30	6.30	.63
Lowes, C. and G.	75		226	1	6.00	1.60	7.60	.76
Gordon, J. and M.	75		227	1	6.00	1.60	7.60	.76
Elliott, L. and H.	75	1	1 pt.	½	20.00			
	75	1	2 pt.	½	20.00			
	75	1	3 pt.	¼	10.00	13.00	63.00	6.30
Hosey, Larry	75	1	1 pt.	½	20.00			
	75	1	3 pt.	¼	10.00	7.80	37.80	3.78
Schleihauf, Don.	75	1	2 pt.	½	20.00	5.20	25.20	2.52
Heil, Alice	75	1	3 pt.	¼	10.00	2.60	12.60	1.26

Name	Plan	Block	Lot	No. of Lots	Total Assessment	To cover Interest for 10 years at 4½%	Total Special Rate	Annual Assessment
Buttinger, J. and J.	75	1	3 pt.	¼	$ 10.00			
	75	1	4	1	40.00	$13.00	$ 63.00	$ 6.30
Liddel, St. Clair	75	1	5	1	40.00	10.40	50.40	5.04
Weiss, J. and F.	75	1	6	1	40.00			
	199		40	1	40.00	20.80	100.80	10.08
Lyons, S. and M.	75	1	7-8	2 x $40.00	80.00	20.80	100.80	10.08
Evergreen Cemetery	199		1 pt.	¼	2.00	.50	2.50	.25
Hauser, R. and B.	199		2-3	2 x $60.00	120.00	30.20	151.20	15.12
Button, Louisa	75	A	1	1	40.00	10.40	50.40	5.04
Ripley, T. and V.	75	A	2	1	40.00	10.40	50.40	5.04
Cullen, Fred	75	A	3	1	40.00	10.40	50.40	5.04
Edward, Fred	75	A	4	1	40.00	10.40	50.40	5.04
Marks, J. and V.	75	A	5	1	40.00	10.40	50.40	5.04
Murray, N. and O.	75	A	6	1	40.00	10.40	50.40	5.04
Schleihauf, P. and J.	75	A	7	1	40.00	10.40	50.40	5.04
Munn, B. and G.	75	A	8	1	40.00	10.40	50.40	5.04
Graham, R. S.	75	A	9	1	40.00	10.40	50.40	5.04
Ross, G. and M.	75	A	10	1	40.00	10.40	50.40	5.04
Schleihauf, R. and D.	75	A	11-12	2 x $40.00	80.00	20.80	100.80	10.08
Cummings, P.	75		101	1	50.00	13.00	63.00	6.30
Branchflower, D. and E.	75		102	1	40.00	10.40	50.40	5.04
McCallum, E. and A.	75		103	1	40.00	10.40	50.40	5.04
Hopper, M. & H.	75		104-105	2	205.00			
	75		122-123	2	145.00	91.00	441.00	44.10
Lippon, C. and M.	75		106	1	65.00			
	75		120-121	2	45.00	29.00	139.00	13.90
Page, Geo.	75		107	1	40.00	10.40	50.40	5.04
Gardiner, E. and E.	75		108	1	40.00	10.40	50.40	5.04
Tansley, R. and A.	75		109	1	40.00	10.40	50.40	5.04
Robinson, R. and A.	75		110	1	40.00	10.40	50.40	5.04

Lippold, G. and S.	75	117	1	40.00	10.40	50.40	5.04
Brown, A. and V.	75	118	1	40.00	10.40	50.40	5.04
Bragg, R. and L.	75	119	1	40.00	10.40	50.40	5.04
Canadian Legion	75	124	1	10.00	2.60	12.60	1.26
McGill, W. and J.	75	125	1	10.00	2.60	12.60	1.26
McCallum, J. A.	75	136	1	10.00	2.60	12.60	1.26
Willetts, P. and V.	75	137	1	10.00	2.60	12.60	1.26
Bird, Mrs. E.	75	138	1	10.00	2.60	12.60	1.26
Turner, Mildred	75	139	1	10.00	2.60	12.60	1.26
Dewsi, A. and L.	75	140	1	10.00	2.60	12.60	1.26
Miller Lumber Co.	75	141	1	10.00	2.60	12.60	1.26
Henderson, N.	75	156	1	65.00	16.90	81.90	8.19
Vanseeder, Alfred	75	157	1	40.00	10.40	50.40	5.04
Uzas, Mary	199	4	1	60.00	15.60	75.60	7.56
Hayes, M.	199	8	1	50.00			
	75	170-171	2 pt.	100.00	39.00	189.00	18.90
Kovacs, D. and J.	199	9	1	50.00			
	199	18	1	40.00	23.40	113.40	11.34
Weiss, Barbara	199	10	1	110.00			
	199	17	1	40.00	39.00	189.00	18.90
Bell, P. and G.	199	12	1	120.00			
	199	11 pt.	½	55.00	45.50	220.50	22.05
Bury, Ernest	199	11 pt.	½	55.00			
	199	12	1	195.00	65.00	315.00	31.50
Skinner, R. B. and J.	199	14	1	165.00			
	199	15	1	40.00	53.30	258.30	25.83
Dawdy, Claude	199	16	1	40.00	10.40	50.40	5.04
Okolisan, V. and M.	199	35	1	85.00	22.10	107.10	10.71
Murray, M.	199	37	1	40.00	10.40	50.40	5.04
West Lorne Lumber Co.	199	38-39	2 x $40.00	80.00	20.80	100.80	10.08
Reid, C. and V.	199	111	1	5.00	1.30	6.30	.63
Springs, J. and B.	75	172 pt.	½	75.00			
	75	173 pt.	½	150.00			
	75	174 pt.	½	60.00			

Name	Plan	Block Lot	No. of Lots	Total Assessment	To cover Interest for 10 years at 4½%	Total Special Rate	Annual Assessment
Springs, J. and B.	75	175 pt.	½	$ 55.00			
	75	176 pt.	½	55.00	$ 102.70	$ 497.70	$ 40.77
C. and O. Railway	75	170 pt. to 176	7½	35.00			
	75	177 pt.	½	35.00			
	75	178 pt.	3 ½ lots	75.00			
		17 pt.	..	5.00	39.00	189.00	18.90
N.Y.C. Railway		17 pt.	3 acres	20.00			
		18 pt.	12 acres	80.00	26.00	126.00	12.60
TOTAL				$5,900.00	$1,534.50	$ 7,434.50	$ 743.45
ROADS				3,935.00	1,023.10	4,958.10	495.81
TOTAL IN WEST LORNE				$9,835.00	$2,557.60	$12,392.60	$1,239.26

4. For paying the sum of $9,835.00 the amount assessed against the said roads and lands of the Municipality, and for covering interest thereon for 10 years at the rate of 4½ per centum per annum, a special rate in the dollar, sufficient to produce the required yearly amount therefor shall, over and above all other rates, be levied and collected in the same manner and at the same time as other taxes are levied and collected upon and from the whole rateable property in the said Village of West Lorne in each year for 10 years, after the final passing of this by-law, during which the said debentures have to run.

5. This by-law shall be printed and served together with the notice of the sitting of the Court of Revision to be held thereon and of proceedings to quash this said by-law, upon each of the assessed owners or their lessees or the occupants of their lands, or the agents of such owners, by leaving a copy thereof on the lands if occupied by some grown-up person, and if unoccupied and the owner or his agent does not reside in the Municipality, to be sent by registered letter to the last known address of such owner and shall come into force after the final passing thereof, and may be cited as the "Trigger Drain By-law".

6. The Corporation shall have the right, at its option, to redeem the said debentures in this issue either in whole or in part on any date prior to maturity at the places where and in the moneys in which the said debentures are expressed to be payable, upon payment of the principal amount thereof together with interest accrued to the date of redemption and upon giving previous notice of said intention to redeem by advertising once in *The Ontario Gazette* and once in a daily newspaper of general provincial circulation, published in the City of Toronto, and once in a local newspaper, such notice to be advertised as aforesaid at least thirty days before the date fixed for redemption. Notice of intention so to redeem shall also be sent by post at least thirty days prior to the date set for such redemption to each person in whose name a debenture so to be redeemed is registered at the address shown in the Debenture Registry Book. Where only a portion of the debentures of this issue is so to be redeemed, such portion shall comprise only the debentures that have the latest maturity date and no debenture of this issue shall be called for such redemption in priority to any such debenture that has a later maturity date.

READ A THIRD TIME AND FINALLY PASSED this 20th day of July, 1956.

D. E. MCGILL,

Reeve.

(Seal)

R. E. EVANS,

Clerk.

BILL

An Act respecting the Village of West Lorne

1st Reading

February 21st, 1958

2nd Reading

March 5th, 1958

3rd Reading

March 11th, 1958

MR. ROBARTS

1958

No. 14

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the Township of Chinguacousy

MR. KENNEDY

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 14 1958

BILL

An Act respecting the Township of Chinguacousy

WHEREAS The Corporation of the Township of Chinguacousy, herein called the Corporation, by its petition has represented that it has entered into an agreement to sell the Chinguacousy Municipal Telephone System to The Bell Telephone Company of Canada and has prayed for special legislation in connection therewith; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation is hereby authorized and empowered to sell and convey its municipal telephone system known as the Chinguacousy Municipal Telephone System and every part thereof to The Bell Telephone Company of Canada free and clear of all charges, liens and encumbrances notwithstanding any irregularities or defects in By-law No. 856 of the Corporation passed on the 18th day of November, 1957, set forth as the Schedule hereto, or in the procedure followed for obtaining the assent thereto of the ratepayers or the electors qualified to vote on money by-laws, and notwithstanding the requirements of *The Public Utilities Act.* Sale of municipal telephone system authorized R.S.O. 1950, c. 320

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

3. This Act may be cited as *The Township of Chinguacousy Act, 1958.* Short title

SCHEDULE

THE CORPORATION OF THE TOWNSHIP OF CHINGUACOUSY

By-Law No. 856

Being a By-law to authorize the question of the future operation of the Municipal Utility called the Chinguacousy Municipal Telephone System to be placed before all the electorate qualified to vote on money by-laws, at the December 9th annual municipal election, at the time and places quoted in By-law No. 852 and as published in the Brampton *Conservator* of November 14th, 21st, and 28th issues.

Whereas to comply with the wishes of the electors, as voiced at the special public meeting held in Snelgrove Hall, August 21st, 1957, it is considered expedient to place the question of the future operation of the above Utility on the Ballot for all qualified electors to decide.

Therefore Be It Enacted, and it is so enacted, that the following question be placed on the Ballot:

> "Are you in favour of the Council of The Corporation of the Township of Chinguacousy negotiating a sale of the Public Utility known as the Chinguacousy Municipal Telephone System?
>
> YES NO"

Read a First, Second and Third Time, and passed in open Council this 18th day of November, 1957.

(Signed):

G. W. Breckenridge, *Cl.-Treasurer.*

Cyril Clark, *Reeve.*

BILL

An Act respecting
the Township of Chinguacousy

1st Reading

2nd Reading

3rd Reading

MR. KENNEDY

(*Private Bill*)

1958

No. 14

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the Township of Chinguacousy

MR. KENNEDY

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 14 1958

BILL

An Act respecting the Township of Chinguacousy

WHEREAS The Corporation of the Township of Chinguacousy, herein called the Corporation, by its petition has represented that it has entered into an agreement to sell the Chinguacousy Municipal Telephone System to The Bell Telephone Company of Canada and has prayed for special legislation in connection therewith; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation is hereby authorized and empowered to sell and convey its municipal telephone system known as the Chinguacousy Municipal Telephone System and every part thereof to The Bell Telephone Company of Canada free and clear of all charges, liens and encumbrances notwithstanding any irregularities or defects in By-law No. 856 of the Corporation passed on the 18th day of November, 1957, set forth as the Schedule hereto, or in the procedure followed for obtaining the assent thereto of the ratepayers or the electors qualified to vote on money by-laws, and notwithstanding the requirements of *The Public Utilities Act.* Sale of municipal telephone system authorized R.S.O. 1950, c. 320

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

3. This Act may be cited as *The Township of Chinguacousy Act, 1958.* Short title

SCHEDULE

THE CORPORATION OF THE TOWNSHIP OF CHINGUACOUSY

By-Law No. 856

Being a By-law to authorize the question of the future operation of the Municipal Utility called the Chinguacousy Municipal Telephone System to be placed before all the electorate qualified to vote on money by-laws, at the December 9th annual municipal election, at the time and places quoted in By-law No. 852 and as published in the Brampton *Conservator* of November 14th, 21st, and 28th issues.

Whereas to comply with the wishes of the electors, as voiced at the special public meeting held in Snelgrove Hall, August 21st, 1957, it is considered expedient to place the question of the future operation of the above Utility on the Ballot for all qualified electors to decide.

Therefore Be It Enacted, and it is so enacted, that the following question be placed on the Ballot:

> "Are you in favour of the Council of The Corporation of the Township of Chinguacousy negotiating a sale of the Public Utility known as the Chinguacousy Municipal Telephone System?
>
> YES NO"

Read a First, Second and Third Time, and passed in open Council this 18th day of November, 1957.

(Signed):

G. W. Breckenridge, *Cl.-Treasurer.*

Cyril Clark, *Reeve.*

BILL

An Act respecting
the Township of Chinguacousy

1st Reading

February 14th, 1958

2nd Reading

February 27th, 1958

3rd Reading

March 6th, 1958

MR. KENNEDY

1958

No. 15

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting Canadian Pacific Railway Company

Mr. Cowling

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 15 1958

BILL

An Act respecting Canadian Pacific Railway Company

Preamble

WHEREAS Canadian Pacific Railway Company by its petition has represented that a petition will be made to the Parliament of Canada for an Act vesting in Canadian Pacific Railway Company the assets and undertakings of the companies listed in the Schedule hereto and dissolving such companies; and whereas Canadian Pacific Railway Company has prayed that, in so far as the legislative authority of the Legislature extends, the assets and undertakings of such companies be vested in Canadian Pacific Railway Company; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Assets of companies vested in C.P.R.

1. In so far as the legislative authority of the Legislature extends, the powers, rights, privileges, franchises, assets, effects and properties, real and personal, belonging to or possessed by the companies listed in the Schedule hereto, or to which they are or would hereafter have been or become entitled, are hereby vested in Canadian Pacific Railway Company.

Commencement

2. This Act comes into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short title

3. This Act may be cited as *The Canadian Pacific Railway Company Act, 1958.*

SCHEDULE

The Algoma Eastern Railway Company
The Lindsay, Bobcaygeon and Pontypool Railway Company
The Montreal and Ottawa Railway Company
The Ottawa, Northern and Western Railway Company
The St. Mary's and Western Ontario Railway Company
Tilsonburg, Lake Erie and Pacific Railway Company

An Act respecting
Canadian Pacific Railway Company

1st Reading

2nd Reading

3rd Reading

MR. COWLING

(*Private Bill*)

1958

No. 15

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting Canadian Pacific Railway Company

MR. COWLING

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 15 1958

BILL

An Act respecting Canadian Pacific Railway Company

WHEREAS Canadian Pacific Railway Company by its petition has represented that a petition will be made to the Parliament of Canada for an Act vesting in Canadian Pacific Railway Company the assets and undertakings of the companies listed in the Schedule hereto and dissolving such companies; and whereas Canadian Pacific Railway Company has prayed that, in so far as the legislative authority of the Legislature extends, the assets and undertakings of such companies be vested in Canadian Pacific Railway Company; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In so far as the legislative authority of the Legislature extends, the powers, rights, privileges, franchises, assets, effects and properties, real and personal, belonging to or possessed by the companies listed in the Schedule hereto, or to which they are or would hereafter have been or become entitled, are hereby vested in Canadian Pacific Railway Company. Assets of companies vested in C.P.R.

2. This Act comes into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commencement

3. This Act may be cited as *The Canadian Pacific Railway Company Act, 1958.* Short title

SCHEDULE

The Algoma Eastern Railway Company
The Lindsay, Bobcaygeon and Pontypool Railway Company
The Montreal and Ottawa Railway Company
The Ottawa, Northern and Western Railway Company
The St. Mary's and Western Ontario Railway Company
Tilsonburg, Lake Erie and Pacific Railway Company

BILL

An Act respecting
Canadian Pacific Railway Company

1st Reading

February 14th, 1958

2nd Reading

February 27th, 1958

3rd Reading

March 6th, 1958

MR. COWLING

1958

No. 16

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting Waterloo College Associate Faculties

Mr. Wintermeyer

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 16 1958

BILL

An Act respecting Waterloo College Associate Faculties

Preamble

WHEREAS Waterloo College Associate Faculties, herein called the Corporation, by its petition has represented that it was incorporated under *The Corporations Act, 1953* by letters patent bearing date the 4th day of April, 1956, and that the purposes for which the College was incorporated would be further promoted if the directors of the Corporation were granted the power to expropriate lands for the purposes of the College; and whereas the petitioner has prayed that it be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

1953, c. 19

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Expropriation powers

1. Without limiting the general powers conferred upon or vested in the directors of the Corporation by letters patent dated the 4th day of April, 1956, the directors of the Corporation have power, without the consent of the owner or of any person interested therein, to enter upon, take, use and expropriate all such real property as they deem necessary for the purposes of the College, making due compensation for any such real property to the owners and occupiers thereof and all persons having any interest therein, and the provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation *mutatis mutandis* apply to the directors of the Corporation and to the exercise by them of the powers conferred by this Act, and, where any act is by any of such provisions required to be done by the clerk of a municipality or at the office of such clerk, the like act shall be done by or at the office of the treasurer of the Corporation or by or at the office of such officer of the Corporation exercising the office of a treasurer, as the case may be.

R.S.O. 1950, c. 243

Commencement

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

Short title

3. This Act may be cited as *The Waterloo College Associate Faculties Act, 1958.*

An Act respecting Waterloo College Associate Faculties

1st Reading

2nd Reading

3rd Reading

MR. WINTERMEYER

(*Private Bill*)

1958

No. 16

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting Waterloo College Associate Faculties

MR. WINTERMEYER

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 16 1958

BILL

An Act respecting Waterloo College Associate Faculties

Preamble

WHEREAS Waterloo College Associate Faculties, herein called the Corporation, by its petition has represented that it was incorporated under *The Corporations Act, 1953* by letters patent bearing date the 4th day of April, 1956, and that the purposes for which the College was incorporated would be further promoted if the directors of the Corporation were granted the power to expropriate lands for the purposes of the College; and whereas the petitioner has prayed that it be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

1953, c. 19

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Expropriation powers

1. Without limiting the general powers conferred upon or vested in the directors of the Corporation by letters patent dated the 4th day of April, 1956, the directors of the Corporation have power, without the consent of the owner or of any person interested therein, other than a municipal corporation, to enter upon, take, use and expropriate all such real property as they deem necessary for the purposes of the College, making due compensation for any such real property to the owners and occupiers thereof and all persons having any interest therein, and the provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation *mutatis mutandis* apply to the directors of the Corporation and to the exercise by them of the powers conferred by this Act, and, where any act is by any of such provisions required to be done by the clerk of a municipality or at the office of such clerk, the like act shall be done by or at the office of the treasurer of the Corporation or by or at the office of such officer of the Corporation exercising the office of a treasurer, as the case may be.

R.S.O. 1950, c. 243

Commencement

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

Short title

3. This Act may be cited as *The Waterloo College Associate Faculties Act, 1958.*

An Act respecting
Waterloo College Associate Faculties

1st Reading

February 17th, 1958

2nd Reading

3rd Reading

MR. WINTERMEYER

(Reprinted as amended by the Committee on Private Bills)

1958

No. 16

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting Waterloo College Associate Faculties

Mr. Wintermeyer

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 16 1958

BILL

An Act respecting Waterloo College Associate Faculties

Preamble

WHEREAS Waterloo College Associate Faculties, herein called the Corporation, by its petition has represented that it was incorporated under *The Corporations Act, 1953* by letters patent bearing date the 4th day of April, 1956, and that the purposes for which the College was incorporated would be further promoted if the directors of the Corporation were granted the power to expropriate lands for the purposes of the College; and whereas the petitioner has prayed that it be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

1953, c. 19

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Expropriation powers

1. Without limiting the general powers conferred upon or vested in the directors of the Corporation by letters patent dated the 4th day of April, 1956, the directors of the Corporation have power, without the consent of the owner or of any person interested therein, other than a municipal corporation, to enter upon, take, use and expropriate all such real property as they deem necessary for the purposes of the College, making due compensation for any such real property to the owners and occupiers thereof and all persons having any interest therein, and the provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation *mutatis mutandis* apply to the directors of the Corporation and to the exercise by them of the powers conferred by this Act, and, where any act is by any of such provisions required to be done by the clerk of a municipality or at the office of such clerk, the like act shall be done by or at the office of the treasurer of the Corporation or by or at the office of such officer of the Corporation exercising the office of a treasurer, as the case may be.

R.S.O. 1950, c. 243

Commencement

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

Short title

3. This Act may be cited as *The Waterloo College Associate Faculties Act, 1958.*

An Act respecting Waterloo College Associate Faculties

1st Reading

February 17th, 1958

2nd Reading

March 5th, 1958

3rd Reading

March 11th, 1958

MR. WINTERMEYER

1958

No. 17

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting Queen's University at Kingston

MR. STEWART (Parkdale)

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 17 1958

BILL

An Act respecting Queen's University at Kingston

WHEREAS Queen's University at Kingston by its petition has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Queen's University at Kingston, hereinafter called the University, shall have the power, without the consent of the owner or of any person interested therein, to enter upon, take, use and expropriate all such real property as the University may deem necessary for the building of additional residential accommodation for women students and for the erection of a building or buildings for teaching, research and administration in the social sciences, school of commerce, and related subjects, making due compensation for any such real property to the owners and occupiers thereof, and all persons having any interest therein, and the provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation shall *mutatis mutandis* apply to the University, and to the exercise by it of the powers conferred by this section, and where any act is by any of such provisions required to be done by the council of a municipality the like act shall be done by the Board of Trustees of the University, and where any act is by any of such provisions required to be done by the clerk of a municipality, or at the office of such clerk, the like act shall be done by the Treasurer of the University, or at the office of the Treasurer of the University, as the case may be. Expropriation of land; R.S.O. 1950, c. 243

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

3. This Act may be cited as *The Queen's University at Kingston Act, 1958.* Short title

BILL

An Act respecting
Queen's University at Kingston

1st Reading

2nd Reading

3rd Reading

MR. STEWART (Parkdale)

(*Private Bill*)

1958

No. 17

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting Queen's University at Kingston

MR. STEWART (Parkdale)

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
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No. 17 1958

BILL

An Act respecting Queen's University at Kingston

WHEREAS Queen's University at Kingston by its petition has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Queen's University at Kingston, hereinafter called the University, shall have the power, without the consent of the owner or of any person interested therein, other than a municipal corporation, to enter upon, take, use and expropriate, Expropriation of land

(*a*) all such real property, within the area described in Schedule A hereto, as the University may deem necessary for the building of additional residential accommodation for women students; and

(*b*) all such real property, within the area described in Schedule B hereto, as the University may deem necessary for the erection of a building or buildings for teaching, research and administration in the social sciences, school of commerce and related subjects,

making due compensation for any such real property to the owners and occupiers thereof, and all persons having any interest therein, and the provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation shall *mutatis mutandis* apply to the University, and to the exercise by it of the powers conferred by this section, and where any act is by any of such provisions required to be done by the council of a municipality the like act shall be done by the Board of Trustees of the University, and where any act is by any of such provisions required to be R.S.O. 1950, c. 243

done by the clerk of a municipality, or at the office of such clerk, the like act shall be done by the Treasurer of the University, or at the office of the Treasurer of the University, as the case may be.

Commencement

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

Short title

3. This Act may be cited as *The Queen's University at Kingston Act, 1958.*

SCHEDULE A

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Kingston, in the County of Frontenac, and being composed of part of Lots 23 and 26 and all of Lots 24 and 25 on the North side of Stuart Street as shown on Registered Plan D-16 in the said City, which said parcel or tract of land may be more particularly described as follows:

COMMENCING at a point in the North limit of Stuart Street, distant therein Easterly 543.23 feet from the East limit of Albert Street, which point is also distant Westerly 50.77 feet from the South-East angle of Lot 26;

Thence North 0 deg. 57.5 mins. West 47.35 feet;

Thence North 1 deg. 15 mins. East in and along a fence line 84.75 feet, more or less to the North limit of Lot 26;

Thence North 85 deg. 38 mins. East 212.48 feet more or less to a fence line;

Thence South 0 deg. 54 mins. East in the last mentioned limit and being in the West limit of the lands now owned by Queen's University, a distance of 132 feet to the North limit of Stuart Street;

Thence South 85 deg. 38 mins. West in the last mentioned limit of 215.55 feet to the point of commencement.

The above described lands are shown outlined in GREEN on a plan of survey dated Feb. 11, 1958, revised Feb. 17, 1958, and signed by Donald C. Smith, Ontario Land Surveyor.

[Plan of Survey attached.]

SCHEDULE B

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Province of Ontario and City of Kingston, being composed of Lots 1, 2, 3, 4, 5, 6, 7, and Part of Lot 8 and lane as shown on Registered Plan No. D-2 in said City, which said parcel or tract of land may be described more particularly as follows:

COMMENCING at a point in the Westerly limit of University Avenue distant therein Northerly 9.4 feet from the original stone monument planted at the South-east angle of Lot 8;

Thence North 31 minutes East along the Westerly limit of University Avenue a distance of 295.9 feet to the Southerly limit of Union Street;

Thence North 84 degrees, 43 minutes West along the said South limit of Union Street a distance of 123.88 feet;

Thence South 75 degrees, 57 minutes West continuing along the South limit of Union Street a distance of 240.91 feet to the Easterly limit of Alfred Street;

Thence Southerly along said Easterly limit of Alfred Street a distance of 329 feet more or less to the South-west angle of Lot 7;

Thence North 78 degrees, 23 minutes East along the Southerly limit of said Lot 7 and Reg. Plan D-2, a distance of 143.38 feet;

Thence North 31 minutes East a distance of 42.56 feet to a point;

Thence South 89 degrees, 29 minutes East a distance of 154.24 feet more or less to the point of commencement.

The above described lands are shown outlined in GREEN on a plan of survey dated 12th Feb. 1958, with additions 15th Feb. 1958, and signed by Allen R. Burgham, Ontario Land Surveyor.

[Plan of Survey attached.]

BILL

An Act respecting Queen's University at Kingston

1st Reading

February 19th, 1958

2nd Reading

February 27th, 1958

3rd Reading

MR. STEWART (Parkdale)

(*Reprinted as amended by the Committee on Private Bills*)

1958

No. 17

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting Queen's University at Kingston

Mr. Stewart (Parkdale)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 17 1958

BILL

An Act respecting Queen's University at Kingston

Preamble

WHEREAS Queen's University at Kingston by its petition has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Expropriation of land

1. Queen's University at Kingston, hereinafter called the University, shall have the power, without the consent of the owner or of any person interested therein, other than a municipal corporation, to enter upon, take, use and expropriate,

(*a*) all such real property, within the area described in Schedule A hereto, as the University may deem necessary for the building of additional residential accommodation for women students; and

(*b*) all such real property, within the area described in Schedule B hereto, as the University may deem necessary for the erection of a building or buildings for teaching, research and administration in the social sciences, school of commerce and related subjects,

making due compensation for any such real property to the owners and occupiers thereof, and all persons having any interest therein, and the provisions of *The Municipal Act* R.S.O. 1950, c. 243 as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation shall *mutatis mutandis* apply to the University, and to the exercise by it of the powers conferred by this section, and where any act is by any of such provisions required to be done by the council of a municipality the like act shall be done by the Board of Trustees of the University, and where any act is by any of such provisions required to be

done by the clerk of a municipality, or at the office of such clerk, the like act shall be done by the Treasurer of the University, or at the office of the Treasurer of the University, as the case may be.

Commencement

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

Short title

3. This Act may be cited as *The Queen's University at Kingston Act, 1958.*

SCHEDULE A

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Kingston, in the County of Frontenac, and being composed of part of Lots 23 and 26 and all of Lots 24 and 25 on the North side of Stuart Street as shown on Registered Plan D-16 in the said City, which said parcel or tract of land may be more particularly described as follows:

COMMENCING at a point in the North limit of Stuart Street, distant therein Easterly 543.23 feet from the East limit of Albert Street, which point is also distant Westerly 50.77 feet from the South-East angle of Lot 26;

Thence North 0 deg. 57.5 mins. West 47.35 feet;

Thence North 1 deg. 15 mins. East in and along a fence line 84.75 feet, more or less to the North limit of Lot 26;

Thence North 85 deg. 38 mins. East 212.48 feet more or less to a fence line;

Thence South 0 deg. 54 mins. East in the last mentioned limit and being in the West limit of the lands now owned by Queen's University, a distance of 132 feet to the North limit of Stuart Street;

Thence South 85 deg. 38 mins. West in the last mentioned limit of 215.55 feet to the point of commencement.

The above described lands are shown outlined in GREEN on a plan of survey dated Feb. 11, 1958, revised Feb. 17, 1958, and signed by Donald C. Smith, Ontario Land Surveyor.

[Plan of Survey attached.]

SCHEDULE B

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Province of Ontario and City of Kingston, being composed of Lots 1, 2, 3, 4, 5, 6, 7, and Part of Lot 8 and lane as shown on Registered Plan No. D-2 in said City, which said parcel or tract of land may be described more particularly as follows:

COMMENCING at a point in the Westerly limit of University Avenue distant therein Northerly 9.4 feet from the original stone monument planted at the South-east angle of Lot 8;

Thence North 31 minutes East along the Westerly limit of University Avenue a distance of 295.9 feet to the Southerly limit of Union Street;

Thence North 84 degrees, 43 minutes West along the said South limit of Union Street a distance of 123.88 feet;

Thence South 75 degrees, 57 minutes West continuing along the South limit of Union Street a distance of 240.91 feet to the Easterly limit of Alfred Street;

Thence Southerly along said Easterly limit of Alfred Street a distance of 329 feet more or less to the South-west angle of Lot 7;

Thence North 78 degrees, 23 minutes East along the Southerly limit of said Lot 7 and Reg. Plan D-2, a distance of 143.38 feet;

Thence North 31 minutes East a distance of 42.56 feet to a point;

Thence South 89 degrees, 29 minutes East a distance of 154.24 feet more or less to the point of commencement.

The above described lands are shown outlined in GREEN on a plan of survey dated 12th Feb. 1958, with additions 15th Feb. 1958, and signed by Allen R. Burgham, Ontario Land Surveyor.

[Plan of Survey attached.]

An Act respecting Queen's University at Kingston

1st Reading

February 19th, 1958

2nd Reading

February 27th, 1958

3rd Reading

March 11th, 1958

MR. STEWART (Parkdale)

1958

No. 18

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the Town of Thorold

MR. MORNINGSTAR

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 18 1958

BILL

An Act respecting the Town of Thorold

WHEREAS The Corporation of the Town of Thorold, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation has, since the 1st day of January, 1875, comprised and consisted of and shall continue to comprise and consist of all the land lying within the boundaries described in the Schedule hereto and the boundaries as so described have been, since the 1st day of January, 1875, and are the boundaries of the Corporation. Boundaries defined

2.—(1) The acceptance by the Corporation of a deed of grant from Her Majesty Queen Elizabeth II, dated the 22nd day of March, 1954, and registered in the Registry Office for the Registry Division of the County of Welland on the 24th day of March, 1955, as No. 16292 for the Town of Thorold, of lands more particularly described in the deed is hereby confirmed as a valid act of the Corporation. Validation of acceptance of grant from Her Majesty

(2) The Corporation has validly held the lands described in deed No. 16292 for the Town of Thorold from and including the delivery and registration of the deed on the 24th day of March, 1955. Validation of tenure

(3) The council of the Corporation may pass by-laws from time to time to sell and convey the lands, or any part thereof, described in deed No. 16292 for the Town of Thorold. By-laws authorized to sell and convey

3. All deeds of conveyance of lands to the Corporation heretofore taken to correct errors in or taken in lieu of or concurrently with tax sale proceedings or proceedings by way of tax arrears certificate under *The Department of Municipal* Confirmation of deeds R.S.O. 1950, c. 96

Affairs Act are hereby confirmed and declared to be valid, and the Corporation shall be deemed to have had power to hold and dispose of such lands from and after the respective dates of registration of each of such deeds of conveyance.

Authorization of agreement with Thorold P.U.C.

4. The Corporation and The Public Utilities Commission of the Town of Thorold are hereby authorized to enter into an agreement,

(*a*) fixing the indebtedness of the Commission to the Corporation on December 31, 1957, at $12,212.19; and

(*b*) providing for the payment of the sum of $12,212.19 by the Commission to the Corporation, together with interest at the rate of 6 per cent per annum, in five equal annual instalments of principal and interest in each of the years 1958 to 1962, inclusive.

Commencement

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

Short title

6. This Act may be cited as *The Town of Thorold Act, 1958.*

SCHEDULE

TOWN OF THOROLD BOUNDARIES

COMMENCING at the intersection of the centre line of the road allowance between the Townships of Thorold and Grantham (which road allowance is also the road allowance between the Town of Thorold and the Town of Merritton, and is also the road allowance between the Counties of Welland and Lincoln) with the northerly production of the centre line of the road allowance between original Township Lot 11, Township of Thorold, and Gore Lot 20, Township of Thorold;

Thence southerly along said northerly production, said centre line of the road allowance between original Township Lot 11 and Gore Lot 20 and its production southerly, and along the centre line of the road allowance between original Township Lot 19, Township of Thorold, and Lot 20, Township of Thorold, to its intersection with the westerly production of a line drawn parallel to and at a perpendicular distance of 33 feet when measured northerly from the northerly limit of Registered Plan No. 47 for the Township of Thorold;

Thence easterly along said westerly production and said line drawn parallel to and at a perpendicular distance of 33 feet when measured northerly from the northerly limit of Registered Plan No. 47 for the Township of Thorold to its intersection with the westerly limit of original Township Lot 18, Township of Thorold;

Thence southerly along said westerly limit of original Township Lot 18, Township of Thorold, and its production southerly to its intersection with the centre line of the road allowance between said original Township Lot 18, Township of Thorold, and Lot 31, Township of Thorold (said road allowance being now known as Richmond Street);

Thence easterly along said centre line of the road allowance between original Township Lot 18, Township of Thorold, and Lot 31, Township of Thorold (said road allowance being now known as Richmond Street) and its production easterly to its intersection with the northerly production of the centre line of the road allowance between original Township Lot 30, Township of Thorold, and Lot 31, Township of Thorold (said road allowance being now known as Queen Street South);

Thence southerly along said last-mentioned northerly production and said centre line of the road allowance between original Township Lot 30, Township of Thorold, and Lot 31, Township of Thorold (said road allowance being now known as Queen Street South) to its intersection with the southwesterly production of a line drawn S. 59° 44′ 30″ W. parallel to and at a perpendicular distance of 33 feet when measured southerly from the southerly limits of Lots 39, 38 and 37 according to Registered Plan No. 17 for the Town of Thorold;

Thence N. 59° 44′ 30″ E. along a line parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limits of Lots 37, 38 and 39 according to Registered Plan No. 17 for the Town of Thorold, 276.14 feet;

Thence N. 59° 56′ 30″ E. along a line parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limits of Lots 116 and 117 according to said Registered Plan No. 17, 242.82 feet;

Thence N. 58° 12′ 30″ E. along a line parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limits of Lots 117, 197, 198 and 199 according to said Registered Plan No. 17, 312.40 feet;

Thence N. 44° 48′ 30″ E. 99.45 feet to a point in a line drawn S. 52° 49′ 30″ W. parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limits of Lots 43, 42, 41 and 40 according to Registered Plan No. 20 for the Town of Thorold;

Thence N. 52° 49′ 30″ E. along a line parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limits of Lots 40, 41, 42 and 43 according to Registered Plan No. 20 for the Town of Thorold, 321.60 feet;

Thence N. 53° 18′ E. along a line parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limits of Lots 117 and 118 according to Registered Plan No. 21 for the Town of Thorold, 127.47 feet;

Thence N. 77° 09′ E. 526.27 feet to a point in a line drawn S. 61° 51′ 30″ W. parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limit of Park Lot 5, according to Corporation Plan No. 11 for the Town of Thorold;

Thence N. 61° 51′ 30″ E. along a line parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limit of said Park Lot 5, 405.43 feet;

Thence N. 75° 51′ 30″ E. along a line parallel with and at a perpendicular distance of 33 feet when measured southerly from the most southerly limit of Lot "PP" according to Corporation Plan No. 11 for the Town of Thorold, 615 feet more or less to its intersection with the centre line of the road allowance between original Township Lot 29, Township of Thorold, and Lot 28, Township of Thorold;

Thence northerly in said centre line of the road allowance between original Township Lot 29, Township of Thorold, and Lot 28, Township of Thorold, and its production northerly to its intersection with the westerly production of the centre line of the road allowance between original Township Lot 15, Township of Thorold, and Lot 28, Township of Thorold;

Thence easterly along said last-mentioned westerly production, along the centre line of the road allowance between original Township Lots 15 and 14, Township of Thorold, on the north, and Lots 28 and 27, Township of Thorold, on the south, and along the production of said centre line easterly to its intersection with the southerly production of the centre line of the road allowance between original Township Lot 14, Township of Thorold, and Lot 13, Township of Thorold;

Thence northerly along said last-mentioned southerly production, along said centre line of the road allowance between original Township Lot 14, Township of Thorold, and Lot 13, Township of Thorold, and along the production of said centre line northerly to its intersection with the westerly production of the centre line of the road allowance between original Township Lot 5, Township of Thorold, and Lot 13, Township of Thorold;

Thence easterly along said last-mentioned westerly production along the centre line of the road allowance between original Township Lots 5 and 4, Township of Thorold, on the north, and Lots 13 and 12, Township of Thorold, on the south, and along the production of said centre line easterly to its intersection with the southerly production of the centre line of the road allowance between original Township Lot 4, Township of Thorold, on the west, and the Township of Stamford on the east (said road allowance being also the road allowance between the Townships of Thorold and Stamford);

Thence northerly along said last-mentioned southerly production, along said centre line of the road allowance between original Township Lot 4, Township of Thorold, on the west, and the Township of Stamford on the east (said road allowance being also the road allowance between the Townships of Thorold and Stamford), along the production of said centre line northerly, along the centre line of the road allowance between

original Township Lot 1, Township of Thorold, on the west, and the Township of Stamford on the east (said road allowance being also the road allowance between the Townships of Thorold and Stamford) and along the production of said last-mentioned centre line northerly to its intersection with the centre line of the road allowance between the Townships of Thorold and Grantham (said road allowance being also the road allowance between the Counties of Welland and Lincoln);

Thence southwesterly along the centre line of the road allowance between the Townships of Thorold and Grantham (which road allowance is also the road allowance between the Town of Thorold and the Town of Merritton, and is also the road allowance between the Counties of Welland and Lincoln) to the place of beginning.

Premising that all bearings given are astronomical, and are referred to the meridian through the northwest angle of Park Lot 5 according to Corporation Plan No. 11 for the Town of Thorold, as taken from Department of Transport, Lands Branch, File T821.

Lots hereinbefore called "original Township" lots are those lots which formed part of the Township of Thorold until incorporation, in whole or in part, within the aforesaid boundaries of the Town of Thorold.

BILL

An Act respecting the Town of Thorold

1st Reading

2nd Reading

3rd Reading

MR. MORNINGSTAR

(*Private Bill*)

1958

No. 18

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the Town of Thorold

MR. MORNINGSTAR

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 18 1958

BILL

An Act respecting the Town of Thorold

WHEREAS The Corporation of the Town of Thorold, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

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 has, since the 1st day of January, 1875, comprised and consisted of and shall continue to comprise and consist of all the land lying within the boundaries described in the Schedule hereto and the boundaries as so described have been, since the 1st day of January, 1875, and are the boundaries of the Corporation. Boundaries defined

(2) Notwithstanding the provisions of subsection 1, the road allowance lying between the Town of Thorold and the municipalities of the Town of Merritton and the Township of Grantham, and also lying between the counties of Lincoln and Welland, shall be deemed to continue to be the boundary line between the said municipalities for the purposes of Part XX of *The Municipal Act* and Part XX of *The Municipal Act* shall apply thereto, and, without limiting the generality of the foregoing, the provisions thereof with respect to jurisdiction over boundary lines, responsibility for their maintenance and repair and liability of all kinds in connection with such roads shall apply to the said boundary line. Subject to R.S.O. 1950, c. 243

(3) Notwithstanding subsection 1, all road allowances lying between the Town of Thorold and any other municipality shall be deemed to continue to be boundary lines for purposes of Part XX of *The Municipal Act* and Part XX of *The Municipal Act* shall apply thereto. Idem

2.—(1) The acceptance by the Corporation of a deed of grant from Her Majesty Queen Elizabeth II, dated the 22nd day of March, 1954, and registered in the Registry Office for Validation of acceptance of grant from Her Majesty

the Registry Division of the County of Welland on the 24th day of March, 1955, as No. 16292 for the Town of Thorold, of lands more particularly described in the deed is hereby confirmed as a valid act of the Corporation.

Validation of tenure

(2) The Corporation has validly held the lands described in deed No. 16292 for the Town of Thorold from and including the delivery and registration of the deed on the 24th day of March, 1955.

By-laws authorized to sell and convey

(3) The council of the Corporation may pass by-laws from time to time to sell and convey the lands, or any part thereof, described in deed No. 16292 for the Town of Thorold.

Confirmation of deeds

R.S.O. 1950, c. 96

3. All deeds of conveyance of lands to the Corporation heretofore taken to correct errors in or taken in lieu of or concurrently with tax sale proceedings or proceedings by way of tax arrears certificate under *The Department of Municipal Affairs Act* or any predecessor thereof are hereby confirmed and declared to be valid, and the Corporation shall be deemed to have had power to hold and dispose of such lands from and after the respective dates of registration of each of such deeds of conveyance.

Authorization of agreement with Thorold P.U.C.

4. The Corporation and The Public Utilities Commission of the Town of Thorold are hereby authorized to enter into an agreement,

(*a*) fixing the indebtedness of the Commission to the Corporation on December 31, 1957, at $12,212.19; and

(*b*) providing for the payment of the sum of $12,212.19 by the Commission to the Corporation, together with interest at the rate of 6 per cent per annum, in five equal annual instalments of principal and interest in each of the years 1958 to 1962, inclusive.

Commencement

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

Short title

6. This Act may be cited as *The Town of Thorold Act, 1958.*

SCHEDULE

TOWN OF THOROLD BOUNDARIES

COMMENCING at the intersection of the southerly limit of the road allowance between the Townships of Thorold and Grantham (which road allowance is also the road allowance between the Town of Thorold and the Town of Merritton, and is also the road allowance between the Counties of Welland and Lincoln) with the easterly limit of the road allowance between original Township Lot 11, Township of Thorold, and Gore Lot 20, Township of Thorold;

Thence southerly along said easterly limit of the road allowance between original Township Lot 11 and Gore Lot 20 and its production southerly, and along the easterly limit of the road allowance between original Township Lot 19, Township of Thorold, and Lot 20, Township of Thorold, to its intersection with the southerly limit of Block "DD" according to Corporation Plan No. 11 for the Town of Thorold;

Thence easterly along said southerly limit of Block "DD" according to Corporation Plan No. 11 for the Town of Thorold to its intersection with the westerly limit of original Township Lot 18, Township of Thorold;

Thence southerly along said westerly limit of original Township Lot 18, Township of Thorold, to its intersection with the northerly limit of the road allowance between said original Township Lot 18, Township of Thorold, and Lot 31, Township of Thorold (said road allowance being now known as Richmond Street);

Thence easterly along said northerly limit of the road allowance between original Township Lot 18, Township of Thorold, and Lot 31, Township of Thorold (said road allowance being now known as Richmond Street) to the southeast angle of said Lot 18;

Thence easterly to the southwest angle of original Township Lot 17, Township of Thorold;

Thence southerly to the northwest angle of original Township Lot 30, Township of Thorold;

Thence southerly along the easterly limit of the road allowance between original Township Lot 30, Township of Thorold, and Lot 31, Township of Thorold (said road allowance being now known as Queen Street South) to its intersection with a line drawn S. 59° 44′ 30″ W. parallel to and at a perpendicular distance of 33 feet when measured southerly from the southerly limits of Lots 39, 38 and 37 according to Registered Plan No. 17 for the Town of Thorold;

Thence N. 59° 44′ 30″ E. along a line parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limits of Lots 37, 38 and 39 according to Registered Plan No. 17 for the Town of Thorold, 237.21 feet;

Thence N. 59° 56′ 30″ E. along a line parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limits of Lots 116 and 117 according to said Registered Plan No. 17, 242.82 feet;

Thence N. 58° 12′ 30″ E. along a line parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limits of Lots 117, 197, 198 and 199 according to said Registered Plan No. 17, 312.40 feet;

Thence N. 44° 48′ 30″ E. 99.45 feet to a point in a line drawn S. 52° 49′ 30″ W. parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limits of Lots 43, 42, 41 and 40 according to Registered Plan No. 20 for the Town of Thorold;

Thence N. 52° 49′ 30″ E. along a line parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limits of Lots 40, 41, 42 and 43 according to Registered Plan No. 20 for the Town of Thorold, 321.60 feet;

Thence N. 53° 18′ E. along a line parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limits of Lots 117 and 118 according to Registered Plan No. 21 for the Town of Thorold, 127.47 feet;

Thence N. 77° 09′ E. 526.27 feet to a point in a line drawn S. 61° 51′ 30″ W. parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limit of Park Lot 5, according to Corporation Plan No. 11 for the Town of Thorold;

Thence N. 61° 51′ 30″ E. along a line parallel with and at a perpendicular distance of 33 feet when measured southerly from the southerly limit of said Park Lot 5, 405.43 feet;

Thence N. 75° 51′ 30″ E. along a line parallel with and at a perpendicular distance of 33 feet when measured southerly from the most southerly limit of Lot "PP" according to Corporation Plan No. 11 for the Town of Thorold, 580 feet more or less to its intersection with the westerly limit of the road allowance between original Township Lot 29, Township of Thorold, and Lot 28, Township of Thorold;

Thence northerly along said westerly limit of the road allowance between original Township Lot 29, Township of Thorold, and Lot 28, Township of Thorold, to the northeast angle of said Lot 29;

Thence northerly to the southeast angle of original Township Lot 16, Township of Thorold;

Thence easterly to the southwest angle of original Township Lot 15, Township of Thorold;

Thence easterly along the northerly limit of the road allowance between original Township Lots 15 and 14, Township of Thorold, on the north, and Lots 28 and 27, Township of Thorold, on the south, to the southeast angle of original Township Lot 14, Township of Thorold;

Thence northerly along the westerly limit of the road allowance between original Township Lot 14, Township of Thorold, and Lot 13, Township of Thorold, to the northeast angle of said Lot 14;

Thence northerly to the southeast angle of original Township Lot 6, Township of Thorold;

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Thence easterly along the northerly limit of the road allowance between original Township Lots 5 and 4, Township of Thorold, on the north, and Lots 13 and 12, Township of Thorold, on the south, to the southeast angle of original Township Lot 4, Township of Thorold;

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of Thorold and the Township of Stamford) to the northeast angle of said Lot 1, being also the point of intersection of said last-mentioned westerly limit with the southerly limit of the road allowance between the Townships of Thorold and Grantham (said road allowance being also the road allowance between the Counties of Welland and Lincoln);

Thence southwesterly along the southerly limit of the road allowance between the Townships of Thorold and Grantham (which road allowance is also the road allowance between the Town of Thorold and the Town of Merritton, and is also the road allowance between the Counties of Welland and Lincoln) to the place of beginning.

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An Act respecting the Town of Thorold

1st Reading

February 20th, 1958

2nd Reading

3rd Reading

MR. MORNINGSTAR

(Reprinted as amended by the Committee on Private Bills)

1958

No. 18

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

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Lots hereinbefore called "original Township" lots are those lots which formed part of the Township of Thorold until incorporation, in whole or in part, within the aforesaid boundaries of the Town of Thorold.

An Act respecting the Town of Thorold

1st Reading

February 20th, 1958

2nd Reading

March 4th, 1958

3rd Reading

March 6th, 1958

MR. MORNINGSTAR

1958

No. 19

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of London

Mr. Robarts

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 19 1958

BILL

An Act respecting the City of London

WHEREAS The Corporation of the City of London by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

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 of the City of London is authorized and empowered, and is declared to have been authorized and empowered, to acquire by lease or purchase lands beyond its corporate limits for the purpose of the parking of motor vehicles, provided at the time of acquisition such use is not prohibited by by-law of the municipality in which the same are acquired. Authority to acquire parking lands outside municipality

(2) When so acquired, all the powers of the Corporation which may be exercisable within the corporate limits, whether by general or special Act, shall extend thereto. Application of corporate powers

2. The Corporation is authorized and empowered and is declared to have had the power to pass by-laws to regulate and prohibit in such area or areas of the City of London as may appear proper the emptying of storm water into sewers designated to carry sanitary sewage or the emptying of sanitary sewage into sewers designated to carry storm water. Authority to regulate storm waters

3. The conveyance of part of Lot No. 9 in the First Concession of the Township of London by The Board of Education for the City of London to The Corporation of the City of London by deed dated the 28th day of May, 1957, and registered on the 29th day of October, 1957, as No. 99736 for East London, is ratified and confirmed and the said lands are vested in the Corporation. Lands vested in corporation

4. The Corporation may by by-law provide that, whenever the use to which land or buildings may be put is changed under the powers conferred by section 390 of *The Municipal* Non-conforming uses R.S.O. 1950, c. 243

Act, the by-law may provide that an existing use which contravenes the provisions of the by-law, both before and after change, shall not upon such change become a non-conforming use which may be maintained until abandoned.

Agreement confirmed

5. The agreement between the Corporation and The Children's Aid Society of the City of London and the County of Middlesex, dated the 8th day of October, 1957, set forth as the Schedule hereto, is declared to be legal, valid and binding upon the parties thereto and the ratepayers of the Corporation, and the parties are authorized and empowered to carry out and perform the agreement.

Authority to adopt National Building Code

6.—(1) The Corporation may by by-law provide that The National Building Code, as published by the National Research Council, 1953, as Booklet No. 3188, and as the same may be amended from time to time, shall be in whole or in part or parts as fully and effectually in force as if enacted as a by-law of the Corporation, and thereupon all buildings or structures thereafter constructed, erected, altered, repaired or moved into the municipality, in whole or in part, shall conform to and shall be regulated thereby.

Application of corporate powers re building permits, etc.

(2) Upon the passing of a by-law under this section, all the powers of the municipality under any general or special Act to require that plans be produced, the inspection and approval thereof, charging fees therefor, the issuing of permits, inspection of premises, and the requirement that buildings or structures must not deviate from such plans, shall be applicable and may be exercised with regard thereto.

Charge on flankage that becomes frontage

7.—(1) Whenever a local improvement is carried out and an exemption is made of flankage of a lot, which flankage later becomes a frontage on the work which has been carried out, the Corporation may impose a charge of such amount as would have been assessed against such flankage had it been frontage at the time of the passing of the by-law.

Notice of charge

(2) Notice of such charge shall be given by registered mail addressed to the then registered owner of such flankage.

When due and payable

(3) Whenever such charge is so imposed, it shall be due and payable in equal annual instalments commencing the year when the flankage becomes frontage on the work, and for such term of years as charges were imposed by the by-law.

Period in which charges payable

(4) The annual charges imposed or collected under this section shall be limited to those which would fall due during the period of the currency of the debentures issued for such work and five years thereafter, and when collected shall be credited to the general funds of the Corporation.

(5) The Corporation shall have all the powers in respect of the collection of such annual charges as it would have had had they been imposed under *The Local Improvement Act*. Collection of charge R.S.O. 1950, c. 215,

8. Notwithstanding any other Act, The London and Port Stanley Railway is declared not to be a public utility for the purpose of municipal taxation in Ontario but shall for all purposes of municipal taxation be assessed and taxed on the same basis as a steam or other railway. L. & P.S. Rlwy. taxed as railway

9. Subsection 1 of section 1 of *The City of London Act, 1957* is amended by inserting after "and" in the second line "gas" and by striking out "of any equipment that does" in the fourth line and inserting in lieu thereof "of such of the same as do", so that the subsection shall read as follows: 1957, c. 142, s. 1, subs. 1, amended

(1) The council of the Corporation may pass by-laws for the inspection of gas heating and gas cooking appliances, equipment, piping, vents and venting and for prohibiting the use of such of the same as do not comply with the provisions of *The Ontario Fuel Board Act, 1954* and the regulations made thereunder. By-laws re gas heating equipment 1954, c. 63

10. Section 5 of *The City of London Act, 1949* is repealed and the following substituted therefor: 1949, c. 130, s. 5, re-enacted

5. The Corporation of the City of London and The Board of Hospital Trustees of the City of London are hereby authorized and empowered from time to time to enter into an agreement or agreements and lease or leases with The Ontario Cancer Treatment and Research Foundation, and to carry out the terms and provisions thereof for the erection of an addition or additions to or reconstructing in part or making alterations to Victoria Hospital at London and the leasing and demise of the same, or any part thereof, to the said Foundation upon such terms and conditions and for such periods of time as may be agreed upon by them. Agreements with The Ontario Cancer Treatment and Research Foundation

11. The Board of Hospital Trustees of the City of London, with the concurrence of the Corporation, is hereby authorized and empowered from time to time to enter into an agreement or agreements and lease or leases with London District Crippled Children's Treatment Centre, and to carry out the terms and provisions thereof for the erection of a building or buildings, or parts thereof, and the maintenance, reconstruction or alteration thereof, and the leasing or licensing Agreements with London District Crippled Children's Treatment Centre

of the use of the same, or any part thereof, to the said Centre, upon such terms and conditions and for such periods of time as may be agreed upon by them.

Property of persons in homes for aged, etc., administered by Corporation

12. The Corporation is authorized and empowered to receive from persons or for the credit of persons admitted or to be admitted to homes for the aged, public hospitals, convalescent hospitals and homes and nursing and other homes for the care of the aged, ill and infirm, property, both real and personal, and to hold and administer the same as effectually and to the fullest extent to which such persons might themselves do and for such purposes as may be agreed upon by the Corporation and by or on behalf of such persons.

Regulation of traffic in London market

13.—(1) The Corporation is authorized and empowered to pass by-laws regulating, governing or prohibiting pedestrian and vehicular traffic over that portion of the London market lying north of the Covent Garden Market Building and extending from the easterly limit of Talbot Street to the rear of the privately-owned lands on the west side of Richmond Street.

Enforcement

(2) Such by-laws when enacted may be enforced in the same manner and extent and with the same penalties for violation thereof as approved by-laws passed pursuant to the provisions of *The Municipal Act*.

R.S.O. 1950, c. 243

Resident voters over 21 years of age

14.—(1) There shall be added to the voters' list of municipal electors of the City of London those persons not otherwise entitled to vote who are British subjects, over twenty-one years of age, who have resided continuously within the City of London for a period of twelve months prior to the day of polling, who shall be designated as resident voters.

Assessment roll

(2) The Assessment Commissioner shall, commencing with the assessment taken in the year 1959, list on the assessment rolls the names of all such persons who are represented to him as British subjects and over the age of twenty-one years and as having resided continuously in the City of London since the preceding 1st day of December.

Identification on voters' list

(3) The City Clerk shall place on the voters' list the names of the persons so listed who shall be identified as resident voters by placing opposite the names of such persons the letters "RV".

Application of 1951, c. 93

(4) The provisions of *The Voters' List Act, 1951* as to revision of the voters' list shall apply to all such persons.

Submission of questions to voters

15.—(1) Notwithstanding any of the provisions of *The Municipal Act*, the Corporation is hereby authorized and

empowered to submit to the electors at any time during the years 1958 and 1959,

(*a*) any question or questions regarding the composition of the council of the Corporation;

(*b*) any question as to the term of office of all or any of the persons elected at municipal elections;

(*c*) any question to determine if the electors are in favour of the incorporation in school buildings of facilities for recreation under the direction of The Public Utilities Commission of the City of London and of facilities for libraries.

Questions of annexation

(2) Notwithstanding any of the provisions of *The Municipal Act*, the Corporation is hereby authorized and empowered to submit at any time during the years 1958 and 1959 to the electors who are entitled to vote on money by-laws any questions arising out of annexation or proposed annexation to the City of London of areas adjacent thereto.

Part of Market Square vested in City

16. The lands comprising part of the Market Square in the City of London, described as the northerly 55 feet of the east half of Lot No. 13 on the north side of King Street, the westerly 10 feet of the remainder of the easterly half thereof, and the southerly 55 feet of the westerly half of Lot No. 12 on the south side of Dundas Street, and which under an agreement dated the 16th day of February, 1846, the owners agreed to convey to the Corporation, are vested in The Corporation of the City of London.

Commencement

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

Idem

(2) Section 7 shall be deemed to have come into force on the 1st day of January, 1958.

Short title

18. This Act may be cited as *The City of London Act, 1958*.

SCHEDULE

THIS AGREEMENT made, in duplicate, this 8th day of October in the year of our Lord one thousand nine hundred and fifty-seven.

BETWEEN:

THE CHILDREN'S AID SOCIETY OF THE CITY OF LONDON AND THE COUNTY OF MIDDLESEX (hereinafter called the Society),

OF THE FIRST PART,

—and—

THE CORPORATION OF THE CITY OF LONDON (hereinafter called the City),

OF THE SECOND PART.

WHEREAS the Society represents that Pamela Katheryne Smith O'Brien (hereinafter called the child) who was born on the 2nd day of March, 1954, has been made a ward of the said Society as appears by order of the Judge of the Juvenile Court of the City of London bearing date the thirty-first day of August, 1954, and that the City is the municipality to which the child belongs; and

WHEREAS the Society represents that it is able to arrange the adoption of the said child provided provision can be made for plastic surgery and dental care which will be required by the child at such times as plastic surgeons and dental surgeons may determine to be the appropriate time for such treatment; and

WHEREAS the Society represents that if an adoption cannot be arranged the City would be obligated to it for the care and maintenance of the said child.

NOW THEREFORE THIS AGREEMENT WITNESSETH and the parties hereto covenant and agree as follows:

1. The Society will arrange for the adoption of the said child in a proper foster home and will arrange that the child receives the proper surgical care and attention.

2. The City will in each of the next five years, commencing in the year 1958, set aside the sum of $600.00 in a special fund for the purpose of meeting the expenses of the required medical care, plastic surgery, dental care, hospitalization, nursing or other care of the said child, hereinafter called the expenses.

3. The Society will pay the accounts for the expenses as the same may be incurred for the said child and will certify the accounts to the City and the City undertakes to reimburse the Society from the said fund so set aside to the extent of the said expenditure made by the Society.

4. The City shall not be obligated to reimburse the Society for expenses in excess of the said sum of $3,000.00 nor will the Society require the City to pay for the care and supervision of the said child or for maintenance so long as the said child is living in the home of the adopting parents, or is absent therefrom for the purposes of treatment.

5. If the said child is removed from the home of the adopting parents and returned to the care of the Society the Council of the City may elect to discontinue further payments for expenses to the Society and to be no longer liable therefor and to transfer the fund so set aside or the remainder thereof to the general funds of the City and the obligation of the City shall thereafter be that which may be determined under the provisions of *The Child Welfare Act* or other pertinent law.

6. After the need for the said fund has ceased to exist, the Council of the City may by resolution transfer the fund or the remainder thereof into the general funds of the City and in such event it shall forthwith notify the Society and the obligation of the City shall be such as may be determined under the provisions of *The Child Welfare Act* or other pertinent law, except as to such expenses as may be incurred by the Society prior to the receipt of such notice.

7. This agreement shall come into force and take effect on receiving from the Legislature of Ontario the power and authority to the parties hereto to carry out and perform the same.

In Witness Whereof the party of the First Part has hereunto affixed its corporate seal attested by the hands of its proper signing officers authorized in that behalf and the part of the Second Part has hereunto affixed its corporate seal attested by the hands of its Mayor and Clerk.

Signed, Sealed and Delivered In the presence of:	The Children's Aid Society of the City of London and the County of Middlesex: W. E. Moore, *President.* F. Cristall, (Seal) *Director.* The Corporation of the City of London: Ray A. Dennis, *Mayor.* R. H. Cooper, *Clerk.* (Seal)

An Act respecting the City of London

1st Reading

2nd Reading

3rd Reading

MR. ROBARTS

(*Private Bill*)

1958

No. 19

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the City of London

MR. ROBARTS

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 19 1958

BILL

An Act respecting the City of London

WHEREAS The Corporation of the City of London by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

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 of the City of London is authorized and empowered, and is declared to have been authorized and empowered, to acquire by lease or purchase lands beyond its corporate limits, but adjacent thereto, for the purpose of the parking of motor vehicles, provided at the time of acquisition such use is not prohibited by by-law of the municipality in which the same are acquired. Authority to acquire parking lands outside municipality

(2) When so acquired, all the powers of the Corporation in respect of the parking of motor vehicles which may be exercisable within the corporate limits, whether by general or special Act, shall extend thereto. Application of corporate powers

2. The Corporation is authorized and empowered and is declared to have had the power to pass by-laws to regulate and prohibit in such area or areas of the City of London as may appear proper the emptying of storm water into sewers designated to carry sanitary sewage or the emptying of sanitary sewage into sewers designated to carry storm water. Authority to regulate storm waters

3. The conveyance of part of Lot No. 9 in the First Concession of the Township of London by The Board of Education for the City of London to The Corporation of the City of London by deed dated the 28th day of May, 1957, and registered on the 29th day of October, 1957, as No. 99736 for East London, is ratified and confirmed and the said lands are vested in the Corporation. Lands vested in corporation

4. The Corporation may by by-law provide that, whenever the use to which land or buildings may be put is changed under the powers conferred by section 390 of *The Municipal* Non-conforming uses R.S.O. 1950, c. 243

Act, the by-law may provide that an existing use which contravenes the provisions of the by-law, both before and after change, shall not upon such change become a non-conforming use which may be maintained until abandoned.

Agreement confirmed

5. The agreement between the Corporation and The Children's Aid Society of the City of London and the County of Middlesex, dated the 8th day of October, 1957, set forth as the Schedule hereto, is declared to be legal, valid and binding upon the parties thereto and the ratepayers of the Corporation, and the parties are authorized and empowered to carry out and perform the agreement.

Charge on flankage that becomes frontage

6.—(1) Whenever a local improvement is carried out and an exemption is made of flankage of a lot, which flankage later becomes a frontage on the work which has been carried out, the Corporation may impose a charge of such amount as would have been assessed against such flankage had it been frontage at the time of the passing of the by-law.

Notice of charge

(2) Notice of such charge shall be given by registered mail addressed to the then registered owner of such flankage.

Appeal

(3) Any person complaining that the amount of flankage in respect of which the charge is imposed is incorrect may do so in writing delivered to the City Clerk within ten days of the mailing of the notice under subsection 2 and the City Clerk shall forthwith transmit the same to the court of revision and give to the complainant written notice of the time and place of the hearing of the complaint posted six days prior to the date set therefor, and the court of revision shall consider the complaint and its decision thereon shall be final and binding.

When due and payable

(4) Whenever such charge is so imposed, it shall be due and payable in equal annual instalments commencing the year when the flankage becomes frontage on the work, and for such term of years as charges were imposed by the by-law.

Period in which charges payable

(5) The annual charges imposed or collected under this section shall be limited to those which would fall due during the period of the currency of the debentures issued for such work and five years thereafter, and when collected shall be credited to the general funds of the Corporation.

Collection of charge

R.S.O. 1950, c. 215,

(6) The Corporation shall have all the powers in respect of the collection of such annual charges as it would have had had they been imposed under *The Local Improvement Act*.

7. Notwithstanding any other Act, The London and Port Stanley Railway is declared not to be a public utility for the purpose of municipal taxation in Ontario but shall for all purposes of municipal taxation be assessed and taxed on the same basis as a steam or other railway.

L. & P.S. Rlwy. taxed as railway

8. Subsection 1 of section 1 of *The City of London Act, 1957* is amended by inserting after "and" in the second line "gas" and by striking out "of any equipment that does" in the fourth line and inserting in lieu thereof "of such of the same as do", so that the subsection shall read as follows:

1957, c. 142, s. 1, subs. 1, amended

(1) The council of the Corporation may pass by-laws for the inspection of gas heating and gas cooking appliances, equipment, piping, vents and venting and for prohibiting the use of such of the same as do not comply with the provisions of *The Ontario Fuel Board Act, 1954* and the regulations made thereunder.

By-laws re gas heating equipment

1954, c. 63

9. Section 5 of *The City of London Act, 1949* is repealed and the following substituted therefor:

1949, c. 130, s. 5, re-enacted

5. The Corporation of the City of London and The Board of Hospital Trustees of the City of London are hereby authorized and empowered from time to time to enter into an agreement or agreements and lease or leases with The Ontario Cancer Treatment and Research Foundation, and to carry out the terms and provisions thereof for the erection of an addition or additions to or reconstructing in part or making alterations to Victoria Hospital at London and the leasing and demise of the same, or any part thereof, to the said Foundation upon such terms and conditions and for such periods of time as may be agreed upon by them.

Agreements with The Ontario Cancer Treatment and Research Foundation

10. The Board of Hospital Trustees of the City of London, with the concurrence of the Corporation, is hereby authorized and empowered from time to time to enter into an agreement or agreements and lease or leases with London District Crippled Children's Treatment Centre, and to carry out the terms and provisions thereof for the erection of a building or buildings, or parts thereof, and the maintenance, reconstruction or alteration thereof, and the leasing or licensing of the use of the same, or any part thereof, to the said Centre, upon such terms and conditions and for such periods of time as may be agreed upon by them.

Agreements with London District Crippled Children's Treatment Centre

Property of persons in homes for aged, etc., administered by Corporation

11. The Corporation is authorized and empowered to receive from persons or for the credit of persons admitted or to be admitted to homes for the aged, public hospitals, convalescent hospitals and homes and nursing and other homes for the care of the aged, ill and infirm, property, both real and personal, and to hold and administer the same as effectually and to the fullest extent to which such persons might themselves do and for such purposes as may be agreed upon by the Corporation and by or on behalf of such persons.

Regulation of traffic in London market

12.—(1) The Corporation is authorized and empowered to pass by-laws for regulating and governing pedestrian and vehicular traffic over that portion of the London market lying north of the Covent Garden Market Building and extending from the easterly limit of Talbot Street to the rear of the privately-owned lands on the west side of Richmond Street, for prohibiting the parking of motor vehicles on all or any part thereof and for prohibiting traffic thereon in any but one direction.

Enforcement

(2) Such by-laws when enacted may be enforced in the same manner and extent and with the same penalties for violation thereof as approved by-laws passed pursuant to the provisions of *The Municipal Act*.

R.S.O. 1950, c. 243

Submission of questions to voters

13.—(1) Notwithstanding any of the provisions of *The Municipal Act*, the Corporation is hereby authorized and empowered to submit to the electors at any time during the years 1958 and 1959,

(*a*) any question or questions regarding the composition of the council of the Corporation;

(*b*) any question as to the term of office of all or any of the persons elected at municipal elections;

(*c*) any question to determine if the electors are in favour of the incorporation in school buildings of facilities for recreation under the direction of The Public Utilities Commission of the City of London and of facilities for libraries.

Questions of annexation

(2) Notwithstanding any of the provisions of *The Municipal Act*, the Corporation is hereby authorized and empowered to submit at any time during the years 1958 and 1959 to the electors who are entitled to vote on money by-laws any questions arising out of annexation or proposed annexation to the City of London of areas adjacent thereto.

14. The lands comprising part of the Market Square in the City of London, described as the northerly 55 feet of the east half of Lot No. 13 on the north side of King Street, the westerly 10 feet of the remainder of the easterly half thereof, and the southerly 55 feet of the westerly half of Lot No. 12 on the south side of Dundas Street, and which under an agreement dated the 16th day of February, 1846, the owners agreed to convey to the Corporation, are vested in The Corporation of the City of London. Part of Market Square vested in City

15.—(1) This Act, except sections 6 and 7, comes into force on the day it receives Royal Assent. Commencement

(2) Sections 6 and 7 shall be deemed to have come into force on the 1st day of January, 1958. Idem

16. This Act may be cited as *The City of London Act, 1958.* Short title

SCHEDULE

THIS AGREEMENT made, in duplicate, this 8th day of October in the year of our Lord one thousand nine hundred and fifty-seven.

BETWEEN:

THE CHILDREN'S AID SOCIETY OF THE CITY OF LONDON AND THE COUNTY OF MIDDLESEX (hereinafter called the Society),

OF THE FIRST PART,

—and—

THE CORPORATION OF THE CITY OF LONDON (hereinafter called the City),

OF THE SECOND PART.

WHEREAS the Society represents that Pamela Katheryne Smith O'Brien (hereinafter called the child) who was born on the 2nd day of March, 1954, has been made a ward of the said Society as appears by order of the Judge of the Juvenile Court of the City of London bearing date the thirty-first day of August, 1954, and that the City is the municipality to which the child belongs; and

WHEREAS the Society represents that it is able to arrange the adoption of the said child provided provision can be made for plastic surgery and dental care which will be required by the child at such times as plastic surgeons and dental surgeons may determine to be the appropriate time for such treatment; and

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NOW THEREFORE THIS AGREEMENT WITNESSETH and the parties hereto covenant and agree as follows:

1. The Society will arrange for the adoption of the said child in a proper foster home and will arrange that the child receives the proper surgical care and attention.

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3. The Society will pay the accounts for the expenses as the same may be incurred for the said child and will certify the accounts to the City and the City undertakes to reimburse the Society from the said fund so set aside to the extent of the said expenditure made by the Society.

4. The City shall not be obligated to reimburse the Society for expenses in excess of the said sum of $3,000.00 nor will the Society require the City to pay for the care and supervision of the said child or for maintenance so long as the said child is living in the home of the adopting parents, or is absent therefrom for the purposes of treatment.

5. If the said child is removed from the home of the adopting parents and returned to the care of the Society the Council of the City may elect to discontinue further payments for expenses to the Society and to be no longer liable therefor and to transfer the fund so set aside or the remainder thereof to the general funds of the City and the obligation of the City shall thereafter be that which may be determined under the provisions of *The Child Welfare Act* or other pertinent law.

6. After the need for the said fund has ceased to exist, the Council of the City may by resolution transfer the fund or the remainder thereof into the general funds of the City and in such event it shall forthwith notify the Society and the obligation of the City shall be such as may be determined under the provisions of *The Child Welfare Act* or other pertinent law, except as to such expenses as may be incurred by the Society prior to the receipt of such notice.

7. This agreement shall come into force and take effect on receiving from the Legislature of Ontario the power and authority to the parties hereto to carry out and perform the same.

In Witness Whereof the party of the First Part has hereunto affixed its corporate seal attested by the hands of its proper signing officers authorized in that behalf and the part of the Second Part has hereunto affixed its corporate seal attested by the hands of its Mayor and Clerk.

Signed, Sealed and Delivered In the presence of:	The Children's Aid Society of the City of London and the County of Middlesex: W. E. Moore, *President.* F. Cristall, (Seal) *Director.* The Corporation of the City of London: Ray A. Dennis, *Mayor.* R. H. Cooper, *Clerk.* (Seal)

An Act respecting the City of London

1st Reading

February 20th, 1958

2nd Reading

3rd Reading

MR. ROBARTS

(Reprinted as amended by the Committee on Private Bills)

1958

No. 19

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of London

Mr. Robarts

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 19 1958

BILL

An Act respecting the City of London

WHEREAS The Corporation of the City of London by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

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 of the City of London is authorized and empowered, and is declared to have been authorized and empowered, to acquire by lease or purchase lands beyond its corporate limits, but adjacent thereto, for the purpose of the parking of motor vehicles, provided at the time of acquisition such use is not prohibited by by-law of the municipality in which the same are acquired. Authority to acquire parking lands outside municipality

(2) When so acquired, all the powers of the Corporation in respect of the parking of motor vehicles which may be exercisable within the corporate limits, whether by general or special Act, shall extend thereto. Application of corporate powers

2. The Corporation is authorized and empowered and is declared to have had the power to pass by-laws to regulate and prohibit in such area or areas of the City of London as may appear proper the emptying of storm water into sewers designated to carry sanitary sewage or the emptying of sanitary sewage into sewers designated to carry storm water. Authority to regulate storm waters

3. The conveyance of part of Lot No. 9 in the First Concession of the Township of London by The Board of Education for the City of London to The Corporation of the City of London by deed dated the 28th day of May, 1957, and registered on the 29th day of October, 1957, as No. 99736 for East London, is ratified and confirmed and the said lands are vested in the Corporation. Lands vested in corporation

4. The Corporation may by by-law provide that, whenever the use to which land or buildings may be put is changed under the powers conferred by section 390 of *The Municipal* Non-conforming uses R.S.O. 1950, c. 243

Act, the by-law may provide that an existing use which contravenes the provisions of the by-law, both before and after change, shall not upon such change become a non-conforming use which may be maintained until abandoned.

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5. The agreement between the Corporation and The Children's Aid Society of the City of London and the County of Middlesex, dated the 8th day of October, 1957, set forth as the Schedule hereto, is declared to be legal, valid and binding upon the parties thereto and the ratepayers of the Corporation, and the parties are authorized and empowered to carry out and perform the agreement.

Charge on flankage that becomes frontage

6.—(1) Whenever a local improvement is carried out and an exemption is made of flankage of a lot, which flankage later becomes a frontage on the work which has been carried out, the Corporation may impose a charge of such amount as would have been assessed against such flankage had it been frontage at the time of the passing of the by-law.

Notice of charge

(2) Notice of such charge shall be given by registered mail addressed to the then registered owner of such flankage.

Appeal

(3) Any person complaining that the amount of flankage in respect of which the charge is imposed is incorrect may do so in writing delivered to the City Clerk within ten days of the mailing of the notice under subsection 2 and the City Clerk shall forthwith transmit the same to the court of revision and give to the complainant written notice of the time and place of the hearing of the complaint posted six days prior to the date set therefor, and the court of revision shall consider the complaint and its decision thereon shall be final and binding.

When due and payable

(4) Whenever such charge is so imposed, it shall be due and payable in equal annual instalments commencing the year when the flankage becomes frontage on the work, and for such term of years as charges were imposed by the by-law.

Period in which charges payable

(5) The annual charges imposed or collected under this section shall be limited to those which would fall due during the period of the currency of the debentures issued for such work and five years thereafter, and when collected shall be credited to the general funds of the Corporation.

Collection of charge

R.S.O. 1950, c. 215,

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By-laws re gas heating equipment

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Agreements with The Ontario Cancer Treatment and Research Foundation

10. The Board of Hospital Trustees of the City of London, with the concurrence of the Corporation, is hereby authorized and empowered from time to time to enter into an agreement or agreements and lease or leases with London District Crippled Children's Treatment Centre, and to carry out the terms and provisions thereof for the erection of a building or buildings, or parts thereof, and the maintenance, reconstruction or alteration thereof, and the leasing or licensing of the use of the same, or any part thereof, to the said Centre, upon such terms and conditions and for such periods of time as may be agreed upon by them.

Agreements with London District Crippled Children's Treatment Centre

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Enforcement

(2) Such by-laws when enacted may be enforced in the same manner and extent and with the same penalties for violation thereof as approved by-laws passed pursuant to the provisions of *The Municipal Act*.

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(*c*) any question to determine if the electors are in favour of the incorporation in school buildings of facilities for recreation under the direction of The Public Utilities Commission of the City of London and of facilities for libraries.

Questions of annexation

(2) Notwithstanding any of the provisions of *The Municipal Act*, the Corporation is hereby authorized and empowered to submit at any time during the years 1958 and 1959 to the electors who are entitled to vote on money by-laws any questions arising out of annexation or proposed annexation to the City of London of areas adjacent thereto.

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OF THE FIRST PART,

—and—

THE CORPORATION OF THE CITY OF LONDON (hereinafter called the City),

OF THE SECOND PART.

WHEREAS the Society represents that Pamela Katheryne Smith O'Brien (hereinafter called the child) who was born on the 2nd day of March, 1954, has been made a ward of the said Society as appears by order of the Judge of the Juvenile Court of the City of London bearing date the thirty-first day of August, 1954, and that the City is the municipality to which the child belongs; and

WHEREAS the Society represents that it is able to arrange the adoption of the said child provided provision can be made for plastic surgery and dental care which will be required by the child at such times as plastic surgeons and dental surgeons may determine to be the appropriate time for such treatment; and

WHEREAS the Society represents that if an adoption cannot be arranged the City would be obligated to it for the care and maintenance of the said child.

NOW THEREFORE THIS AGREEMENT WITNESSETH and the parties hereto covenant and agree as follows:

1. The Society will arrange for the adoption of the said child in a proper foster home and will arrange that the child receives the proper surgical care and attention.

2. The City will in each of the next five years, commencing in the year 1958, set aside the sum of $600.00 in a special fund for the purpose of meeting the expenses of the required medical care, plastic surgery, dental care, hospitalization, nursing or other care of the said child, hereinafter called the expenses.

3. The Society will pay the accounts for the expenses as the same may be incurred for the said child and will certify the accounts to the City and the City undertakes to reimburse the Society from the said fund so set aside to the extent of the said expenditure made by the Society.

4. The City shall not be obligated to reimburse the Society for expenses in excess of the said sum of $3,000.00 nor will the Society require the City to pay for the care and supervision of the said child or for maintenance so long as the said child is living in the home of the adopting parents, or is absent therefrom for the purposes of treatment.

5. If the said child is removed from the home of the adopting parents and returned to the care of the Society the Council of the City may elect to discontinue further payments for expenses to the Society and to be no longer liable therefor and to transfer the fund so set aside or the remainder thereof to the general funds of the City and the obligation of the City shall thereafter be that which may be determined under the provisions of *The Child Welfare Act* or other pertinent law.

6. After the need for the said fund has ceased to exist, the Council of the City may by resolution transfer the fund or the remainder thereof into the general funds of the City and in such event it shall forthwith notify the Society and the obligation of the City shall be such as may be determined under the provisions of *The Child Welfare Act* or other pertinent law, except as to such expenses as may be incurred by the Society prior to the receipt of such notice.

7. This agreement shall come into force and take effect on receiving from the Legislature of Ontario the power and authority to the parties hereto to carry out and perform the same.

In Witness Whereof the party of the First Part has hereunto affixed its corporate seal attested by the hands of its proper signing officers authorized in that behalf and the part of the Second Part has hereunto affixed its corporate seal attested by the hands of its Mayor and Clerk.

Signed, Sealed and Delivered In the presence of:	The Children's Aid Society of the City of London and the County of Middlesex: W. E. Moore, *President.* F. Cristall, (Seal) *Director.* The Corporation of the City of London: Ray A. Dennis, *Mayor.* R. H. Cooper, *Clerk.* (Seal)

An Act respecting the City of London

1st Reading

February 20th, 1958

2nd Reading

March 4th, 1958

3rd Reading

March 6th, 1958

MR. ROBARTS

1958

No. 20

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting The Ontario Dietetic Association

Mr. Rowntree

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 20 1958

BILL

An Act respecting The Ontario Dietetic Association

WHEREAS The Ontario Dietetic Association by its petition has represented that it is desirous of being continued as a body corporate and politic for the purpose of promoting and increasing the knowledge and proficiency of its members in all matters relating to dietetics and generally for the carrying out of the objects of the Association; and whereas the petitioner has prayed for special legislation to effect such purposes; and whereas it is expedient to grant the prayer of petition; Preamble

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 Ontario Dietetic Association, herein called the Association, is continued as a body corporate and politic. Association continued

(2) The head office of the Association shall be at the City of Toronto. Head office

2. The objects of the Association shall be, Objects

(*a*) to promote and increase the knowledge and proficiency of its members in all matters relating to dietetics;

(*b*) to regulate standards of training and practice of its members; and

(*c*) to collect and preserve data and documents relating to dietetics and to furnish information and reports by the publication of bulletins, pamphlets and periodicals relating to the dietary work and proceedings of the Association.

3.—(1) All persons who on the day this Act comes into force are in good standing as members of the Association shall be admitted to the register and, together with all other Membership

persons admitted to the register, shall constitute the membership of the Association.

Application for registration

(2) Application for registration as a member of the Association shall be made in the manner and on the forms prescribed by the by-laws of the Association.

Classes of membership

(3) The membership of the Association shall be divided into two or more classes, one of which shall be described as active members.

Qualifications for active membership

4.—(1) Each applicant for active membership shall produce,

(*a*) evidence satisfactory to the Board as to good character and professional reputation;

(*b*) evidence of membership in good standing in The Canadian Dietetic Association;

(*c*) proof that the applicant has,

(i) a bachelor's degree either in Arts or in Science or in Household Science from a university or college whose course content meets the requirements of the Board, or

(ii) a bachelor's degree either in Arts or in Science or in Household Science from a university or college and has taken such additional university or college courses as are satisfactory to the Board;

(*d*) proof that the applicant has,

(i) completed a dietetic interneship approved by the Board, or

(ii) had three years' diversified experience in nutrition or dietetics or allied subjects, or

(iii) had two years' experience in teaching which must include one course in foods or nutrition or institution administration as a full-time member of a university or college staff, or

(iv) a master's degree in foods or nutrition or institution administration as well as one year's experience in nutrition or dietetics or allied subjects.

(2) The dietetic interneship and the experience referred to in clause *d* of subsection 1 shall not be approved or accepted by the Board as sufficient unless, in each case, it is certified to be satisfactory by a person having knowledge of the facts and authority so to certify. Dietetic interneship and experience

5. Notwithstanding any other provision of this Act, the Board may dispense with compliance with the requirements for admission to membership in the Association upon being satisfied that the person in whose favour the dispensation is made has, in effect, acquired the same knowledge and experience as is required by an applicant under section 4. Dispensation of requirements for membership

6. Any person resident in Ontario who is a registered member of any association in Canada similarly constituted, or is a member of The Canadian Dietetic Association, and who applies for membership may be admitted to membership upon producing to the Board satisfactory proof of such residence and of membership in such association. Admission of members of like associations

7. The Provincial Director for Ontario of The Canadian Dietetic Association is an active member of the Association. Provincial Director of C.D.A.

8.—(1) The Board shall cause to be kept a register in which shall be entered the names of the members of the Association together with such other records and particulars as the Board may require. Register

(2) Only those members whose names appear in the register shall be entitled to the privileges of membership in the Association. Persons in register entitled to privileges of Association

(3) The register shall be open to inspection at the head office of the Association during regular business hours by any person free of charge. Inspection of register

9. Every applicant who qualifies for registration and has paid the required fees shall be issued a certificate of membership under the seal of the Association and the signatures of the President or Vice-President and the Recording Secretary. Certificate of membership

10. The Association may acquire, by purchase, lease or otherwise, and hold real and personal property for its purposes and alienate, exchange, lease, mortgage or otherwise dispose of the same or any part thereof as occasion may require. Real and personal property

11.—(1) There shall be a board of directors of the Association, herein called the Board, which shall control and manage the affairs of the Association. Board

Regional district

(2) For the purposes of representation on the Board, the membership of the Association shall be divided into such regional districts as the by-laws may provide.

Composition

(3) The Board shall consist of an honorary president, an honorary vice-president, a past president, a president, a president-elect, a vice-president, a recording secretary, a corresponding secretary, a treasurer and such number of representatives from the regional districts as may be prescribed by the by-laws of the Association and the Provincial Director for Ontario of The Canadian Dietetic Association.

Qualification

(4) Members of the Board shall be active members resident in Ontario.

Quorum

(5) Five members of the Board constitute a quorum.

Election of directors

(6) The directors, except the Past President and those in an honorary capacity, shall be elected at the annual meeting of the Association and shall hold office for one year and until their successors are elected.

Idem

(7) Directors shall be eligible for re-election.

Vacancies

(8) Where a director dies or is unable to act or ceases to be a member of the Association, the office shall be declared vacant by the Board and the Board may fill the vacancy for the unexpired portion of the term of such director.

Executive

(9) The Board may delegate, in the manner and to the extent provided by the by-laws, any of its powers and duties to an executive, which shall consist of the President, Vice-President, President Elect, Recording Secretary, Corresponding Secretary, Treasurer and such other members as it may designate.

General Meeting

12. The Board shall convene at least one general meeting of the Association in every year.

By-laws

13.—(1) The Board may pass by-laws, not contrary to law or this Act, for all purposes relating to the affairs, business and property of the Association, its management, government, aims, objects and interests, including,

(*a*) providing for the division of the membership into two or more classes of membership;

(*b*) providing for the division of membership into regional districts for the purpose of representation on the Board;

(*c*) providing for the election of directors and prescribing their qualifications;

(*d*) providing for the election or appointment of such officers of the Association as may be necessary for carrying out the purposes of the Association and prescribing their duties and responsibilities;

(*e*) fixing the time and place of meetings of the Association and prescribing the manner of calling and conducting such meetings;

(*f*) providing for the fixing, levying and collecting of fees payable upon application for registration and of annual fees and prescribing the penalties for failure to pay such fees;

(*g*) prescribing the qualifications of each class of membership;

(*h*) providing for the form and use of a seal of the Association;

(*i*) providing for the remuneration and reimbursement of members of the Board;

(*j*) prescribing the books and records to be kept and providing for audits;

(*k*) prescribing the forms for use under this Act;

(*l*) providing for the suspension and cancellation of registration and for the procedure and conditions of restoring registration where registration has been cancelled or suspended;

(*m*) prescribing a code of ethics to govern the discipline, conduct and control of members of the Association;

(*n*) regulating the conduct of the members of the Association, including the suspension or expulsion of any member for misconduct or violation of this Act or the by-laws of the Association;

(*o*) providing for the organization of district associations;

(*p*) respecting any other matter deemed necessary or advisable for effective management of the Association and the conduct of its business.

Approval of by-law

(2) No by-law shall come into force until approved at an annual general meeting of the Association or at a special general meeting called for the purpose of considering the by-law.

Continuation of present Board and by-laws

14. The Board of The Ontario Dietetic Association as constituted on the day this Act comes into force and all officers of the Association shall continue in office until the first general meeting of the Association and all by-laws of the Association except in so far as they are inconsistent with this Act shall continue in full force and effect until amended, repealed or replaced by by-laws passed under this Act.

Application of Act

15. Nothing in this Act affects the practice of any profession or calling by any person practising the same under any general or special Act and nothing in this Act or the by-laws passed by the Board pursuant to this Act shall be taken or deemed to relieve any person from compliance with any general or special Act relating to the practice of any profession or calling.

Designation

16.—(1) Every member of the Association shall have the right to use the designation "Registered Professional Dietitian" and may use the initials "R.P.Dt.", indicating that she is a registered professional dietitian.

Offence and penalty

(2) Any person in Ontario who, not being a registered member of the Association, takes or uses the designation "Registered Professional Dietitian" or the initials "R.P.Dt.", or any name, title or description implying or which may lead to the belief that he or she is a registered member of the Association, shall be guilty of an offence and on summary conviction shall be liable to a penalty of not more than $25 for each offence.

Penalties payable to Association

(3) All penalties recovered under subsection 2 shall be paid over forthwith by the convicting magistrate to the Association.

Commencement

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

Short title

18. This Act may be cited as *The Ontario Dietetic Association Act, 1958.*

BILL

An Act respecting
The Ontario Dietetic Association

1st Reading

2nd Reading

3rd Reading

MR. ROWNTREE

(*Private Bill*)

1958

No. 20

4th Session, 25th Legislature, Ontario
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(*d*) proof that the applicant has,

(i) completed a dietetic interneship approved by the Board, or

(ii) had three years' diversified experience in nutrition or dietetics or allied subjects, or

(iii) had two years' experience in teaching which must include one course in foods or nutrition or institution administration as a full-time member of a university or college staff, or

(iv) a master's degree in foods or nutrition or institution administration as well as one year's experience in nutrition or dietetics or allied subjects.

(2) The dietetic interneship and the experience referred to in clause *d* of subsection 1 shall not be approved or accepted by the Board as sufficient unless, in each case, it is certified to be satisfactory by a person having knowledge of the facts and authority so to certify.

Dietetic interneship and experience

5. Notwithstanding any other provision of this Act, the Board may dispense with compliance with the requirements for admission to membership in the Association upon being satisfied that the person in whose favour the dispensation is made has, in effect, acquired the same knowledge and experience as is required by an applicant under section 4.

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Provincial Director of C.D.A.

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Idem

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(9) The Board may delegate, in the manner and to the extent provided by the by-laws, any of its powers and duties to an executive, which shall consist of the President, Vice-President, President Elect, Recording Secretary, Corresponding Secretary, Treasurer and such other members as it may designate.

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12. The Board shall convene at least one general meeting of the Association in every year.

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13.—(1) The Board may pass by-laws, not contrary to law or this Act, for all purposes relating to the affairs, business and property of the Association, its management, government, aims, objects and interests, including,

(*a*) providing for the division of the membership into two or more classes of membership;

(*b*) providing for the division of membership into regional districts for the purpose of representation on the Board;

(*c*) providing for the election of directors and prescribing their qualifications;

(*d*) providing for the election or appointment of such officers of the Association as may be necessary for carrying out the purposes of the Association and prescribing their duties and responsibilities;

(*e*) fixing the time and place of meetings of the Association and prescribing the manner of calling and conducting such meetings;

(*f*) providing for the fixing, levying and collecting of fees payable upon application for registration and of annual fees and prescribing the penalties for failure to pay such fees;

(*g*) prescribing the qualifications of each class of membership;

(*h*) providing for the form and use of a seal of the Association;

(*i*) providing for the remuneration and reimbursement of members of the Board;

(*j*) prescribing the books and records to be kept and providing for audits;

(*k*) prescribing the forms for use under this Act;

(*l*) providing for the suspension and cancellation of registration and for the procedure and conditions of restoring registration where registration has been cancelled or suspended;

(*m*) prescribing a code of ethics to govern the discipline, conduct and control of members of the Association;

(*n*) regulating the conduct of the members of the Association, including the suspension or expulsion of any member for misconduct or violation of this Act or the by-laws of the Association;

(*o*) providing for the organization of district associations;

(*p*) respecting any other matter deemed necessary or advisable for effective management of the Association and the conduct of its business.

Approval of by-law

(2) No by-law shall come into force until approved at an annual general meeting of the Association or at a special general meeting called for the purpose of considering the by-law.

Continuation of present Board and by-laws

14. The Board of The Ontario Dietetic Association as constituted on the day this Act comes into force and all officers of the Association shall continue in office until the first general meeting of the Association and all by-laws of the Association except in so far as they are inconsistent with this Act shall continue in full force and effect until amended, repealed or replaced by by-laws passed under this Act.

Application of Act

15. Nothing in this Act affects the practice of any profession or calling by any person practising the same under any general or special Act and nothing in this Act or the by-laws passed by the Board pursuant to this Act shall be taken or deemed to relieve any person from compliance with any general or special Act relating to the practice of any profession or calling.

Designation

16.—(1) Every member of the Association shall have the right to use the designation "Registered Professional Dietitian" and may use the initials "R.P.Dt.", indicating that she is a registered professional dietitian.

Offence and penalty

(2) Any person in Ontario who, not being a registered member of the Association, takes or uses the designation "Registered Professional Dietitian" or the initials "R.P.Dt.", or any name, title or description implying or which may lead to the belief that he or she is a registered member of the Association, shall be guilty of an offence and on summary conviction shall be liable to a penalty of not more than $25 for each offence.

Penalties payable to Association

(3) All penalties recovered under subsection 2 shall be paid over forthwith by the convicting magistrate to the Association.

Commencement

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

Short title

18. This Act may be cited as *The Ontario Dietetic Association Act, 1958.*

An Act respecting
The Ontario Dietetic Association

1st Reading

February 19th, 1958

2nd Reading

February 27th, 1958

3rd Reading

March 6th, 1958

MR. ROWNTREE

1958

No. 21

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Township of Teck

Mr. Herbert

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 21 1958

BILL

An Act respecting the Township of Teck

WHEREAS The Corporation of the Township of Teck by its petition has represented that it has entered into agreements with the mining companies named in section 1 for the supply of water from the municipal system and has prayed for special legislation to confirm the said agreements; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding anything contained in *The Municipal Act*, *The Public Utilities Act* or in any other Act, the six agreements dated the 1st day of October, 1957, between The Corporation of the Township of Teck and Lake Shore Mines, Limited, Wright-Hargreaves Mines, Limited, Sylvanite Gold Mines, Limited, Kirkland Minerals Corporation Limited, Macassa Mines Limited and The Teck-Hughes Gold Mines Limited, respectively, all of which are in the form set out in the Schedule hereto, are and each is hereby confirmed and declared to be legal, valid and binding upon the respective parties thereto and their respective successors and assigns. Water supply agreements confirmed R.S.O. 1950, cc. 243, 320

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

3. This Act may be cited as *The Township of Teck Act, 1958*. Short title

SCHEDULE

WATER CONTRACT

MEMORANDUM OF AGREEMENT made (in duplicate) as of the first day of October, A.D. 1957.

BETWEEN:

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF TECK, hereinafter called "the Municipality",

OF THE FIRST PART,

—and—

.....
a Corporation duly incorporated under the laws of the Province of Ontario, hereinafter sometimes called "the Company",

OF THE SECOND PART.

WHEREAS the Municipality owns and operates a water system for supplying water to consumers in Kirkland Lake townsite, including pumping stations at Gull Lake and McTavish Lake and a feeder pipe line which carries water from McTavish Lake pumping station to Gull Lake (which feeder pipe line is hereinafter for convenience referred to as "the McTavish Lake Line"); and

WHEREAS under and by virtue of four certain agreements in writing dated the 22nd day of December, A.D. 1931, as amended by further agreements in writing dated the twenty-eighth day of December, A.D. 1944, between the Municipality and each of the four undermentioned mining companies, severally, to wit: Lake Shore Mines, Limited; Wright-Hargreaves Mines, Limited; Sylvanite Gold Mines, Limited and Kirkland Lake Gold Mining Company Limited (now known by virtue of lawful change of its name, as Kirkland Minerals Corporation Limited), the Municipality agreed to supply water to each of said companies at the prices and upon and subject to the terms and conditions set forth in the said several agreements; and

WHEREAS under and by virtue of a certain agreement in writing dated the 20th day of July, A.D. 1933, as amended by further agreement in writing dated the twenty-eighth day of December, A.D. 1944, between the Municipality and Macassa Mines Limited, the Municipality agreed to supply water to said company at the prices and upon and subject to the terms and conditions set forth in said agreements; and

WHEREAS under and by virtue of a certain agreement in writing dated the 22nd day of December, A.D. 1931, as amended by a further agreement in writing dated the 29th day of March, A.D. 1946, between the Municipality and The Teck-Hughes Gold Mines Limited, the Municipality agreed to supply water to said company at the prices and upon and subject to the terms and conditions set forth in said agreements; and

WHEREAS the above-mentioned five agreements dated the 22nd day of December, A.D. 1931, were confirmed and declared to be legal, valid and binding upon the parties thereto and their respective successors and assigns by Statute of the Legislature of the Province of Ontario, being Chapter 92, 22 George V, 1932; and

WHEREAS the above-mentioned agreement dated the 20th day of July, A.D. 1933, was duly authorized by By-law No. 667 of the Municipality duly enacted the 31st day of July, A.D. 1933; and

WHEREAS the above-mentioned five agreements dated the twenty-eighth day of December, A.D. 1944, and the above-mentioned agreement dated the 29th day of March, A.D. 1946, were respectively duly approved by the Department of Municipal Affairs under and pursuant to Part III of *The Department of Municipal Affairs Act* and amendments thereto as required by said Statute, the Municipality being then (but not now) subject to said Part III of said Statute; and

WHEREAS the Municipality represents, (i) that the McTavish Lake Line is in need of major repairs and, (ii) that generally there has been a material increase in the cost of supplying water to the said companies since the above-mentioned agreements were made; and

WHEREAS the Municipality has requested the Company, to consent to termination of the above-mentioned agreements for the supply of water made between it and the Municipality, and, to enter into a new agreement for the supply of water to the Company by the Municipality at the prices hereinafter set forth or provided for and upon and subject to the terms and conditions hereinbelow set forth; and

WHEREAS under and by virtue of clause numbered 2 of each of the above-mentioned five agreements dated the twenty-eighth day of December, 1944, and the above-mentioned agreement dated the 29th day of March, 1946, a portion of the water prices therein fixed to be paid was to be applied to amortizing a certain sum specified therein, all upon and subject to the terms and conditions therein set forth including the right to anticipate the payment thereof or any balance thereof remaining unpaid at any time, and of such specified sums, there remained unpaid as at September 30th, 1957, by each of the above-named six companies the amount, if any, set opposite its name below, viz.:

Lake Shore Mines, Limited.....	$9,736.63
Wright-Hargreaves Mines, Limited.....	Nil
Sylvanite Gold Mines, Limited.....	$7,414.43
Kirkland Minerals Corporation Limited....	Nil
Macassa Mines Limited.....	$2,312.28
The Teck-Hughes Gold Mines Limited.....	$2,077.19;

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the premises and the mutual covenants and agreement hereinafter contained, the parties hereto have agreed and do hereby agree each with the other as follows:—

1. The Company will forthwith on execution and delivery of this agreement pay to the Municipality the amount, if any, set opposite its name in the foregoing final recital, in full discharge of any liability of the Company under clause 2 of the said agreement dated the twenty-eighth day of December, 1944, or the 29th day of March, 1946, as the case may be, made between the Municipality and the Company.

2. (*a*) The Municipality agrees, to maintain the existing water main to the property of the Company and the existing branch line connecting said main to the distribution system of the Company, and, to supply water to the Company, through said lines, at a minimum pressure at the Gull Lake pumping station of seventy pounds for mining, milling and domestic service and one hundred and ten pounds for fire service, and, of a purity to meet the requirements of the Department of Health, for the time that the Company shall carry on mining and/or milling operations, subject however, to the provisions hereinafter contained.

(*b*) The Municipality further agrees to provide, install and maintain a meter at the point of connection of said branch line with the distribution system of the Company for the proper measurement of the water used by the Company, and to furnish true copies of the monthly meter readings to the Company and to render on or before the 5th day of each and every month a bill to the Company for the water supplied for the previous calendar month which shall be payable ten days after rendering; provided, however, that if the meter should fail to properly measure the water

consumed in any one month or part of a month, the average consumption for the two calendar months immediately preceding shall be taken for the month in question and a bill rendered accordingly.

3. The Municipality further agrees with the Company that, in the event of a fire occurring on the property of the Company, the Municipality will, on five minutes' notice, increase the water pressure on the general service to a point where one hundred and ten pounds pressure will be available at the Gull Lake pumping station when seven one and one-eighth inch fire hose streams are in operation on the property of the Company.

4. The Municipality further agrees to forthwith repair and put in good operating condition the McTavish Lake Line and to construct and maintain all necessary and adequate access roads for the purpose of making such repairs and for subsequent maintenance of the McTavish Lake Line.

5. (*a*) The word "gallons" where used in this agreement shall mean Imperial gallons and no other.

(*b*) The expression "Mining Companies" where used hereafter in this agreement shall include Lake Shore Mines, Limited, Wright-Hargreaves Mines, Limited, Sylvanite Gold Mines, Limited, Kirkland Minerals Corporation Limited, Macassa Mines Limited and The Teck-Hughes Gold Mines Limited during such time as they purchase water from the Municipality for mining and/or milling purposes under agreement identical in form with each other but when any of them cease so to do such expression shall include only the others or the other of them which continue or continues to so purchase water from the Municipality for such purpose or purposes; provided that none shall be deemed to have ceased to so purchase water for such purpose or purposes only by reason of its operations being temporarily suspended.

6. The parties agree that the price to be paid by the Company for water supplied to it hereunder during the five year period commencing October 1st, 1957, and ending September 30th, 1962, shall be and is hereby fixed at five and one-half cents (5½c) per thousand gallons.

7. (*a*) The parties further agree, that the price per thousand gallons to be paid by the Company for water supplied to it hereunder during each succeeding period of five years after September 30th, 1962, shall be fixed and determined in the manner below set forth or provided for, as soon as conveniently may be done after commencement of each such five year period, and that, except as otherwise provided, such price shall be the average cost per thousand gallons, to the Municipality, determined as below provided, of supplying water hereunder during the last two years of the immediately preceding five year period, (such two years being hereinafter referred to as "the said two year period"), taking into account only the expense items below mentioned, and such price shall be the sum of:

(i) The quotient when the total cost of pumping, chlorination and maintenance at the Gull Lake pump house, at the booster pumping station located on mining claim No. 1236 and at the McTavish Lake pumping station, during the said two year period, is divided by the total quantity of water in thousands of gallons pumped at Gull Lake pump house during the said two year period.

(ii) The quotient when the total cost of maintenance of the McTavish Lake Line, during the said two year period, is divided by the total quantity of water in thousands of gallons pumped at Gull Lake pump house during the said two year period.

(iii) The quotient when an amount equivalent to nine per cent (9%) of the total cost of maintenance of the McTavish Lake Line, during the said two year period, is divided by the total quantity of water in thousands of gallons supplied, during the said two year period, to the Mining Companies.

(iv) The quotient when the total cost of maintenance of the meters on their respective mine properties which measure the water supplied to the Mining Companies, during the said two year period, is divided by the total quantity of water in thousands of gallons supplied, during the said two year period, to the Mining Companies.

(v) The quotient when the total cost of maintenance of the metal supply mains listed below, during the said two year period, is divided by the total quantity of water in thousands of gallons pumped at Gull Lake pump house, during the said two year period:—

Trunk main on Third Street, Second Street, Duncan Avenue, Kirkland Street, Prospect Avenue, Government Road West, Transmission line from pump station to Government Road East;

Sixteen inch main from Gull Lake pumping station to Government Road;

Prospect Avenue main from Government Road north to the boundary of Wright-Hargreaves Mines, Limited.

(vi) The quotient when an amount equivalent to nine per cent (9%) of the total cost of maintenance of the metal supply mains listed in the foregoing sub-paragraph (v), during the said two year period, is divided by the total quantity of water in thousands of gallons supplied, during the said two year period, to the Mining Companies.

(vii) Three-tenths of one cent (1c) per thousand gallons, as a fixed charge, subject however to the same being increased or decreased by a percentage equal to the percentage by which the amount of the average annual salary of the waterworks superintendent, or if no waterworks superintendent, the Township engineer, during the said two year period, is greater or lesser, as the case may be, than the amount of the salary paid to the waterworks superintendent for the year 1956.

(viii) One cent per thousand gallons, being a fixed allowance for leakage, overhead and profit.

(*b*) The word "maintenance" where used in this Section 7 includes replacements necessary for good operation.

(*c*) In determining such price, in the manner aforesaid, for any such period of five years, expenditure in the said two year period, on account of any replacement which does not recur annually, unless of a minor nature, shall be apportioned in equal yearly amounts over the estimated life of the replacement, provided that if the Municipality shall issue debentures to amortize the costs of such replacement, the expense thereof for the said two year period shall be deemed to be the amount required to service such debentures during the said two year period, i.e., principal and interest payments.

(*d*) Provided that the price for water to be supplied hereunder for any such period of five years shall be not less than five and one-half cents per thousand gallons subject to the condition, however, that such price shall not in any event exceed the price of water charged by the Municipality to any other consumer.

(*e*) Forthwith after making the calculation to determine the price for each such five year period, the Township shall furnish particulars thereof to the Company and furnish such further information in regard thereto as the Company may reasonably require.

(*f*) Provided, nevertheless, that the Municipality and the Company may, by a written supplemental agreement duly entered into between them, at any time and from time to time hereafter, rescind, modify or

replace the foregoing provisions of this Section 7 or any of them as the parties hereto deem expedient, but no such supplemental agreement shall have any force or effect unless and until the Municipality shall enter into a supplemental agreement, identical in form thereto, with each of the Mining Companies.

8. The Company agrees that, should a fire occur within the limits of the townsite of Kirkland Lake or on the premises of any of the Mining Companies, it will, upon five minutes notice being given, reduce the supply of water taken by it to a minimum necessary to keep the Company's mill in operation until such time as the fire shall have been extinguished, provided always that this provision shall not be effective if and when a fire should occur or be in progress on or threatening the property of the Company.

9. It is agreed that the Municipality possesses a right-of-way twelve feet in width over the property of the Company necessary for the waterworks system, including the right to excavate and lay water pipes, and, subject to paragraph number 11 hereof, the right to make connections to the trunk main to supply water to any other customer; provided, however, that should the operations of the Company require any change in the location of any water pipes on its lands, the Municipality agrees, upon being given thirty days notice in writing, to move, at the expense in the first place of the Municipality, the portion of the water main or branch line required to be moved to a new right-of-way to be agreed upon between the parties hereto and the cost of such removal shall be reimbursed to the Municipality by the Company within sixty days from the date of completion thereof. The Municipality shall not be liable to the Company for any loss or interruption of service caused by reason of any removal of the water main on the property of any of the Mining Companies provided such interruption of service does not continue for a longer period than five hours and provided that the Mining Companies affected by such interruption of service shall have been given six hours previous notice.

10. The Company shall be free to use for any purpose the water taken by it from the Municipality and without restricting the generality of the foregoing it is expressly declared that the Company may—

(*a*) use the water for mining, milling and domestic purposes on any property at any time owned, leased or controlled by it;

(*b*) supply water for domestic use to its employees and officials on any property at any time owned, leased or controlled by it;

(*c*) supply water to any subsidiary company (i.e., any company in which the majority of the issued capital stock is held by the Company);

(*d*) use the water for milling custom ores;

(*e*) use the water for doing contract mining work for other companies;

(*f*) use the water for re-treating tailings whether its own tailings or tailings of other companies;

but the water shall be taken from the point of delivery as hereinbefore provided and except as permitted by the foregoing provisions the water is not to be resold by the Company.

11. The Municipality agrees that it will not during the currency of this Agreement supply water for any industrial purpose to any consumer at a rate which shall be less than the price then payable by the Company under this agreement, and the Municipality further agrees that the total quantity of water supplied by it for any purpose to consumers on a flat rate basis shall be charged for by the Municipality at a rate not less than the price then payable by the Company under this agreement.

It is provided further that the Municipality shall not supply water for mining and/or milling purposes to any company other than the Mining Companies at any time when the supplying of water for either of such purposes to any such other company detrimentally affects the supplying of water to the Mining Companies or any of them, or which renders inadequate the supply of water to any of the Mining Companies for mining, milling and/or domestic purposes.

12. It is further agreed by and between the parties hereto that the Municipality shall not be liable for any loss or damage occasioned through failure to supply water according to the terms of this agreement by reason of conditions beyond the control of the Municipality.

13. It is agreed by and between the parties hereto that should any dispute arise as to the meaning or interpretation of this agreement either party thereto may on giving ten days' notice in writing to the other party refer such matter in dispute to the award and determination of The Ontario Municipal Board as arbitrators, which Board shall have all the powers given by *The Arbitration Act* (Ontario) to arbitrators. The provisions of the said Arbitration Act shall govern all such references and either party shall have the right to appeal from the award of the said Board.

14. It is understood and agreed that the Municipality is entering into an agreement identical in form with this agreement with each of the Mining Companies.

15. Nothing in this agreement contained shall be construed as rendering the Company in any way liable to the Municipality for the price of water supplied by the Municipality to any person, firm or corporation other than the Company.

16. Subject to this agreement being confirmed and being declared valid and binding on the parties thereto by the Legislature of the Province of Ontario, thereupon all the aforesaid agreements entered into between each of the above named six companies and the Municipality for the supplying of water whether dated the 22nd day of December, 1931, the 20th day of July, 1933, the twenty-eighth day of December, 1944, or the 29th day of March, 1946, shall be ipso facto terminated and of no further effect, it being the intention of the parties hereto that this agreement when so confirmed by the Legislature shall supersede and replace all previous agreements, understandings and arrangements between the parties hereto respecting the supply of water by the Municipality to the Company, and the Municipality and the Company shall be mutually released from all claims and demands of each upon the other under all agreements heretofore made between them relating to the supply of water by the Municipality to the Company.

17. This agreement shall continue in force so long as the Company requires water for either mining purposes or milling purposes or both and notwithstanding any temporary suspension of its operations, but termination of this agreement shall not revive any previous agreement between the parties.

18. This agreement shall not become effective nor bind in any way either party hereto unless and until the same be confirmed and declared legal, valid and binding upon the parties hereto and their respective successors and assigns by the Legislature of the Province of Ontario, but, if and when such condition be fulfilled, this agreement shall enure to the benefit of and be binding upon the Municipality and the Company and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year first above written.

SIGNED, SEALED AND DELIVERED In the presence of:	THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF TECK: by *Reeve.* and *Clerk.* by *President.* and *Secretary.*

An Act respecting the Township of Teck

1st Reading

2nd Reading

3rd Reading

MR. HERBERT

(*Private Bill*)

1958

No. 21

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Township of Teck

Mr. Herbert

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 21 1958

BILL

An Act respecting the Township of Teck

Preamble

WHEREAS The Corporation of the Township of Teck by its petition has represented that it has entered into agreements with the mining companies named in section 1 for the supply of water from the municipal system and has prayed for special legislation to confirm the said agreements; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Water supply agreements confirmed R.S.O. 1950, cc. 243, 320

1. Notwithstanding anything contained in *The Municipal Act*, *The Public Utilities Act* or in any other Act, the six agreements dated the 1st day of October, 1957, between The Corporation of the Township of Teck and Lake Shore Mines, Limited, Wright-Hargreaves Mines, Limited, Sylvanite Gold Mines, Limited, Kirkland Minerals Corporation Limited, Macassa Mines Limited and The Teck-Hughes Gold Mines Limited, respectively, all of which are in the form set out in the Schedule hereto, are and each is hereby confirmed and declared to be legal, valid and binding upon the respective parties thereto and their respective successors and assigns.

Commencement

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

Short title

3. This Act may be cited as *The Township of Teck Act, 1958*.

SCHEDULE

WATER CONTRACT

MEMORANDUM OF AGREEMENT made (in duplicate) as of the first day of October, A.D. 1957.

BETWEEN:

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF TECK, hereinafter called "the Municipality",

OF THE FIRST PART,

—and—

.....
a Corporation duly incorporated under the laws of the Province of Ontario, hereinafter sometimes called "the Company",

OF THE SECOND PART.

WHEREAS the Municipality owns and operates a water system for supplying water to consumers in Kirkland Lake townsite, including pumping stations at Gull Lake and McTavish Lake and a feeder pipe line which carries water from McTavish Lake pumping station to Gull Lake (which feeder pipe line is hereinafter for convenience referred to as "the McTavish Lake Line"); and

WHEREAS under and by virtue of four certain agreements in writing dated the 22nd day of December, A.D. 1931, as amended by further agreements in writing dated the twenty-eighth day of December, A.D. 1944, between the Municipality and each of the four undermentioned mining companies, severally, to wit: Lake Shore Mines, Limited; Wright-Hargreaves Mines, Limited; Sylvanite Gold Mines, Limited and Kirkland Lake Gold Mining Company Limited (now known by virtue of lawful change of its name, as Kirkland Minerals Corporation Limited), the Municipality agreed to supply water to each of said companies at the prices and upon and subject to the terms and conditions set forth in the said several agreements; and

WHEREAS under and by virtue of a certain agreement in writing dated the 20th day of July, A.D. 1933, as amended by further agreement in writing dated the twenty-eighth day of December, A.D. 1944, between the Municipality and Macassa Mines Limited, the Municipality agreed to supply water to said company at the prices and upon and subject to the terms and conditions set forth in said agreements; and

WHEREAS under and by virtue of a certain agreement in writing dated the 22nd day of December, A.D. 1931, as amended by a further agreement in writing dated the 29th day of March, A.D. 1946, between the Municipality and The Teck-Hughes Gold Mines Limited, the Municipality agreed to supply water to said company at the prices and upon and subject to the terms and conditions set forth in said agreements; and

WHEREAS the above-mentioned five agreements dated the 22nd day of December, A.D. 1931, were confirmed and declared to be legal, valid and binding upon the parties thereto and their respective successors and assigns by Statute of the Legislature of the Province of Ontario, being Chapter 92, 22 George V, 1932; and

WHEREAS the above-mentioned agreement dated the 20th day of July, A.D. 1933, was duly authorized by By-law No. 667 of the Municipality duly enacted the 31st day of July, A.D. 1933; and

WHEREAS the above-mentioned five agreements dated the twenty-eighth day of December, A.D. 1944, and the above-mentioned agreement dated the 29th day of March, A.D. 1946, were respectively duly approved by the Department of Municipal Affairs under and pursuant to Part III of *The Department of Municipal Affairs Act* and amendments thereto as required by said Statute, the Municipality being then (but not now) subject to said Part III of said Statute; and

WHEREAS the Municipality represents, (i) that the McTavish Lake Line is in need of major repairs and, (ii) that generally there has been a material increase in the cost of supplying water to the said companies since the above-mentioned agreements were made; and

WHEREAS the Municipality has requested the Company, to consent to termination of the above-mentioned agreements for the supply of water made between it and the Municipality, and, to enter into a new agreement for the supply of water to the Company by the Municipality at the prices hereinafter set forth or provided for and upon and subject to the terms and conditions hereinbelow set forth; and

WHEREAS under and by virtue of clause numbered 2 of each of the above-mentioned five agreements dated the twenty-eighth day of December, 1944, and the above-mentioned agreement dated the 29th day of March, 1946, a portion of the water prices therein fixed to be paid was to be applied to amortizing a certain sum specified therein, all upon and subject to the terms and conditions therein set forth including the right to anticipate the payment thereof or any balance thereof remaining unpaid at any time, and of such specified sums, there remained unpaid as at September 30th, 1957, by each of the above-named six companies the amount, if any, set opposite its name below, viz.:

Lake Shore Mines, Limited.....	$9,736.63
Wright-Hargreaves Mines, Limited.....	Nil
Sylvanite Gold Mines, Limited.....	$7,414.43
Kirkland Minerals Corporation Limited....	Nil
Macassa Mines Limited.....	$2,312.28
The Teck-Hughes Gold Mines Limited.....	$2,077.19;

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the premises and the mutual covenants and agreement hereinafter contained, the parties hereto have agreed and do hereby agree each with the other as follows:—

1. The Company will forthwith on execution and delivery of this agreement pay to the Municipality the amount, if any, set opposite its name in the foregoing final recital, in full discharge of any liability of the Company under clause 2 of the said agreement dated the twenty-eighth day of December, 1944, or the 29th day of March, 1946, as the case may be, made between the Municipality and the Company.

2. (*a*) The Municipality agrees, to maintain the existing water main to the property of the Company and the existing branch line connecting said main to the distribution system of the Company, and, to supply water to the Company, through said lines, at a minimum pressure at the Gull Lake pumping station of seventy pounds for mining, milling and domestic service and one hundred and ten pounds for fire service, and, of a purity to meet the requirements of the Department of Health, for the time that the Company shall carry on mining and/or milling operations, subject however, to the provisions hereinafter contained.

(*b*) The Municipality further agrees to provide, install and maintain a meter at the point of connection of said branch line with the distribution system of the Company for the proper measurement of the water used by the Company, and to furnish true copies of the monthly meter readings to the Company and to render on or before the 5th day of each and every month a bill to the Company for the water supplied for the previous calendar month which shall be payable ten days after rendering; provided, however, that if the meter should fail to properly measure the water

consumed in any one month or part of a month, the average consumption for the two calendar months immediately preceding shall be taken for the month in question and a bill rendered accordingly.

3. The Municipality further agrees with the Company that, in the event of a fire occurring on the property of the Company, the Municipality will, on five minutes' notice, increase the water pressure on the general service to a point where one hundred and ten pounds pressure will be available at the Gull Lake pumping station when seven one and one-eighth inch fire hose streams are in operation on the property of the Company.

4. The Municipality further agrees to forthwith repair and put in good operating condition the McTavish Lake Line and to construct and maintain all necessary and adequate access roads for the purpose of making such repairs and for subsequent maintenance of the McTavish Lake Line.

5. (*a*) The word "gallons" where used in this agreement shall mean Imperial gallons and no other.

(*b*) The expression "Mining Companies" where used hereafter in this agreement shall include Lake Shore Mines, Limited, Wright-Hargreaves Mines, Limited, Sylvanite Gold Mines, Limited, Kirkland Minerals Corporation Limited, Macassa Mines Limited and The Teck-Hughes Gold Mines Limited during such time as they purchase water from the Municipality for mining and/or milling purposes under agreement identical in form with each other but when any of them cease so to do such expression shall include only the others or the other of them which continue or continues to so purchase water from the Municipality for such purpose or purposes; provided that none shall be deemed to have ceased to so purchase water for such purpose or purposes only by reason of its operations being temporarily suspended.

6. The parties agree that the price to be paid by the Company for water supplied to it hereunder during the five year period commencing October 1st, 1957, and ending September 30th, 1962, shall be and is hereby fixed at five and one-half cents (5½c) per thousand gallons.

7. (*a*) The parties further agree, that the price per thousand gallons to be paid by the Company for water supplied to it hereunder during each succeeding period of five years after September 30th, 1962, shall be fixed and determined in the manner below set forth or provided for, as soon as conveniently may be done after commencement of each such five year period, and that, except as otherwise provided, such price shall be the average cost per thousand gallons, to the Municipality, determined as below provided, of supplying water hereunder during the last two years of the immediately preceding five year period, (such two years being hereinafter referred to as "the said two year period"), taking into account only the expense items below mentioned, and such price shall be the sum of:

(i) The quotient when the total cost of pumping, chlorination and maintenance at the Gull Lake pump house, at the booster pumping station located on mining claim No. 1236 and at the McTavish Lake pumping station, during the said two year period, is divided by the total quantity of water in thousands of gallons pumped at Gull Lake pump house during the said two year period.

(ii) The quotient when the total cost of maintenance of the McTavish Lake Line, during the said two year period, is divided by the total quantity of water in thousands of gallons pumped at Gull Lake pump house during the said two year period.

(iii) The quotient when an amount equivalent to nine per cent (9%) of the total cost of maintenance of the McTavish Lake Line, during the said two year period, is divided by the total quantity of water in thousands of gallons supplied, during the said two year period, to the Mining Companies.

(iv) The quotient when the total cost of maintenance of the meters on their respective mine properties which measure the water supplied to the Mining Companies, during the said two year period, is divided by the total quantity of water in thousands of gallons supplied, during the said two year period, to the Mining Companies.

(v) The quotient when the total cost of maintenance of the metal supply mains listed below, during the said two year period, is divided by the total quantity of water in thousands of gallons pumped at Gull Lake pump house, during the said two year period:—

Trunk main on Third Street, Second Street, Duncan Avenue, Kirkland Street, Prospect Avenue, Government Road West, Transmission line from pump station to Government Road East;

Sixteen inch main from Gull Lake pumping station to Government Road;

Prospect Avenue main from Government Road north to the boundary of Wright-Hargreaves Mines, Limited.

(vi) The quotient when an amount equivalent to nine per cent (9%) of the total cost of maintenance of the metal supply mains listed in the foregoing sub-paragraph (v), during the said two year period, is divided by the total quantity of water in thousands of gallons supplied, during the said two year period, to the Mining Companies.

(vii) Three-tenths of one cent (1c) per thousand gallons, as a fixed charge, subject however to the same being increased or decreased by a percentage equal to the percentage by which the amount of the average annual salary of the waterworks superintendent, or if no waterworks superintendent, the Township engineer, during the said two year period, is greater or lesser, as the case may be, than the amount of the salary paid to the waterworks superintendent for the year 1956.

(viii) One cent per thousand gallons, being a fixed allowance for leakage, overhead and profit.

(*b*) The word "maintenance" where used in this Section 7 includes replacements necessary for good operation.

(*c*) In determining such price, in the manner aforesaid, for any such period of five years, expenditure in the said two year period, on account of any replacement which does not recur annually, unless of a minor nature, shall be apportioned in equal yearly amounts over the estimated life of the replacement, provided that if the Municipality shall issue debentures to amortize the costs of such replacement, the expense thereof for the said two year period shall be deemed to be the amount required to service such debentures during the said two year period, i.e., principal and interest payments.

(*d*) Provided that the price for water to be supplied hereunder for any such period of five years shall be not less than five and one-half cents per thousand gallons subject to the condition, however, that such price shall not in any event exceed the price of water charged by the Municipality to any other consumer.

(*e*) Forthwith after making the calculation to determine the price for each such five year period, the Township shall furnish particulars thereof to the Company and furnish such further information in regard thereto as the Company may reasonably require.

(*f*) Provided, nevertheless, that the Municipality and the Company may, by a written supplemental agreement duly entered into between them, at any time and from time to time hereafter, rescind, modify or

replace the foregoing provisions of this Section 7 or any of them as the parties hereto deem expedient, but no such supplemental agreement shall have any force or effect unless and until the Municipality shall enter into a supplemental agreement, identical in form thereto, with each of the Mining Companies.

8. The Company agrees that, should a fire occur within the limits of the townsite of Kirkland Lake or on the premises of any of the Mining Companies, it will, upon five minutes notice being given, reduce the supply of water taken by it to a minimum necessary to keep the Company's mill in operation until such time as the fire shall have been extinguished, provided always that this provision shall not be effective if and when a fire should occur or be in progress on or threatening the property of the Company.

9. It is agreed that the Municipality possesses a right-of-way twelve feet in width over the property of the Company necessary for the waterworks system, including the right to excavate and lay water pipes, and, subject to paragraph number 11 hereof, the right to make connections to the trunk main to supply water to any other customer; provided, however, that should the operations of the Company require any change in the location of any water pipes on its lands, the Municipality agrees, upon being given thirty days notice in writing, to move, at the expense in the first place of the Municipality, the portion of the water main or branch line required to be moved to a new right-of-way to be agreed upon between the parties hereto and the cost of such removal shall be reimbursed to the Municipality by the Company within sixty days from the date of completion thereof. The Municipality shall not be liable to the Company for any loss or interruption of service caused by reason of any removal of the water main on the property of any of the Mining Companies provided such interruption of service does not continue for a longer period than five hours and provided that the Mining Companies affected by such interruption of service shall have been given six hours previous notice.

10. The Company shall be free to use for any purpose the water taken by it from the Municipality and without restricting the generality of the foregoing it is expressly declared that the Company may—

(*a*) use the water for mining, milling and domestic purposes on any property at any time owned, leased or controlled by it;

(*b*) supply water for domestic use to its employees and officials on any property at any time owned, leased or controlled by it;

(*c*) supply water to any subsidiary company (i.e., any company in which the majority of the issued capital stock is held by the Company);

(*d*) use the water for milling custom ores;

(*e*) use the water for doing contract mining work for other companies;

(*f*) use the water for re-treating tailings whether its own tailings or tailings of other companies;

but the water shall be taken from the point of delivery as hereinbefore provided and except as permitted by the foregoing provisions the water is not to be resold by the Company.

11. The Municipality agrees that it will not during the currency of this Agreement supply water for any industrial purpose to any consumer at a rate which shall be less than the price then payable by the Company under this agreement, and the Municipality further agrees that the total quantity of water supplied by it for any purpose to consumers on a flat rate basis shall be charged for by the Municipality at a rate not less than the price then payable by the Company under this agreement.

It is provided further that the Municipality shall not supply water for mining and/or milling purposes to any company other than the Mining Companies at any time when the supplying of water for either of such purposes to any such other company detrimentally affects the supplying of water to the Mining Companies or any of them, or which renders inadequate the supply of water to any of the Mining Companies for mining, milling and/or domestic purposes.

12. It is further agreed by and between the parties hereto that the Municipality shall not be liable for any loss or damage occasioned through failure to supply water according to the terms of this agreement by reason of conditions beyond the control of the Municipality.

13. It is agreed by and between the parties hereto that should any dispute arise as to the meaning or interpretation of this agreement either party thereto may on giving ten days' notice in writing to the other party refer such matter in dispute to the award and determination of The Ontario Municipal Board as arbitrators, which Board shall have all the powers given by *The Arbitration Act* (Ontario) to arbitrators. The provisions of the said Arbitration Act shall govern all such references and either party shall have the right to appeal from the award of the said Board.

14. It is understood and agreed that the Municipality is entering into an agreement identical in form with this agreement with each of the Mining Companies.

15. Nothing in this agreement contained shall be construed as render ing the Company in any way liable to the Municipality for the price o water supplied by the Municipality to any person, firm or corporation other than the Company.

16. Subject to this agreement being confirmed and being declared valid and binding on the parties thereto by the Legislature of the Province of Ontario, thereupon all the aforesaid agreements entered into between each of the above named six companies and the Municipality for the supplying of water whether dated the 22nd day of December, 1931, the 20th day of July, 1933, the twenty-eighth day of December, 1944, or the 29th day of March, 1946, shall be ipso facto terminated and of no further effect, it being the intention of the parties hereto that this agreement when so confirmed by the Legislature shall supersede and replace all previous agreements, understandings and arrangements between the parties hereto respecting the supply of water by the Municipality to the Company, and the Municipality and the Company shall be mutually released from all claims and demands of each upon the other under all agreements heretofore made between them relating to the supply of water by the Municipality to the Company.

17. This agreement shall continue in force so long as the Company requires water for either mining purposes or milling purposes or both and notwithstanding any temporary suspension of its operations, but termination of this agreement shall not revive any previous agreement between the parties.

18. This agreement shall not become effective nor bind in any way either party hereto unless and until the same be confirmed and declared legal, valid and binding upon the parties hereto and their respective successors and assigns by the Legislature of the Province of Ontario, but, if and when such condition be fulfilled, this agreement shall enure to the benefit of and be binding upon the Municipality and the Company and their respective successors and assigns.

In Witness Whereof the parties hereto have executed this agreement as of the day and year first above written.

Signed, Sealed and Delivered	The Municipal Corporation of the Township of Teck:
In the presence of:	by *Reeve.* and *Clerk.*
	by *President.* and *Secretary.*

An Act respecting the Township of Teck

1st Reading

February 18th, 1958

2nd Reading

February 27th, 1958

3rd Reading

March 6th, 1958

Mr. Herbert

1958

No. 22

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the City of Windsor

MR. DAVIES

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 22 1958

BILL

An Act respecting the City of Windsor

WHEREAS The Corporation of the City of Windsor, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 12 of *The City of Windsor Act, 1946*, as re-enacted by section 2 of *The City of Windsor Act, 1955*, is amended by striking out "$200,000" in the fifth line and inserting in lieu thereof "$300,000", so that the subsection shall read as follows: 1946, c. 145, s.12, subs. 3 (1955, c. 119, s. 2), amended

(3) The Board of Governors may borrow from time to time, subject to the approval of the Council, such sums as may be required for the current operating purposes of the Hospital; provided that the amount of such borrowings shall not exceed $300,000 at any one time, and the Council shall be empowered to make temporary advances to the Board from time to time for such purposes. Borrowing powers, and temporary advances

2. The Corporation is authorized to refund to the C. H. Gauthier Estate, through its agent The Canada Trust Company, the sum of $1,932.48, being the amount of taxes paid in error to the Corporation by the Estate in the years 1954 and 1955 in respect of a building formerly located on Lot No. Five (5), Registered Plan 256, which building was demolished in June, 1954. Refund to C. H. Gauthier Estate, authorized

3.—(1) The council of the Corporation may pass by-laws, Swimming pools on school property

(*a*) for granting aid to The Board of Education for the City of Windsor to pay in whole or in part for the construction by the Board of indoor or outdoor

swimming pools on the property of the Board, and the granting of such aid shall be deemed to be a purpose of the Corporation;

(*b*) for entering into agreements with the Board respecting the construction, control, operation, maintenance and repair of such pools, and in particular respecting the operation and use of such pools by the Corporation at other than school hours.

Fees

(2) The council of the Corporation may charge fees for the use of or admission to such swimming pools while the operation and use of the pools is under the control of the Corporation.

Debentures

(3) The Corporation may issue debentures for the purposes of any undertaking under this section.

Agreements

(4) The Board of Education for the City of Windsor may enter into and carry out any agreement made with the Corporation pursuant to subsection 1.

Interpretation

4.—(1) In this section,

(*a*) "dwelling" means and includes any building, tent, trailer or other covering or structure, the whole or any portion of which is used or intended for use for the purpose of human habitation, with the land and premises appurtenant thereto, and all out-buildings, fences or erections thereon or therein whether heretofore or hereafter erected;

(*b*) "inspector" means the Building Commissioner, the Fire Chief or the Medical Officer of Health of the Corporation, or any of their authorized representatives;

(*c*) "owner" includes the person for the time being receiving the rent of or managing the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other person, or who would so receive the rent if such land or premises were let.

Standard of fitness of dwelling

(2) The council of the Corporation may pass by-laws for fixing a standard of fitness for human habitation to which all dwellings shall conform, for requiring the owners of dwellings to make them conform to the standard or to demolish buildings, structures or erections forming part of dwellings which do not conform to the standard, for prohibiting the use of dwellings which do not conform to the standard, for authorizing

the placarding in such manner as the by-law may specify of dwellings which do not conform to the standard, and prohibiting the pulling down or defacing of any such placard, for governing and regulating persons in the use and occupancy of dwellings and for appointing a tribunal or inspectors, or both a tribunal and inspectors, for the administration and enforcement of the by-laws.

Advances

(3) Where the owner of any dwelling is unable to pay the expense of making it conform to the standard required by the by-law, the Corporation may advance money to or for the benefit of the owner to the extent necessary to pay the expense, and the council of the Corporation may from time to time pass by-laws for the issue of debentures to raise money to be so advanced.

Lien for advances and repayment

(4) When the Corporation has advanced money as provided in subsection 3, it shall have a lien upon the dwelling in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council, but which shall not exceed 6 per cent per annum, and the amount of the advance with the interest thereon shall be repayable to the Corporation by the owner of such dwelling in equal consecutive annual payments which shall be collected over a period of years to be determined by the council, which period shall not exceed ten years, but need not be the same in the case of each advance, in the same manner and at the same time as the municipal taxes on the dwelling.

Certificate of lien for registration

(5) A certificate of the clerk of the Corporation setting out the amount advanced or to be advanced to or for the benefit of any owner under the provisions of subsection 3, or setting out the amount expended or to be expended by or on behalf of the Corporation under the authority of subsection 6, including the rate of interest thereon, together with a description of the dwelling in respect of which any such amount was advanced or expended, or is to be advanced or expended, sufficiently to identify the dwelling, shall be registered in the proper registry office or land titles office against the dwelling upon proof by affidavit of the signature of the clerk, and upon repayment in full to the Corporation of any such amount advanced or expended and the interest thereon, a certificate of the clerk showing such repayment shall be similarly registered and the dwelling shall thereupon be freed from liability in respect of the amount advanced or expended and the interest thereon, and from the lien arising therefrom.

Rights to enforce conformity

(6) If any owner of a dwelling is unwilling to make the dwelling conform to the standard required by a by-law passed under the authority of this section, the Corporation in addition

to all other remedies shall have the right to make the dwelling conform to such standard, including the right to demolish or cause to be demolished any building, structure or erection forming part of such dwelling, and to do any work on adjoining property necessitated by such demolition, and for those purposes with its servants and agents from time to time to enter upon the lands of the owner, and the Corporation shall not be liable to compensate such owner or any other person by reason of anything done by or on behalf of the Corporation under the provisions of this subsection, and for any amount expended by or on behalf of the Corporation under the authority of this subsection, the Corporation shall have a lien for the amount expended, together with interest thereon, at a rate to be fixed in the manner provided in subsection 4 upon the dwelling in respect of which such amount was expended, and the certificate of the inspector as to such amount shall be final, and such amount shall be added to the collector's roll of taxes and shall be collected in the same manner as municipal taxes.

Enforcement

(7) Notwithstanding any other Act, a by-law passed under the authority of this section, or any by-law to provide for the safety of buildings, shall be enforceable in the same manner as a by-law passed under the authority of *The Municipal Act*, and any such by-laws may impose penalties of not more than $300, exclusive of costs, upon every person who contravenes any provision of this section or of any by-law passed under the authority of this section, or of any by-law to provide for the safety of buildings.

R.S.O. 1950, c. 243

Notice to mortgagees and others

(8) Before proceeding under subsection 3 or 6, the Corporation shall notify any mortgagee or other encumbrancer appearing on the registered title, by registered letter, specifying wherein the dwelling is defective, and if all defects are not remedied within one month from such notification, then the provisions of subsections 3 and 6 hereof shall apply.

Powers of inspector to enter dwellings

(9) For the enforcement of any by-law passed under the authority of this section, or of any by-law to provide for the safety of buildings, the inspector and any person acting under his instructions shall have the same right to enter, inspect and examine any dwelling or premises as an inspector under section 82 of *The Public Health Act*, and the provisions of sections 82, 123, 124, subsections 2 and 3 of section 125 and section 126 of that Act shall *mutatis mutandis* apply.

R.S.O. 1950, c. 306

By-law No. 1718 confirmed

(10) By-law No. 1718, passed by the council of the Corporation, set forth as Schedule A hereto, is hereby ratified and confirmed and declared to be legal, valid and binding, and shall be deemed to have been passed under the authority of this section.

5. The lands described in Schedule B hereto are hereby vested in the Corporation in fee simple, clear of and free from all right, title and interest other than that of the Corporation. Lands vested in Corporation

6. The council of the Corporation may, out of current revenues of the Corporation, in any year grant such sum or sums of money, not exceeding in the aggregate $15,000 in any one year, in aid of institutions, associations or persons, for the carrying on of activities which in the opinion of the council are for the general advantage of the inhabitants of the Corporation, and for which grant or grants there is no express authority provided by any other Act. Grants authorized

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

8. This Act may be cited as *The City of Windsor Act, 1958.* Short title

SCHEDULE A

By-law Number 1718

A BY-LAW TO ESTABLISH A MINIMUM STANDARD OF HOUSING IN THE CITY OF WINDSOR

Passed the 23rd day of September, 1957.

Whereas it is deemed necessary and expedient to establish a minimum standard of housing in the City of Windsor;

Therefore the Municipal Council of The Corporation of the City of Windsor enacts as follows:

Section 1. 1. TITLE

This by-law may be cited as the Minimum Standard Housing By-law.

Section 1. 2. SCOPE

This by-law as hereinafter set forth shall establish minimum standards for all housing or dwelling units and all premises related thereto within the limits of The Corporation of the City of Windsor.

Section 2. 1. DEFINITIONS

In this by-law, unless otherwise stated—

"Basement" shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above adjacent finished grade as approved by the Building Commissioner;

"Building" shall mean any structure used or intended for supporting or sheltering any use or occupancy set forth in this by-law whether heretofore or hereafter erected;

"Building Commissioner" shall mean the Building Commissioner of the Corporation;

"Cellar" shall mean the portion of a building between two floor levels which is partly or wholly underground, and which has more than one-half of its height from finished floor to finished ceiling below adjacent finished grade as approved by the Building Commissioner;

"Corporation" shall mean The Corporation of the City of Windsor;

"Dwelling" shall mean and include any building, tent, trailer or other covering or structure the whole or any portion of which is used or intended for use for the purpose of human habitation with the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein whether heretofore or hereafter erected;

"Dwelling unit" shall mean any room or set of rooms used or intended for use for human habitation;

"Fire Chief" shall mean the Chief of the Fire Department of the Corporation;

"Inner Court" shall mean an open space, unoccupied from the ground to the sky, or from an intermediate floor to the sky except for any structure specifically authorized by this by-law, located

on the same lot as the building it serves, and enclosed on all sides by walls or by walls and the line or lines of an adjoining lot or lots;

"Inspector" shall mean the Building Commissioner, the Fire Chief, or the Medical Officer of Health or any of their authorized representatives;

"Lot" shall mean a parcel of land occupied or to be occupied by one main building, structure or use, with any accessory building or use, and including all yards and open spaces required by By-law Number 728 of the Corporation cited as the "Zoning By-law". A lot may or may not be the land shown as a lot on a duly registered plan of subdivision;

"Medical Officer of Health" shall mean the Medical Officer of Health of the Corporation;

"Outer Court" shall mean an open space unoccupied from the ground to the sky or from an intermediate floor to the sky except for any structure specifically authorized by this by-law, located on the same lot as the building which it serves, enclosed on three sides by walls or by walls and the line of an adjoining lot or lots and extending to or opening upon a street or yard;

"Owner" shall include the person for the time being receiving the rent of or managing the land or premises in connection with which the word is used whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land or premises were let;

"Premises" shall include a building as defined herein and any lands, fences, sheds, outhouses and garages appurtenant thereto;

"Recreation Room" shall mean a room located in a cellar of a dwelling, used for recreational purposes only;

"Room, habitable" shall mean any room in a dwelling unit commonly used or intended for use for living purposes including a bedroom, living room, dining room and kitchen, but shall not include any space in a dwelling used as a lobby, hallway, closet, bathroom or recreation room.

SECTION 2. 2. ADMINISTRATION

This by-law shall be administered and enforced by the Building Commissioner, the Fire Chief and the Medical Officer of Health.

SECTION 2. 3. DUTIES

The Inspector shall—

(1) Enforce the provisions of this by-law.

(2) Carry out all necessary inspections of buildings and premises which he has reason to believe do not comply with this by-law.

(3) Keep complete records of all inspections, correspondence, orders, appeals, decisions and other matters relating to this by-law for a period of not less than two years.

(4) Order the repair of any building where the same does not conform to the provisions of this by-law and, where in his opinion it would be unreasonable and impracticable to make such repairs, order the demolition of such building.

SECTION 3. 1.

No person shall use or occupy for human habitation or being the owner thereof or his agent shall allow to be used or occupied for human habitation

any dwelling unit in any building unless such dwelling unit and building and the premises conform to the satisfaction of the Inspector with the regulations hereinafter set forth.

SECTION 3. 2.

Every person who willfully obstructs or interferes with the Inspector or any of his authorized representatives in the performance of his duties under this by-law shall be guilty of an offence and liable to the penalty hereinafter set forth.

SECTION 3. 3.

When it is necessary for a dwelling or dwelling unit to be vacated during repairs and/or alterations ordered by the Inspector, no person shall occupy such dwelling or dwelling unit until a certificate of compliance signed by the Inspector has been issued to the owner, his agent or tenant.

SECTION 4. 1. REGULATIONS

All buildings, including the dwelling, sheds, garages, outhouses and any other accessory buildings, shall be maintained in good repair to the satisfaction of the Inspector.

SECTION 4. 2.

Foundations of all buildings, including the dwelling and all accessory buildings shall be continuous around the perimeter of the said buildings and shall be constructed of masonry, concrete or other material approved for use by the Building Commissioner.

SECTION 4. 3.

The cellar of all dwellings shall be drained to the sewer system in accordance with the Plumbing By-law of the Corporation and amendments thereto and such cellar, or an unheated crawl space, shall be adequately ventilated to the outside air. For the purpose of this section "adequately ventilated" for a

> Cellar shall mean windows which can be opened, the area of which shall not be less than two per cent (2%) of the floor area, and for a
>
> Crawl space shall mean a number of louvres with insect screens of corrosion-resistant material, the total area of which shall not be less than one-tenth (1/10) of one per cent (1%) of the area of such space, and so located in the exterior walls to provide optimum circulation and change of air. In no case shall any vent be less than twenty square inches (20 sq. ins.) of net-free area.

SECTION 4. 4.

The interior side of exterior walls, the ceilings of all floors above the cellar, and both sides of interior walls and partitions of all dwellings and any part thereof which are used or intended to be used for or in connection with human habitation shall be gypsum or metal lath and plaster, or covered with such other material as may be approved by the Building Commissioner.

SECTION 4. 5.

All buildings shall be kept in a waterproof manner. The roofing shall be maintained to prevent water from leaking into the interior of the building. The exterior cladding shall be adequate to prevent moisture from entering the building in any way and all windows shall be glazed properly with putty or stops and fitted so as to prevent entrance of water from the exterior.

SECTION 4. 6.

No habitable rooms shall be located in the cellar of any building.

SECTION 4. 7.

There shall be only one dwelling permitted on any lot which lot shall conform to the width and area requirements of By-law Number 728 (Zoning By-law) of the Corporation and such dwelling shall face and the lot shall abut a street not less than forty feet (40′) in width. Any dwelling unit located in a dwelling which does not comply with these requirements shall not be permitted to be repaired and shall be vacated and shall remain vacated from and after the receipt of one year's written notice to that effect.

SECTION 4. 8.

Every dwelling used or intended to be used for human habitation shall be provided with an adequate supply of potable water. If water is available from a City main located in the street, then such supply shall be used. Where such supply is not available, any other source of water may be used if approved by the Medical Officer of Health.

SECTION 4. 9. SIZE OF ROOMS

No room in a dwelling unit used or intended to be used for/or in connection with human habitation shall be used unless such room meets the minimum requirement set out in the following table:

TABLE 1

Use	Minimum Floor Area (sq. ft.)	Minimum Width (feet)
Living room	120	10′ 0″
Dining room	70	8′ 0″
Kitchen	50	5′ 0″
First bedroom	110	9′ 0″
Additional bedroom	80	7′ 0″
Combination Uses		
Living & Dining room	190	10′ 0″
Living & Bedroom	200	10′ 0″
Kitchen & Dining room	90	7′ 0″
Living, Dining & Bedroom	230	10′ 0″
Living, Dining & Kitchen	230	10′ 0″
Bathrooms		
Water closet only	15	4′ 0″
Water closet & Lavatory	20	4′ 0″
Water closet, Lavatory & Bath	35	5′ 0″
Water closet & Shower	30	5′ 0″

Alcoves for kitchen purposes only off a living room shall have a maximum floor area of forty square feet (40 sq. ft.) and depth not exceeding the width of the open side.

SECTION 4. 10.

The minimum height of all habitable rooms shall not be less than eight feet (8′) on the first floor and not less than seven feet, six inches (7′ 6″) on any other floor including the basement. This height shall be maintained over fifty per cent (50%) of the floor area, and no portion of the room shall be less than four feet, six inches (4′ 6″) in height. The height of rooms other than habitable may be reduced to not less than seven feet (7′).

SECTION 4. 11.

Every habitable room of a dwelling shall have at least one window or windows having a glass area equal to one-tenth (1/10) of the floor area of such room. For the purpose of this section the glass area of a sash door may be considered as a portion of the required window area.

SECTION 4. 12.

All rooms containing water closets, urinals, and/or slop sinks shall have a window opening to the external air with a glass area of not less than two square feet (2 sq. ft.) for each of the above fixtures, but in no case shall the glass be less than four square feet (4 sq. ft.). Artificial lighting shall be permissible if practical and desirable.

SECTION 4. 13.

All habitable rooms shall have openable windows or vents having an area at least equal to five per cent (5%) of the floor area. Mechanical venting shall be permissible if practical and desirable.

SECTION 4. 14.

Toilet rooms shall contain a window of which not less than forty per cent (40%) can be opened and such window shall be in an external wall opening in a street, lane, courtyard or opened vent shaft. Mechanical ventilation shall be permissible if practical and desirable.

SECTION 4. 15.

No room used for sleeping purposes shall be occupied by more than one (1) person for each fifty square feet (50 sq. ft.) of floor area thereof; provided, however, that for the purposes of this section two (2) children under the age of six (6) years may be counted as one person.

SECTION 4. 16. SANITARY FACILITIES

There shall be provided within each dwelling unit a water closet (toilet), wash basin, bath tub or shower, and a kitchen sink. Water shall be supplied to all fixtures.

SECTION 4. 17. HEATING FACILITIES

Every dwelling shall be equipped with a heating system which shall be maintained in a safe and good working condition and in good repair at all times. It shall be of sufficient size to heat the dwelling and maintain a temperature of at least seventy degrees (70°) Fahrenheit. The heating unit shall be vented properly into an adequate chimney, approved by the Fire Chief and the Building Commissioner, to withdraw safely all of the products of combustion. Such unit shall be supplied with sufficient air for combustion. In case of a multiple dwelling with a central heating system, the same shall be located in a separate room having walls, ceilings and doors with a fire-resistance rating of not less than one (1) hour.

SECTION 4. 18. FOOD STORAGE RECEPTACLE

There shall be provided in every dwelling unit a suitable and proper receptacle of not less than four cubic foot (4 cu. ft.) capacity for the storage of food. Such receptacle shall be subject to the approval of the Medical Officer of Health.

SECTION 4. 19. MEANS OF EGRESS

(1) There shall be provided and maintained two (2) means of egress from all dwelling units. Such means of egress shall be located as far distant from each other as possible and be a direct way to the exterior. Every dwelling unit shall have direct access to such means of egress without the necessity of passing through another dwelling unit.

(2) In the case of an existing building one means of egress shall be within the building and if the building is over two (2) storeys in height, the means of egress shall be enclosed with walls and doors having a fire-resistance rating of at least one (1) hour. The second means of egress may be an exterior stair but such stair shall be so located that it will not obstruct the use of any window. In the case of a building over two (2) storeys in height, the stair shall be constructed of steel or of other approved non-combustible material.

(3) In all cases, landings of not less than three feet (3′) in depth shall be provided at the top and bottom of every flight of stairs except where there is a change in direction of the stairs in which case the landing shall be not less than the width of the stairs.

(4) No flight of stairs shall exceed twelve feet (12′) vertical rise without a landing.

(5) Hand-rails shall be provided on one (1) side of all stairways three feet, six inches (3′ 6″) or less in width consisting of more than five (5) risers above a landing, and on both sides of all stairways over three feet, six inches (3′ 6″) in width consisting of more than five (5) risers above a landing. On all exterior stairways hand-rails shall be provided on both sides.

(6) All exterior doors on dwellings containing three or more dwelling units shall open outwards and all doors on stair enclosures shall open in the direction of exit travel and be equipped with approved self-closing devices.

(7) No riser in any such stair shall exceed eight inches (8″) in height and no tread shall be less than nine inches (9″) in depth excluding nosing. All risers and treads shall be of uniform height and depth.

(8) The distance from any exit door of a dwelling unit to a stairway or to the exterior shall not exceed seventy-five feet (75′) in a frame building having a fire-resistance rating of one (1) hour, or one hundred feet (100′) in a protected non-combustible building having a fire-resistance rating of not less than two (2) hours.

(9) If deemed necessary by the Fire Chief or the Building Commissioner the requirements for means of egress from any building may be increased.

SECTION 4. 20. ELECTRIC SERVICE AND WIRING

The electrical service and wiring of all buildings shall conform to the requirements of the Inspection Department of The Hydro-Electric Power Commission of Ontario. Where the Inspector finds any conditions indicating inadequate wiring, he shall report the same to the District Inspection Office of the said Commission requesting an inspection and report.

When ordered by the Inspector, the electrical service and wiring shall be repaired or replaced as required by the said Commission within the time specified by the Inspector. If the owner or his agent fails to comply with such order, the Inspector shall order The Windsor Utilities Commission to discontinue the electrical service.

SECTION 4. 21.

The premises shall be kept clean and free from rubbish or other debris at all times.

SECTION 4. 22. FUEL STORAGE

There shall be a convenient and properly constructed place or receptacle for the storage of fuel in or about the dwelling and in or about any dwelling unit that is separately heated.

SECTION 4. 23.

Floors and walls of all dwellings or any portion thereof shall be free from any dampness at all times.

SECTION 4. 24. COURTS

No windows in habitable rooms in dwellings containing three (3) or more dwelling units shall open into inner or outer courts unless—

(1) The inner court shall be so constructed that its least dimension will not be less than its height.

(2) The outer court shall be so constructed that its width will not be less than its length.

No windows of rooms other than habitable rooms in dwellings, as noted above, shall open into courts unless—

(1) The inner court shall be so constructed that its least horizontal dimension will not be less than one-half (½) its height.

(2) The outer court shall be so constructed that its length will not be more than three (3) times its width and its width will not be less than one-third (1/3) its height; provided that its width need not exceed its length.

For the purpose of this section—

"height of court" shall mean the vertical distance from the lowest level of such court to the highest point of any bounding wall. Where the court bottom is the roof of any lower storey of a building, which storey contains habitable rooms, and a sky light or other opening forming the sole lighting and/or ventilating medium is provided therein for such rooms, the height of the court shall be measured from the floor level of the lowest storey so receiving light or ventilation from such sky light or opening to the highest point of any bounding wall.

"length of court" shall mean, in the case of an outer court, the mean horizontal distance between the open end and closed end of the court and in the case of an inner court, the greatest horizontal dimension of said court.

"width of court" shall mean in the case of an outer court the least horizontal dimension between the sides of such court as distinguished from the open and closed ends of the court, and in the case of an inner court the least horizontal dimension of such court.

SECTION 4. 25. SEWAGE DISPOSAL

All dwellings shall have the sanitary facilities and the roof drainage system connected to an adequate sewer or sewers. If there is a sewer in the abutting street or alley or within one hundred feet (100′) of a dwelling, then the house sewer shall be connected thereto.

If a sewer is not available, the sewage disposal system for the dwelling shall be approved by the Medical Officer of Health before it may be installed and/or operated.

SECTION 4. 26. STORAGE CUPBOARDS

No storage cupboards shall be constructed under any stairs in any dwelling with three or more dwelling units.

SECTION 4. 27. PUBLIC HALLS

All public halls in multiple dwellings shall be adequately lighted at all times by the owner. Exit lights when required by the Fire Chief and/or the Building Commissioner shall be installed as directed by them. The size and design of the said lights shall be approved by the Fire Chief.

SECTION 4. 28. STORAGE OF COMBUSTIBLE MATERIAL

No dwelling, or any part thereof, or the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any article dangerous or detrimental to life or health, nor of any combustible article, except under such conditions as may be prescribed by the Fire Chief under authority of a written permit issued by him. No multiple dwelling or any part thereof, or the lot upon which it is situated, shall be used as a place of storage, keeping or handling of feed, hay, straw, cotton, paper stock, feathers or rags.

SECTION 5. 1. POWERS OF THE INSPECTOR

When any dwelling unit, building or premises are not in conformity with the standards set forth in Section 4 hereof, the Inspector may notify the owner, his agent and/or the tenant by registered letter specifying wherein the said dwelling unit, building or premises are defective, and the owner or his agent shall then at his own expense, within three (3) months, make the same comply with the provisions of this by-law or demolish any defective building or structure on the said premises. When the building in the opinion of the Building Commissioner is beyond repair, he shall so state in his letter and order the building to be demolished.

SECTION 5. 2.

The said notice shall also set forth the work required to remedy the defects complained of, a description of the premises affected, the provisions respecting the right of appeal from the Inspector's order, the final date for filing an appeal and copies of such notice shall be forwarded to the Clerk of the Corporation and the other Inspectors.

SECTION 5. 3.

In the event that the Inspector cannot locate the owner of the premises referred to in Section 5. 1. hereof or his agent after diligent inquiry, the Inspector shall cause the notice, hereinbefore referred to, to be published at least twice in a local newspaper at intervals of not less than two weeks and such publication shall be deemed to constitute sufficient notice to the said owner or agent.

SECTION 5. 4. RIGHT OF APPEAL

The owner or his agent may appeal the order of the Inspector to the Board of Review hereinafter mentioned provided such appeal is received by the Secretary of the said Board within ten (10) days of the date of the said order and complies with all the provisions of Section 6 of this by-law.

SECTION 5. 5. CONFIRMATION OR MODIFICATION OF ORDER

If the order of the Inspector is confirmed or modified by the said Board of Review, the owner or his agent shall forthwith comply with the terms of such order within the period of time specified therein provided that the said Board may extend the time for so complying for a further period of not more than sixty (60) days.

SECTION 5. 6.

If any owner or his agent refuses or neglects to remedy the defects in the said dwelling unit, building or premises or demolish any defective building or structure on the said premises as required by order of the Inspector and within the time stated therein, then the Inspector may forthwith prohibit the further use of the said building and premises or any portion thereof, and may also with or without the consent of the owner or his agent undertake and complete the necessary repairs or demolish any defective building or structure thereon and for any of the said purposes shall have the right to enter upon the building or premises of such owner or an adjoining owner from time to time as may be necessary and the owner or such adjoining owner shall not be entitled to compensation for any trespass done by the Corporation. All costs or expenses incurred by the Inspector or Corporation under the provisions of this section, including necessary repairs to an adjoining property, shall be borne by the owner and shall become a lien upon his lands and the said costs or expenses with interest thereon at the rate of six per cent (6%) per annum may be collected in like manner as municipal taxes or by action in any court of competent jurisdiction. The certificate of the Inspector shall be final and conclusive as to the amount of such costs and expenses. Where it is deemed expedient to collect such costs and expenses as taxes, all amounts not exceeding One Hundred Dollars ($100.00) with interest thereon as aforesaid shall be added to the Collector's roll for collection in the year following the date of completion of the said work. All amounts in excess of One Hundred Dollars ($100.00) with interest thereon as aforesaid shall be

added to the Collector's roll and collected in equal consecutive annual payments over a period not exceeding five (5) years from the date of completion of the said work. The demolition of any building or structure shall be carried out by the Building Commissioner only when he has satisfied himself that the same is beyond repair, unsafe and/or a hazard to the public. The Building Commissioner shall before any repair or demolition is commenced obtain through the Purchasing Agent of the Corporation, if possible, bids from contractors respecting such work and the lowest bid shall be accepted provided all other considerations are equal.

SECTION 5. 7. COST OF REPAIRS

The Building Commissioner shall notify the Treasurer of the Corporation of the cost of the above work and the Treasurer shall pay to the contractor the amount approved by the Building Commissioner and the Clerk of the Corporation shall also be notified of this amount.

SECTION 5. 8. CLOSING AND PROHIBITING USE OF DWELLINGS

When the Inspector finds a dwelling which is in such a condition as to be hazardous to the health of the occupants or to the public health, or is a fire hazard or liable to cause injury to any person or is dangerous in any manner whatsoever, he shall have the power to close the dwelling and prohibit its use until the necessary repairs are made thereto.

SECTION 6. 1. BOARD OF REVIEW

For the purpose of this by-law there is hereby constituted a Board of Review hereinafter referred to as the Board. The Board shall consist of three (3) persons appointed by the Council of the Corporation and is hereby authorized and empowered to entertain appeals against the orders of the Inspector.

SECTION 6. 2. ORGANIZATION

The members of the Board shall select one of themselves to act as Chairman, who shall preside at all meetings thereof. In case of the absence of the Chairman, the Board may appoint another member to act as Chairman pro tempore. The members of the Board shall remain in office during the pleasure of the Council of the Corporation.

SECTION 6. 3. SECRETARY

The Board shall appoint a secretary and the Clerk of the Corporation shall provide the Board with such secretarial and clerical assistance as it may require.

SECTION 6. 4. QUORUM

Two (2) members of the Board shall constitute a quorum.

SECTION 6. 5.

Any person desiring to appeal the order of the Inspector to the Board shall give notice in writing to the Clerk of the Corporation within ten (10) days from the date of the said order.

SECTION 6. 6.

At the time such notice is given the appellant shall deposit with the said Clerk a fee of Ten Dollars ($10.00) and no appeal shall be heard until the said fee has been paid.

SECTION 6. 7.

In the event the appeal is allowed by the Board the said fee of Ten Dollars ($10.00) shall be returned to the appellant; otherwise the fee shall be retained by the Corporation.

SECTION 6. 8.

The Board shall adopt its own procedure for dealing with such appeals and may confirm, modify or set aside the order of the Inspector. When the appeal has been decided a copy of the Board's decision shall be forwarded promptly to the appellant and the Inspector.

SECTION 6. 9.

The Clerk of the Corporation shall notify the Chairman of the Board upon receipt of an appeal and the Board shall hold a public hearing with respect thereto within thirty (30) days of receipt of the said appeal. The Secretary of the Board shall give notice by ordinary post to all interested parties, at least ten (10) days before the date of such hearing and the hearing shall be held at such time and place within the limits of the Corporation as shall therein be stated.

All hearings shall be public and the appellant, his representative, the Inspector and/or his authorized representatives and any other person whose interest may be affected by the matter in question shall be given an opportunity to be heard.

SECTION 7. 1. GENERAL

The Inspector or his authorized representative is hereby authorized to enter at all reasonable hours upon any building or premises for the purpose of carrying out his duties under this by-law.

SECTION 8. 1. PENALTIES AND OFFENCES

The violation of any provision of this by-law shall be and constitutes a separate offence under this by-law for each and every day such violation shall continue.

SECTION 8. 2.

Any person violating any provisions of this by-law shall upon conviction forfeit and pay a penalty of not more than THREE HUNDRED DOLLARS ($300.00), (exclusive of costs) for each such offence and every such penalty shall be recoverable under *The Summary Convictions Act*, all the provisions of which shall apply except that the imprisonment may be for a term not exceeding six (6) months.

SECTION 8. 3.

The provisions of this by-law shall be enforceable in the same manner as a by-law passed under the authority of *The Municipal Act.*

SECTION 9. 1.

This by-law shall take effect upon, from and after being validated by an Act passed by the Legislative Assembly of the Province of Ontario.

(Signed) MICHAEL PATRICK,
Mayor.

(Seal) (Signed) J. B. ADAMAC,
Clerk.

FIRST READING —September 23, 1957.

SECOND READING—September 23, 1957.

THIRD READING —September 23, 1957.

SCHEDULE B

All and singular those certain parcels or tracts of land and premises situate, lying and being in the City of Windsor in the County of Essex and Province of Ontario, being composed of—

(*a*) The easterly One Hundred and Eight feet (108′) of Lot Number Nineteen (19) on the west side of Dufferin Place, Block 7, according to Registered Plan 358;

(*b*) The easterly One Hundred and Eight feet (108′) of Lot Number Four (4) on the west side of Dufferin Place, Block 9, according to Registered Plan 358;

(*c*) The easterly One Hundred and Eight feet (108′) of Lot Number Thirty-nine (39) on the west side of Dufferin Place, Block 9, according to Registered Plan 358;

(*d*) The north half of Lot Number One (1) on the south side of Riverside Drive East (formerly Sandwich Street East), Block 3, according to Registered Plan 126.

An Act respecting
the City of Windsor

1st Reading

2nd Reading

3rd Reading

MR. DAVIES

(*Private Bill*)

1958

No. 22

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of Windsor

Mr. Davies

(Reprinted as amended by the Committee on Private Bills)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 22 1958

BILL

An Act respecting the City of Windsor

WHEREAS The Corporation of the City of Windsor, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 12 of *The City of Windsor Act, 1946*, as re-enacted by section 2 of *The City of Windsor Act, 1955*, is amended by striking out "$200,000" in the fifth line and inserting in lieu thereof "$300,000", so that the subsection shall read as follows: 1946, c. 145, s.12, subs. 3 (1955, c. 119, s. 2), amended

(3) The Board of Governors may borrow from time to time, subject to the approval of the Council, such sums as may be required for the current operating purposes of the Hospital; provided that the amount of such borrowings shall not exceed $300,000 at any one time, and the Council shall be empowered to make temporary advances to the Board from time to time for such purposes. Borrowing powers, and temporary advances

2. The Corporation is authorized to refund to the C. H. Gauthier Estate, through its agent The Canada Trust Company, the sum of $1,932.48, being the amount of taxes paid in error to the Corporation by the Estate in the years 1954 and 1955 in respect of a building formerly located on Lot No. Five (5), Registered Plan 256, which building was demolished in June, 1954. Refund to C. H. Gauthier Estate, authorized

3.—(1) The council of the Corporation may pass by-laws, Swimming pools on school property

(*a*) for granting aid to The Board of Education for the City of Windsor to pay in whole or in part for the construction by the Board of indoor or outdoor

swimming pools on the property of the Board, and the granting of such aid shall be deemed to be a purpose of the Corporation;

(*b*) for entering into agreements with the Board respecting the construction, control, operation, maintenance and repair of such pools, and in particular respecting the operation and use of such pools by the Corporation at other than school hours.

Fees

(2) The council of the Corporation may charge fees for the use of or admission to such swimming pools while the operation and use of the pools is under the control of the Corporation.

Debentures

(3) The Corporation may issue debentures for the purposes of any undertaking under this section.

Agreements

(4) The Board of Education for the City of Windsor may enter into and carry out any agreement made with the Corporation pursuant to subsection 1.

Interpretation

4.—(1) In this section,

(*a*) "dwelling" means and includes any building, tent, trailer or other covering or structure, the whole or any portion of which is used or intended for use for the purpose of human habitation, with the land and premises appurtenant thereto, and all out-buildings, fences or erections thereon or therein whether heretofore or hereafter erected;

(*b*) "inspector" means the Building Commissioner, the Fire Chief or the Medical Officer of Health of the Corporation, or any of their authorized representatives;

(*c*) "owner" includes the person for the time being receiving the rent of or managing the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other person, or who would so receive the rent if such land or premises were let.

Standard of fitness of dwelling

(2) The council of the Corporation may pass by-laws for fixing a standard of fitness for human habitation to which all dwellings shall conform, for requiring the owners of dwellings to make them conform to the standard or to demolish buildings, structures or erections forming part of dwellings which do not conform to the standard, for prohibiting the use of dwellings which do not conform to the standard, for authorizing

the placarding in such manner as the by-law may specify of dwellings which do not conform to the standard, and prohibiting the pulling down or defacing of any such placard, for governing and regulating persons in the use and occupancy of dwellings and for appointing a tribunal or inspectors, or both a tribunal and inspectors, for the administration and enforcement of the by-laws.

Advances

(3) Where the owner of any dwelling is unable to pay the expense of making it conform to the standard required by the by-law, the Corporation may advance money to or for the benefit of the owner to the extent necessary to pay the expense, and the council of the Corporation may from time to time pass by-laws for the issue of debentures to raise money to be so advanced.

Lien for advances and repayment

(4) When the Corporation has advanced money as provided in subsection 3, it shall have a lien upon the dwelling in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council, but which shall not exceed 6 per cent per annum, and the amount of the advance with the interest thereon shall be repayable to the Corporation by the owner of such dwelling in equal consecutive annual payments which shall be collected over a period of years to be determined by the council, which period shall not exceed ten years, but need not be the same in the case of each advance, in the same manner and at the same time as the municipal taxes on the dwelling.

Certificate of lien for registration

(5) A certificate of the clerk of the Corporation setting out the amount advanced or to be advanced to or for the benefit of any owner under the provisions of subsection 3, or setting out the amount expended or to be expended by or on behalf of the Corporation under the authority of subsection 6, including the rate of interest thereon, together with a description of the dwelling in respect of which any such amount was advanced or expended, or is to be advanced or expended, sufficiently to identify the dwelling, shall be registered in the proper registry office or land titles office against the dwelling upon proof by affidavit of the signature of the clerk, and upon repayment in full to the Corporation of any such amount advanced or expended and the interest thereon, a certificate of the clerk showing such repayment shall be similarly registered and the dwelling shall thereupon be freed from liability in respect of the amount advanced or expended and the interest thereon, and from the lien arising therefrom.

Rights to enforce conformity

(6) If any owner of a dwelling is unwilling to make the dwelling conform to the standard required by a by-law passed under the authority of this section, the Corporation in addition

to all other remedies shall have the right to make the dwelling conform to such standard, including the right to demolish or cause to be demolished any building, structure or erection forming part of such dwelling, and to do any work on adjoining property necessitated by such demolition, and for those purposes with its servants and agents from time to time to enter upon the lands of the owner, and the Corporation shall not be liable to compensate such owner or any other person by reason of anything done by or on behalf of the Corporation under the provisions of this subsection, and for any amount expended by or on behalf of the Corporation under the authority of this subsection, the Corporation shall have a lien for the amount expended, together with interest thereon, at a rate to be fixed in the manner provided in subsection 4 upon the dwelling in respect of which such amount was expended, and the certificate of the inspector as to such amount shall be final, and such amount shall be added to the collector's roll of taxes and shall be collected in the same manner as municipal taxes.

Enforcement

(7) Notwithstanding any other Act, a by-law passed under the authority of this section, or any by-law to provide for the safety of buildings, shall be enforceable in the same manner as a by-law passed under the authority of *The Municipal Act*, and any such by-laws may impose penalties of not more than $300, exclusive of costs, upon every person who contravenes any provision of this section or of any by-law passed under the authority of this section, or of any by-law to provide for the safety of buildings.

R.S.O. 1950, c. 243

Notice to mortgagees and others

(8) Before proceeding under subsection 3 or 6, the Corporation shall notify any mortgagees or other encumbrancers appearing on the registered title and execution creditors, by registered letter, specifying wherein the dwelling is defective, and if all defects are not remedied within one month from such notification, then the provisions of subsections 3 and 6 hereof shall apply.

Powers of inspector to enter dwellings

(9) For the enforcement of any by-law passed under the authority of this section, or of any by-law to provide for the safety of buildings, the inspector and any person acting under his instructions shall have the same right to enter, inspect and examine any dwelling or premises as an inspector under section 82 of *The Public Health Act*, and the provisions of sections 82, 123, 124, subsections 2 and 3 of section 125 and section 126 of that Act shall *mutatis mutandis* apply.

R.S.O. 1950, c. 306

By-law No. 1718 confirmed

(10) By-law No. 1718, passed by the council of the Corporation, set forth as Schedule A hereto, is hereby ratified and confirmed and declared to be legal, valid and binding,

and shall be deemed to have been passed under the authority of this section.

5. The lands described in Schedule B hereto are hereby vested in the Corporation in fee simple, clear of and free from all right, title and interest other than that of the Corporation. Lands vested in Corporation

6. The council of the Corporation may, out of current revenues of the Corporation, in any year grant such sum or sums of money, not exceeding in the aggregate $15,000 in any one year, in aid of institutions, associations or persons, for the carrying on of activities which in the opinion of the council are for the general advantage of the inhabitants of the Corporation, and for which grant or grants there is no express authority provided by any other Act. Grants authorized

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

8. This Act may be cited as *The City of Windsor Act, 1958.* Short title

SCHEDULE A

By-law Number 1718

A BY-LAW TO ESTABLISH A MINIMUM STANDARD OF HOUSING IN THE CITY OF WINDSOR

Passed the 23rd day of September, 1957.

Whereas it is deemed necessary and expedient to establish a minimum standard of housing in the City of Windsor;

Therefore the Municipal Council of The Corporation of the City of Windsor enacts as follows:

Section 1. 1. TITLE

This by-law may be cited as the Minimum Standard Housing By-law.

Section 1. 2. SCOPE

This by-law as hereinafter set forth shall establish minimum standards for all housing or dwelling units and all premises related thereto within the limits of The Corporation of the City of Windsor.

Section 2. 1. DEFINITIONS

In this by-law, unless otherwise stated—

"Basement" shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above adjacent finished grade as approved by the Building Commissioner;

"Building" shall mean any structure used or intended for supporting or sheltering any use or occupancy set forth in this by-law whether heretofore or hereafter erected;

"Building Commissioner" shall mean the Building Commissioner of the Corporation;

"Cellar" shall mean the portion of a building between two floor levels which is partly or wholly underground, and which has more than one-half of its height from finished floor to finished ceiling below adjacent finished grade as approved by the Building Commissioner;

"Corporation" shall mean The Corporation of the City of Windsor;

"Dwelling" shall mean and include any building, tent, trailer or other covering or structure the whole or any portion of which is used or intended for use for the purpose of human habitation with the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein whether heretofore or hereafter erected;

"Dwelling unit" shall mean any room or set of rooms used or intended for use for human habitation;

"Fire Chief" shall mean the Chief of the Fire Department of the Corporation;

"Inner Court" shall mean an open space, unoccupied from the ground to the sky, or from an intermediate floor to the sky except for any structure specifically authorized by this by-law, located

on the same lot as the building it serves, and enclosed on all sides by walls or by walls and the line or lines of an adjoining lot or lots;

"Inspector" shall mean the Building Commissioner, the Fire Chief, or the Medical Officer of Health or any of their authorized representatives;

"Lot" shall mean a parcel of land occupied or to be occupied by one main building, structure or use, with any accessory building or use, and including all yards and open spaces required by By-law Number 728 of the Corporation cited as the "Zoning By-law". A lot may or may not be the land shown as a lot on a duly registered plan of subdivision;

"Medical Officer of Health" shall mean the Medical Officer of Health of the Corporation;

"Outer Court" shall mean an open space unoccupied from the ground to the sky or from an intermediate floor to the sky except for any structure specifically authorized by this by-law, located on the same lot as the building which it serves, enclosed on three sides by walls or by walls and the line of an adjoining lot or lots and extending to or opening upon a street or yard;

"Owner" shall include the person for the time being receiving the rent of or managing the land or premises in connection with which the word is used whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land or premises were let;

"Premises" shall include a building as defined herein and any lands, fences, sheds, outhouses and garages appurtenant thereto;

"Recreation Room" shall mean a room located in a cellar of a dwelling, used for recreational purposes only;

"Room, habitable" shall mean any room in a dwelling unit commonly used or intended for use for living purposes including a bedroom, living room, dining room and kitchen, but shall not include any space in a dwelling used as a lobby, hallway, closet, bathroom or recreation room.

SECTION 2. 2. ADMINISTRATION

This by-law shall be administered and enforced by the Building Commissioner, the Fire Chief and the Medical Officer of Health.

SECTION 2. 3. DUTIES

The Inspector shall—

(1) Enforce the provisions of this by-law.

(2) Carry out all necessary inspections of buildings and premises which he has reason to believe do not comply with this by-law.

(3) Keep complete records of all inspections, correspondence, orders, appeals, decisions and other matters relating to this by-law for a period of not less than two years.

(4) Order the repair of any building where the same does not conform to the provisions of this by-law and, where in his opinion it would be unreasonable and impracticable to make such repairs, order the demolition of such building.

SECTION 3. 1.

No person shall use or occupy for human habitation or being the owner thereof or his agent shall allow to be used or occupied for human habitation

any dwelling unit in any building unless such dwelling unit and building and the premises conform to the satisfaction of the Inspector with the regulations hereinafter set forth.

SECTION 3. 2.

Every person who willfully obstructs or interferes with the Inspector or any of his authorized representatives in the performance of his duties under this by-law shall be guilty of an offence and liable to the penalty hereinafter set forth.

SECTION 3. 3.

When it is necessary for a dwelling or dwelling unit to be vacated during repairs and/or alterations ordered by the Inspector, no person shall occupy such dwelling or dwelling unit until a certificate of compliance signed by the Inspector has been issued to the owner, his agent or tenant.

SECTION 4. 1. REGULATIONS

All buildings, including the dwelling, sheds, garages, outhouses and any other accessory buildings, shall be maintained in good repair to the satisfaction of the Inspector.

SECTION 4. 2.

Foundations of all buildings, including the dwelling and all accessory buildings, shall be continuous around the perimeter of the said buildings and shall be constructed of masonry, concrete or other material approved for use by the Building Commissioner.

SECTION 4. 3.

The cellar of all dwellings shall be drained to the sewer system in accordance with the Plumbing By-law of the Corporation and amendments thereto and such cellar, or an unheated crawl space, shall be adequately ventilated to the outside air. For the purpose of this section "adequately ventilated" for a

> Cellar shall mean windows which can be opened, the area of which shall not be less than two per cent (2%) of the floor area, and for a
>
> Crawl space shall mean a number of louvres with insect screens of corrosion-resistant material, the total area of which shall not be less than one-tenth (1/10) of one per cent (1%) of the area of such space, and so located in the exterior walls to provide optimum circulation and change of air. In no case shall any vent be less than twenty square inches (20 sq. ins.) of net-free area.

SECTION 4. 4.

The interior side of exterior walls, the ceilings of all floors above the cellar, and both sides of interior walls and partitions of all dwellings and any part thereof which are used or intended to be used for or in connection with human habitation shall be gypsum or metal lath and plaster, or covered with such other material as may be approved by the Building Commissioner.

SECTION 4. 5.

All buildings shall be kept in a waterproof manner. The roofing shall be maintained to prevent water from leaking into the interior of the building. The exterior cladding shall be adequate to prevent moisture from entering the building in any way and all windows shall be glazed properly with putty or stops and fitted so as to prevent entrance of water from the exterior.

SECTION 4. 6.

No habitable rooms shall be located in the cellar of any building.

SECTION 4. 7.

There shall be only one dwelling permitted on any lot which lot shall conform to the width and area requirements of By-law Number 728 (Zoning By-law) of the Corporation and such dwelling shall face and the lot shall abut a street not less than forty feet (40′) in width. Any dwelling unit located in a dwelling which does not comply with these requirements shall not be permitted to be repaired and shall be vacated and shall remain vacated from and after the receipt of one year's written notice to that effect.

SECTION 4. 8.

Every dwelling used or intended to be used for human habitation shall be provided with an adequate supply of potable water. If water is available from a City main located in the street, then such supply shall be used. Where such supply is not available, any other source of water may be used if approved by the Medical Officer of Health.

SECTION 4. 9. SIZE OF ROOMS

No room in a dwelling unit used or intended to be used for/or in connection with human habitation shall be used unless such room meets the minimum requirement set out in the following table:

TABLE 1

Use	Minimum Floor Area (sq. ft.)	Minimum Width (feet)
Living room	120	10′ 0″
Dining room	70	8′ 0″
Kitchen	50	5′ 0″
First bedroom	110	9′ 0″
Additional bedroom	80	7′ 0″
Combination Uses		
Living & Dining room	190	10′ 0″
Living & Bedroom	200	10′ 0″
Kitchen & Dining room	90	7′ 0″
Living, Dining & Bedroom	230	10′ 0″
Living, Dining & Kitchen	230	10′ 0″
Bathrooms		
Water closet only	15	4′ 0″
Water closet & Lavatory	20	4′ 0″
Water closet, Lavatory & Bath	35	5′ 0″
Water closet & Shower	30	5′ 0″

Alcoves for kitchen purposes only off a living room shall have a maximum floor area of forty square feet (40 sq. ft.) and depth not exceeding the width of the open side.

SECTION 4. 10.

The minimum height of all habitable rooms shall not be less than eight feet (8′) on the first floor and not less than seven feet, six inches (7′ 6″) on any other floor including the basement. This height shall be maintained over fifty per cent (50%) of the floor area, and no portion of the room shall be less than four feet, six inches (4′ 6″) in height. The height of rooms other than habitable may be reduced to not less than seven feet (7′).

SECTION 4. 11.

Every habitable room of a dwelling shall have at least one window or windows having a glass area equal to one-tenth (1/10) of the floor area of such room. For the purpose of this section the glass area of a sash door may be considered as a portion of the required window area.

SECTION 4. 12.

All rooms containing water closets, urinals, and/or slop sinks shall have a window opening to the external air with a glass area of not less than two square feet (2 sq. ft.) for each of the above fixtures, but in no case shall the glass be less than four square feet (4 sq. ft.). Artificial lighting shall be permissible if practical and desirable.

SECTION 4. 13.

All habitable rooms shall have openable windows or vents having an area at least equal to five per cent (5%) of the floor area. Mechanical venting shall be permissible if practical and desirable.

SECTION 4. 14.

Toilet rooms shall contain a window of which not less than forty per cent (40%) can be opened and such window shall be in an external wall opening in a street, lane, courtyard or opened vent shaft. Mechanical ventilation shall be permissible if practical and desirable.

SECTION 4. 15.

No room used for sleeping purposes shall be occupied by more than one (1) person for each fifty square feet (50 sq. ft.) of floor area thereof; provided, however, that for the purposes of this section two (2) children under the age of six (6) years may be counted as one person.

SECTION 4. 16. SANITARY FACILITIES

There shall be provided within each dwelling unit a water closet (toilet), wash basin, bath tub or shower, and a kitchen sink. Water shall be supplied to all fixtures.

SECTION 4. 17. HEATING FACILITIES

Every dwelling shall be equipped with a heating system which shall be maintained in a safe and good working condition and in good repair at all times. It shall be of sufficient size to heat the dwelling and maintain a temperature of at least seventy degrees (70°) Fahrenheit. The heating unit shall be vented properly into an adequate chimney, approved by the Fire Chief and the Building Commissioner, to withdraw safely all of the products of combustion. Such unit shall be supplied with sufficient air for combustion. In case of a multiple dwelling with a central heating system, the same shall be located in a separate room having walls, ceilings and doors with a fire-resistance rating of not less than one (1) hour.

SECTION 4. 18. FOOD STORAGE RECEPTACLE

There shall be provided in every dwelling unit a suitable and proper receptacle of not less than four cubic foot (4 cu. ft.) capacity for the storage of food. Such receptacle shall be subject to the approval of the Medical Officer of Health.

SECTION 4. 19. MEANS OF EGRESS

(1) There shall be provided and maintained two (2) means of egress from all dwelling units. Such means of egress shall be located as far distant from each other as possible and be a direct way to the exterior. Every dwelling unit shall have direct access to such means of egress without the necessity of passing through another dwelling unit.

(2) In the case of an existing building one means of egress shall be within the building and if the building is over two (2) storeys in height, the means of egress shall be enclosed with walls and doors having a fire-resistance rating of at least one (1) hour. The second means of egress may be an exterior stair but such stair shall be so located that it will not obstruct the use of any window. In the case of a building over two (2) storeys in height, the stair shall be constructed of steel or of other approved non-combustible material.

(3) In all cases, landings of not less than three feet (3′) in depth shall be provided at the top and bottom of every flight of stairs except where there is a change in direction of the stairs in which case the landing shall be not less than the width of the stairs.

(4) No flight of stairs shall exceed twelve feet (12′) vertical rise without a landing.

(5) Hand-rails shall be provided on one (1) side of all stairways three feet, six inches (3′ 6″) or less in width consisting of more than five (5) risers above a landing, and on both sides of all stairways over three feet, six inches (3′ 6″) in width consisting of more than five (5) risers above a landing. On all exterior stairways hand-rails shall be provided on both sides.

(6) All exterior doors on dwellings containing three or more dwelling units shall open outwards and all doors on stair enclosures shall open in the direction of exit travel and be equipped with approved self-closing devices.

(7) No riser in any such stair shall exceed eight inches (8″) in height and no tread shall be less than nine inches (9″) in depth excluding nosing. All risers and treads shall be of uniform height and depth.

(8) The distance from any exit door of a dwelling unit to a stairway or to the exterior shall not exceed seventy-five feet (75′) in a frame building having a fire-resistance rating of one (1) hour, or one hundred feet (100′) in a protected non-combustible building having a fire-resistance rating of not less than two (2) hours.

(9) If deemed necessary by the Fire Chief or the Building Commissioner the requirements for means of egress from any building may be increased.

SECTION 4. 20. ELECTRIC SERVICE AND WIRING

The electrical service and wiring of all buildings shall conform to the requirements of the Inspection Department of The Hydro-Electric Power Commission of Ontario. Where the Inspector finds any conditions indicating inadequate wiring, he shall report the same to the District Inspection Office of the said Commission requesting an inspection and report.

When ordered by the Inspector, the electrical service and wiring shall be repaired or replaced as required by the said Commission within the time specified by the Inspector. If the owner or his agent fails to comply with such order, the Inspector shall order The Windsor Utilities Commission to discontinue the electrical service.

SECTION 4. 21.

The premises shall be kept clean and free from rubbish or other debris at all times.

SECTION 4. 22. FUEL STORAGE

There shall be a convenient and properly constructed place or receptacle for the storage of fuel in or about the dwelling and in or about any dwelling unit that is separately heated.

SECTION 4. 23.

Floors and walls of all dwellings or any portion thereof shall be free from any dampness at all times.

SECTION 4. 24. COURTS

No windows in habitable rooms in dwellings containing three (3) or more dwelling units shall open into inner or outer courts unless—

(1) The inner court shall be so constructed that its least dimension will not be less than its height.

(2) The outer court shall be so constructed that its width will not be less than its length.

No windows of rooms other than habitable rooms in dwellings, as noted above, shall open into courts unless—

(1) The inner court shall be so constructed that its least horizontal dimension will not be less than one-half (½) its height.

(2) The outer court shall be so constructed that its length will not be more than three (3) times its width and its width will not be less than one-third (1/3) its height; provided that its width need not exceed its length.

For the purpose of this section—

"height of court" shall mean the vertical distance from the lowest level of such court to the highest point of any bounding wall. Where the court bottom is the roof of any lower storey of a building, which storey contains habitable rooms, and a sky light or other opening forming the sole lighting and/or ventilating medium is provided therein for such rooms, the height of the court shall be measured from the floor level of the lowest storey so receiving light or ventilation from such sky light or opening to the highest point of any bounding wall.

"length of court" shall mean, in the case of an outer court, the mean horizontal distance between the open end and closed end of the court and in the case of an inner court, the greatest horizontal dimension of said court.

"width of court" shall mean in the case of an outer court the least horizontal dimension between the sides of such court as distinguished from the open and closed ends of the court, and in the case of an inner court the least horizontal dimension of such court.

SECTION 4. 25. SEWAGE DISPOSAL

All dwellings shall have the sanitary facilities and the roof drainage system connected to an adequate sewer or sewers. If there is a sewer in the abutting street or alley or within one hundred feet (100′) of a dwelling, then the house sewer shall be connected thereto.

If a sewer is not available, the sewage disposal system for the dwelling shall be approved by the Medical Officer of Health before it may be installed and/or operated.

SECTION 4. 26. STORAGE CUPBOARDS

No storage cupboards shall be constructed under any stairs in any dwelling with three or more dwelling units.

SECTION 4. 27. PUBLIC HALLS

All public halls in multiple dwellings shall be adequately lighted at all times by the owner. Exit lights when required by the Fire Chief and/or the Building Commissioner shall be installed as directed by them. The size and design of the said lights shall be approved by the Fire Chief.

SECTION 4. 28. STORAGE OF COMBUSTIBLE MATERIAL

No dwelling, or any part thereof, or the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any article dangerous or detrimental to life or health, nor of any combustible article, except under such conditions as may be prescribed by the Fire Chief under authority of a written permit issued by him. No multiple dwelling or any part thereof, or the lot upon which it is situated, shall be used as a place of storage, keeping or handling of feed, hay, straw, cotton, paper stock, feathers or rags.

SECTION 5. 1. POWERS OF THE INSPECTOR

When any dwelling unit, building or premises are not in conformity with the standards set forth in Section 4 hereof, the Inspector may notify the owner, his agent and/or the tenant by registered letter specifying wherein the said dwelling unit, building or premises are defective, and the owner or his agent shall then at his own expense, within three (3) months, make the same comply with the provisions of this by-law or demolish any defective building or structure on the said premises. When the building in the opinion of the Building Commissioner is beyond repair, he shall so state in his letter and order the building to be demolished.

SECTION 5. 2.

The said notice shall also set forth the work required to remedy the defects complained of, a description of the premises affected, the provisions respecting the right of appeal from the Inspector's order, the final date for filing an appeal and copies of such notice shall be forwarded to the Clerk of the Corporation and the other Inspectors.

SECTION 5. 3.

In the event that the Inspector cannot locate the owner of the premises referred to in Section 5. 1. hereof or his agent after diligent inquiry, the Inspector shall cause the notice, hereinbefore referred to, to be published at least twice in a local newspaper at intervals of not less than two weeks and such publication shall be deemed to constitute sufficient notice to the said owner or agent.

SECTION 5. 4. RIGHT OF APPEAL

The owner or his agent may appeal the order of the Inspector to the Board of Review hereinafter mentioned provided such appeal is received by the Secretary of the said Board within ten (10) days of the date of the said order and complies with all the provisions of Section 6 of this by-law.

SECTION 5. 5. CONFIRMATION OR MODIFICATION OF ORDER

If the order of the Inspector is confirmed or modified by the said Board of Review, the owner or his agent shall forthwith comply with the terms of such order within the period of time specified therein provided that the said Board may extend the time for so complying for a further period of not more than sixty (60) days.

SECTION 5. 6.

If any owner or his agent refuses or neglects to remedy the defects in the said dwelling unit, building or premises or demolish any defective building or structure on the said premises as required by order of the Inspector and within the time stated therein, then the Inspector may forthwith prohibit the further use of the said building and premises or any portion thereof, and may also with or without the consent of the owner or his agent undertake and complete the necessary repairs or demolish any defective building or structure thereon and for any of the said purposes shall have the right to enter upon the building or premises of such owner or an adjoining owner from time to time as may be necessary and the owner or such adjoining owner shall not be entitled to compensation for any trespass done by the Corporation. All costs or expenses incurred by the Inspector or Corporation under the provisions of this section, including necessary repairs to an adjoining property, shall be borne by the owner and shall become a lien upon his lands and the said costs or expenses with interest thereon at the rate of six per cent (6%) per annum may be collected in like manner as municipal taxes or by action in any court of competent jurisdiction. The certificate of the Inspector shall be final and conclusive as to the amount of such costs and expenses. Where it is deemed expedient to collect such costs and expenses as taxes, all amounts not exceeding One Hundred Dollars ($100.00) with interest thereon as aforesaid shall be added to the Collector's roll for collection in the year following the date of completion of the said work. All amounts in excess of One Hundred Dollars ($100.00) with interest thereon as aforesaid shall be

added to the Collector's roll and collected in equal consecutive annual payments over a period not exceeding five (5) years from the date of completion of the said work. The demolition of any building or structure shall be carried out by the Building Commissioner only when he has satisfied himself that the same is beyond repair, unsafe and/or a hazard to the public. The Building Commissioner shall before any repair or demolition is commenced obtain through the Purchasing Agent of the Corporation, if possible, bids from contractors respecting such work and the lowest bid shall be accepted provided all other considerations are equal.

SECTION 5. 7. COST OF REPAIRS

The Building Commissioner shall notify the Treasurer of the Corporation of the cost of the above work and the Treasurer shall pay to the contractor the amount approved by the Building Commissioner and the Clerk of the Corporation shall also be notified of this amount.

SECTION 5. 8. CLOSING AND PROHIBITING USE OF DWELLINGS

When the Inspector finds a dwelling which is in such a condition as to be hazardous to the health of the occupants or to the public health, or is a fire hazard or liable to cause injury to any person or is dangerous in any manner whatsoever, he shall have the power to close the dwelling and prohibit its use until the necessary repairs are made thereto.

SECTION 6. 1. BOARD OF REVIEW

For the purpose of this by-law there is hereby constituted a Board of Review hereinafter referred to as the Board. The Board shall consist of three (3) persons appointed by the Council of the Corporation and is hereby authorized and empowered to entertain appeals against the orders of the Inspector.

SECTION 6. 2. ORGANIZATION

The members of the Board shall select one of themselves to act as Chairman, who shall preside at all meetings thereof. In case of the absence of the Chairman, the Board may appoint another member to act as Chairman pro tempore. The members of the Board shall remain in office during the pleasure of the Council of the Corporation.

SECTION 6. 3. SECRETARY

The Board shall appoint a secretary and the Clerk of the Corporation shall provide the Board with such secretarial and clerical assistance as it may require.

SECTION 6. 4. QUORUM

Two (2) members of the Board shall constitute a quorum.

SECTION 6. 5.

Any person desiring to appeal the order of the Inspector to the Board shall give notice in writing to the Clerk of the Corporation within ten (10) days from the date of the said order.

SECTION 6. 6.

At the time such notice is given the appellant shall deposit with the said Clerk a fee of Ten Dollars ($10.00) and no appeal shall be heard until the said fee has been paid.

SECTION 6. 7.

In the event the appeal is allowed by the Board the said fee of Ten Dollars ($10.00) shall be returned to the appellant; otherwise the fee shall be retained by the Corporation.

SECTION 6. 8.

The Board shall adopt its own procedure for dealing with such appeals and may confirm, modify or set aside the order of the Inspector. When the appeal has been decided a copy of the Board's decision shall be forwarded promptly to the appellant and the Inspector.

SECTION 6. 9.

The Clerk of the Corporation shall notify the Chairman of the Board upon receipt of an appeal and the Board shall hold a public hearing with respect thereto within thirty (30) days of receipt of the said appeal. The Secretary of the Board shall give notice by ordinary post to all interested parties, at least ten (10) days before the date of such hearing and the hearing shall be held at such time and place within the limits of the Corporation as shall therein be stated.

All hearings shall be public and the appellant, his representative, the Inspector and/or his authorized representatives and any other person whose interest may be affected by the matter in question shall be given an opportunity to be heard.

SECTION 7. 1. GENERAL

The Inspector or his authorized representative is hereby authorized to enter at all reasonable hours upon any building or premises for the purpose of carrying out his duties under this by-law.

SECTION 8. 1. PENALTIES AND OFFENCES

The violation of any provision of this by-law shall be and constitutes a separate offence under this by-law for each and every day such violation shall continue.

SECTION 8. 2.

Any person violating any provisions of this by-law shall upon conviction forfeit and pay a penalty of not more than THREE HUNDRED DOLLARS ($300.00), (exclusive of costs) for each such offence and every such penalty shall be recoverable under *The Summary Convictions Act*, all the provisions of which shall apply except that the imprisonment may be for a term not exceeding six (6) months.

SECTION 8. 3.

The provisions of this by-law shall be enforceable in the same manner as a by-law passed under the authority of *The Municipal Act*.

SECTION 9. 1.

This by-law shall take effect upon, from and after being validated by an Act passed by the Legislative Assembly of the Province of Ontario.

(Signed) MICHAEL PATRICK,
Mayor.

(Seal)

(Signed) J. B. ADAMAC,
Clerk.

FIRST READING —September 23, 1957.

SECOND READING—September 23, 1957.

THIRD READING —September 23, 1957.

SCHEDULE B

All and singular those certain parcels or tracts of land and premises situate, lying and being in the City of Windsor in the County of Essex and Province of Ontario, being composed of—

(*a*) The easterly One Hundred and Eight feet (108′) of Lot Number Nineteen (19) on the west side of Dufferin Place, Block 7, according to Registered Plan 358;

(*b*) The easterly One Hundred and Eight feet (108′) of Lot Number Four (4) on the west side of Dufferin Place, Block 9, according to Registered Plan 358;

(*c*) The easterly One Hundred and Eight feet (108′) of Lot Number Thirty-nine (39) on the west side of Dufferin Place, Block 9, according to Registered Plan 358;

(*d*) The north half of Lot Number One (1) on the south side of Riverside Drive East (formerly Sandwich Street East), Block 3, according to Registered Plan 126.

An Act respecting
the City of Windsor

1st Reading

February 21st, 1958

2nd Reading

March 5th, 1958

3rd Reading

MR. DAVIES

(*Reprinted as amended by the Committee on Private Bills*)

1958

No. 22

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of Windsor

Mr. Davies

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 22 1958

BILL

An Act respecting the City of Windsor

WHEREAS The Corporation of the City of Windsor, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 12 of *The City of Windsor Act, 1946*, as re-enacted by section 2 of *The City of Windsor Act, 1955*, is amended by striking out "$200,000" in the fifth line and inserting in lieu thereof "$300,000", so that the subsection shall read as follows: 1946, c. 145, s.12, subs. 3 (1955, c. 119, s. 2), amended

(3) The Board of Governors may borrow from time to time, subject to the approval of the Council, such sums as may be required for the current operating purposes of the Hospital; provided that the amount of such borrowings shall not exceed $300,000 at any one time, and the Council shall be empowered to make temporary advances to the Board from time to time for such purposes. Borrowing powers, and temporary advances

2. The Corporation is authorized to refund to the C. H. Gauthier Estate, through its agent The Canada Trust Company, the sum of $1,932.48, being the amount of taxes paid in error to the Corporation by the Estate in the years 1954 and 1955 in respect of a building formerly located on Lot No. Five (5), Registered Plan 256, which building was demolished in June, 1954. Refund to C. H. Gauthier Estate, authorized

3.—(1) The council of the Corporation may pass by-laws, Swimming pools on school property

(*a*) for granting aid to The Board of Education for the City of Windsor to pay in whole or in part for the construction by the Board of indoor or outdoor

swimming pools on the property of the Board, and the granting of such aid shall be deemed to be a purpose of the Corporation;

(*b*) for entering into agreements with the Board respecting the construction, control, operation, maintenance and repair of such pools, and in particular respecting the operation and use of such pools by the Corporation at other than school hours.

Fees

(2) The council of the Corporation may charge fees for the use of or admission to such swimming pools while the operation and use of the pools is under the control of the Corporation.

Debentures

(3) The Corporation may issue debentures for the purposes of any undertaking under this section.

Agreements

(4) The Board of Education for the City of Windsor may enter into and carry out any agreement made with the Corporation pursuant to subsection 1.

Interpretation

4.—(1) In this section,

(*a*) "dwelling" means and includes any building, tent, trailer or other covering or structure, the whole or any portion of which is used or intended for use for the purpose of human habitation, with the land and premises appurtenant thereto, and all out-buildings, fences or erections thereon or therein whether heretofore or hereafter erected;

(*b*) "inspector" means the Building Commissioner, the Fire Chief or the Medical Officer of Health of the Corporation, or any of their authorized representatives;

(*c*) "owner" includes the person for the time being receiving the rent of or managing the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other person, or who would so receive the rent if such land or premises were let.

Standard of fitness of dwelling

(2) The council of the Corporation may pass by-laws for fixing a standard of fitness for human habitation to which all dwellings shall conform, for requiring the owners of dwellings to make them conform to the standard or to demolish buildings, structures or erections forming part of dwellings which do not conform to the standard, for prohibiting the use of dwellings which do not conform to the standard, for authorizing

the placarding in such manner as the by-law may specify of dwellings which do not conform to the standard, and prohibiting the pulling down or defacing of any such placard, for governing and regulating persons in the use and occupancy of dwellings and for appointing a tribunal or inspectors, or both a tribunal and inspectors, for the administration and enforcement of the by-laws.

Advances

(3) Where the owner of any dwelling is unable to pay the expense of making it conform to the standard required by the by-law, the Corporation may advance money to or for the benefit of the owner to the extent necessary to pay the expense, and the council of the Corporation may from time to time pass by-laws for the issue of debentures to raise money to be so advanced.

Lien for advances and repayment

(4) When the Corporation has advanced money as provided in subsection 3, it shall have a lien upon the dwelling in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council, but which shall not exceed 6 per cent per annum, and the amount of the advance with the interest thereon shall be repayable to the Corporation by the owner of such dwelling in equal consecutive annual payments which shall be collected over a period of years to be determined by the council, which period shall not exceed ten years, but need not be the same in the case of each advance, in the same manner and at the same time as the municipal taxes on the dwelling.

Certificate of lien for registration

(5) A certificate of the clerk of the Corporation setting out the amount advanced or to be advanced to or for the benefit of any owner under the provisions of subsection 3, or setting out the amount expended or to be expended by or on behalf of the Corporation under the authority of subsection 6, including the rate of interest thereon, together with a description of the dwelling in respect of which any such amount was advanced or expended, or is to be advanced or expended, sufficiently to identify the dwelling, shall be registered in the proper registry office or land titles office against the dwelling upon proof by affidavit of the signature of the clerk, and upon repayment in full to the Corporation of any such amount advanced or expended and the interest thereon, a certificate of the clerk showing such repayment shall be similarly registered and the dwelling shall thereupon be freed from liability in respect of the amount advanced or expended and the interest thereon, and from the lien arising therefrom.

Rights to enforce conformity

(6) If any owner of a dwelling is unwilling to make the dwelling conform to the standard required by a by-law passed under the authority of this section, the Corporation in addition

to all other remedies shall have the right to make the dwelling conform to such standard, including the right to demolish or cause to be demolished any building, structure or erection forming part of such dwelling, and to do any work on adjoining property necessitated by such demolition, and for those purposes with its servants and agents from time to time to enter upon the lands of the owner, and the Corporation shall not be liable to compensate such owner or any other person by reason of anything done by or on behalf of the Corporation under the provisions of this subsection, and for any amount expended by or on behalf of the Corporation under the authority of this subsection, the Corporation shall have a lien for the amount expended, together with interest thereon, at a rate to be fixed in the manner provided in subsection 4 upon the dwelling in respect of which such amount was expended, and the certificate of the inspector as to such amount shall be final, and such amount shall be added to the collector's roll of taxes and shall be collected in the same manner as municipal taxes.

Enforcement

(7) Notwithstanding any other Act, a by-law passed under the authority of this section, or any by-law to provide for the safety of buildings, shall be enforceable in the same manner as a by-law passed under the authority of *The Municipal Act*, and any such by-laws may impose penalties of not more than $300, exclusive of costs, upon every person who contravenes any provision of this section or of any by-law passed under the authority of this section, or of any by-law to provide for the safety of buildings.

R.S.O. 1950, c. 243

Notice to mortgagees and others

(8) Before proceeding under subsection 3 or 6, the Corporation shall notify any mortgagees or other encumbrancers appearing on the registered title and execution creditors, by registered letter, specifying wherein the dwelling is defective, and if all defects are not remedied within one month from such notification, then the provisions of subsections 3 and 6 hereof shall apply.

Powers of inspector to enter dwellings

(9) For the enforcement of any by-law passed under the authority of this section, or of any by-law to provide for the safety of buildings, the inspector and any person acting under his instructions shall have the same right to enter, inspect and examine any dwelling or premises as an inspector under section 82 of *The Public Health Act*, and the provisions of sections 82, 123, 124, subsections 2 and 3 of section 125 and section 126 of that Act shall *mutatis mutandis* apply.

R.S.O. 1950, c. 306

By-law No. 1718 confirmed

(10) By-law No. 1718, passed by the council of the Corporation, set forth as Schedule A hereto, is hereby ratified and confirmed and declared to be legal, valid and binding,

and shall be deemed to have been passed under the authority of this section.

5. The lands described in Schedule B hereto are hereby vested in the Corporation in fee simple, clear of and free from all right, title and interest other than that of the Corporation. Lands vested in Corporation

6. The council of the Corporation may, out of current revenues of the Corporation, in any year grant such sum or sums of money, not exceeding in the aggregate $15,000 in any one year, in aid of institutions, associations or persons, for the carrying on of activities which in the opinion of the council are for the general advantage of the inhabitants of the Corporation, and for which grant or grants there is no express authority provided by any other Act. Grants authorized

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

8. This Act may be cited as *The City of Windsor Act, 1958*. Short title

SCHEDULE A

By-law Number 1718

A BY-LAW TO ESTABLISH A MINIMUM STANDARD OF HOUSING IN THE CITY OF WINDSOR

Passed the 23rd day of September, 1957.

Whereas it is deemed necessary and expedient to establish a minimum standard of housing in the City of Windsor;

Therefore the Municipal Council of The Corporation of the City of Windsor enacts as follows:

Section 1. 1. TITLE

This by-law may be cited as the Minimum Standard Housing By-law.

Section 1. 2. SCOPE

This by-law as hereinafter set forth shall establish minimum standards for all housing or dwelling units and all premises related thereto within the limits of The Corporation of the City of Windsor.

Section 2. 1. DEFINITIONS

In this by-law, unless otherwise stated—

"Basement" shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above adjacent finished grade as approved by the Building Commissioner;

"Building" shall mean any structure used or intended for supporting or sheltering any use or occupancy set forth in this by-law whether heretofore or hereafter erected;

"Building Commissioner" shall mean the Building Commissioner of the Corporation;

"Cellar" shall mean the portion of a building between two floor levels which is partly or wholly underground, and which has more than one-half of its height from finished floor to finished ceiling below adjacent finished grade as approved by the Building Commissioner;

"Corporation" shall mean The Corporation of the City of Windsor;

"Dwelling" shall mean and include any building, tent, trailer or other covering or structure the whole or any portion of which is used or intended for use for the purpose of human habitation with the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein whether heretofore or hereafter erected;

"Dwelling unit" shall mean any room or set of rooms used or intended for use for human habitation;

"Fire Chief" shall mean the Chief of the Fire Department of the Corporation;

"Inner Court" shall mean an open space, unoccupied from the ground to the sky, or from an intermediate floor to the sky except for any structure specifically authorized by this by-law, located

on the same lot as the building it serves, and enclosed on all sides by walls or by walls and the line or lines of an adjoining lot or lots;

"Inspector" shall mean the Building Commissioner, the Fire Chief, or the Medical Officer of Health or any of their authorized representatives;

"Lot" shall mean a parcel of land occupied or to be occupied by one main building, structure or use, with any accessory building or use, and including all yards and open spaces required by By-law Number 728 of the Corporation cited as the "Zoning By-law". A lot may or may not be the land shown as a lot on a duly registered plan of subdivision;

"Medical Officer of Health" shall mean the Medical Officer of Health of the Corporation;

"Outer Court" shall mean an open space unoccupied from the ground to the sky or from an intermediate floor to the sky except for any structure specifically authorized by this by-law, located on the same lot as the building which it serves, enclosed on three sides by walls or by walls and the line of an adjoining lot or lots and extending to or opening upon a street or yard;

"Owner" shall include the person for the time being receiving the rent of or managing the land or premises in connection with which the word is used whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land or premises were let;

"Premises" shall include a building as defined herein and any lands, fences, sheds, outhouses and garages appurtenant thereto;

"Recreation Room" shall mean a room located in a cellar of a dwelling, used for recreational purposes only;

"Room, habitable" shall mean any room in a dwelling unit commonly used or intended for use for living purposes including a bedroom, living room, dining room and kitchen, but shall not include any space in a dwelling used as a lobby, hallway, closet, bathroom or recreation room.

SECTION 2. 2. ADMINISTRATION

This by-law shall be administered and enforced by the Building Commissioner, the Fire Chief and the Medical Officer of Health.

SECTION 2. 3. DUTIES

The Inspector shall—

(1) Enforce the provisions of this by-law.

(2) Carry out all necessary inspections of buildings and premises which he has reason to believe do not comply with this by-law.

(3) Keep complete records of all inspections, correspondence, orders, appeals, decisions and other matters relating to this by-law for a period of not less than two years.

(4) Order the repair of any building where the same does not conform to the provisions of this by-law and, where in his opinion it would be unreasonable and impracticable to make such repairs, order the demolition of such building.

SECTION 3. 1.

No person shall use or occupy for human habitation or being the owner thereof or his agent shall allow to be used or occupied for human habitation

any dwelling unit in any building unless such dwelling unit and building and the premises conform to the satisfaction of the Inspector with the regulations hereinafter set forth.

SECTION 3. 2.

Every person who willfully obstructs or interferes with the Inspector or any of his authorized representatives in the performance of his duties under this by-law shall be guilty of an offence and liable to the penalty hereinafter set forth.

SECTION 3. 3.

When it is necessary for a dwelling or dwelling unit to be vacated during repairs and/or alterations ordered by the Inspector, no person shall occupy such dwelling or dwelling unit until a certificate of compliance signed by the Inspector has been issued to the owner, his agent or tenant.

SECTION 4. 1. REGULATIONS

All buildings, including the dwelling, sheds, garages, outhouses and any other accessory buildings, shall be maintained in good repair to the satisfaction of the Inspector.

SECTION 4. 2.

Foundations of all buildings, including the dwelling and all accessory buildings, shall be continuous around the perimeter of the said buildings and shall be constructed of masonry, concrete or other material approved for use by the Building Commissioner.

SECTION 4. 3.

The cellar of all dwellings shall be drained to the sewer system in accordance with the Plumbing By-law of the Corporation and amendments thereto and such cellar, or an unheated crawl space, shall be adequately ventilated to the outside air. For the purpose of this section "adequately ventilated" for a

> Cellar shall mean windows which can be opened, the area of which shall not be less than two per cent (2%) of the floor area, and for a
>
> Crawl space shall mean a number of louvres with insect screens of corrosion-resistant material, the total area of which shall not be less than one-tenth (1/10) of one per cent (1%) of the area of such space, and so located in the exterior walls to provide optimum circulation and change of air. In no case shall any vent be less than twenty square inches (20 sq. ins.) of net-free area.

SECTION 4. 4.

The interior side of exterior walls, the ceilings of all floors above the cellar, and both sides of interior walls and partitions of all dwellings and any part thereof which are used or intended to be used for or in connection with human habitation shall be gypsum or metal lath and plaster, or covered with such other material as may be approved by the Building Commissioner.

SECTION 4. 5.

All buildings shall be kept in a waterproof manner. The roofing shall be maintained to prevent water from leaking into the interior of the building. The exterior cladding shall be adequate to prevent moisture from entering the building in any way and all windows shall be glazed properly with putty or stops and fitted so as to prevent entrance of water from the exterior.

SECTION 4. 6.

No habitable rooms shall be located in the cellar of any building.

SECTION 4. 7.

There shall be only one dwelling permitted on any lot which lot shall conform to the width and area requirements of By-law Number 728 (Zoning By-law) of the Corporation and such dwelling shall face and the lot shall abut a street not less than forty feet (40′) in width. Any dwelling unit located in a dwelling which does not comply with these requirements shall not be permitted to be repaired and shall be vacated and shall remain vacated from and after the receipt of one year's written notice to that effect.

SECTION 4. 8.

Every dwelling used or intended to be used for human habitation shall be provided with an adequate supply of potable water. If water is available from a City main located in the street, then such supply shall be used. Where such supply is not available, any other source of water may be used if approved by the Medical Officer of Health.

SECTION 4. 9. SIZE OF ROOMS

No room in a dwelling unit used or intended to be used for/or in connection with human habitation shall be used unless such room meets the minimum requirement set out in the following table:

TABLE 1

Use	Minimum Floor Area (sq. ft.)	Minimum Width (feet)
Living room	120	10′ 0″
Dining room	70	8′ 0″
Kitchen	50	5′ 0″
First bedroom	110	9′ 0″
Additional bedroom	80	7′ 0″
Combination Uses		
Living & Dining room	190	10′ 0″
Living & Bedroom	200	10′ 0″
Kitchen & Dining room	90	7′ 0″
Living, Dining & Bedroom.	230	10′ 0″
Living, Dining & Kitchen..	230	10′ 0″
Bathrooms		
Water closet only	15	4′ 0″
Water closet & Lavatory..	20	4′ 0″
Water closet, Lavatory & Bath	35	5′ 0″
Water closet & Shower	30	5′ 0″

Alcoves for kitchen purposes only off a living room shall have a maximum floor area of forty square feet (40 sq. ft.) and depth not exceeding the width of the open side.

SECTION 4. 10.

The minimum height of all habitable rooms shall not be less than eight feet (8′) on the first floor and not less than seven feet, six inches (7′ 6″) on any other floor including the basement. This height shall be maintained over fifty per cent (50%) of the floor area, and no portion of the room shall be less than four feet, six inches (4′ 6″) in height. The height of rooms other than habitable may be reduced to not less than seven feet (7′).

SECTION 4. 11.

Every habitable room of a dwelling shall have at least one window or windows having a glass area equal to one-tenth (1/10) of the floor area of such room. For the purpose of this section the glass area of a sash door may be considered as a portion of the required window area.

SECTION 4. 12.

All rooms containing water closets, urinals, and/or slop sinks shall have a window opening to the external air with a glass area of not less than two square feet (2 sq. ft.) for each of the above fixtures, but in no case shall the glass be less than four square feet (4 sq. ft.). Artificial lighting shall be permissible if practical and desirable.

SECTION 4. 13.

All habitable rooms shall have openable windows or vents having an area at least equal to five per cent (5%) of the floor area. Mechanical venting shall be permissible if practical and desirable.

SECTION 4. 14.

Toilet rooms shall contain a window of which not less than forty per cent (40%) can be opened and such window shall be in an external wall opening in a street, lane, courtyard or opened vent shaft. Mechanical ventilation shall be permissible if practical and desirable.

SECTION 4. 15.

No room used for sleeping purposes shall be occupied by more than one (1) person for each fifty square feet (50 sq. ft.) of floor area thereof; provided, however, that for the purposes of this section two (2) children under the age of six (6) years may be counted as one person.

SECTION 4. 16. SANITARY FACILITIES

There shall be provided within each dwelling unit a water closet (toilet), wash basin, bath tub or shower, and a kitchen sink. Water shall be supplied to all fixtures.

SECTION 4. 17. HEATING FACILITIES

Every dwelling shall be equipped with a heating system which shall be maintained in a safe and good working condition and in good repair at all times. It shall be of sufficient size to heat the dwelling and maintain a temperature of at least seventy degrees (70°) Fahrenheit. The heating unit shall be vented properly into an adequate chimney, approved by the Fire Chief and the Building Commissioner, to withdraw safely all of the products of combustion. Such unit shall be supplied with sufficient air for combustion. In case of a multiple dwelling with a central heating system, the same shall be located in a separate room having walls, ceilings and doors with a fire-resistance rating of not less than one (1) hour.

SECTION 4. 18. FOOD STORAGE RECEPTACLE

There shall be provided in every dwelling unit a suitable and proper receptacle of not less than four cubic foot (4 cu. ft.) capacity for the storage of food. Such receptacle shall be subject to the approval of the Medical Officer of Health.

SECTION 4. 19. MEANS OF EGRESS

(1) There shall be provided and maintained two (2) means of egress from all dwelling units. Such means of egress shall be located as far distant from each other as possible and be a direct way to the exterior. Every dwelling unit shall have direct access to such means of egress without the necessity of passing through another dwelling unit.

(2) In the case of an existing building one means of egress shall be within the building and if the building is over two (2) storeys in height, the means of egress shall be enclosed with walls and doors having a fire-resistance rating of at least one (1) hour. The second means of egress may be an exterior stair but such stair shall be so located that it will not obstruct the use of any window. In the case of a building over two (2) storeys in height, the stair shall be constructed of steel or of other approved non-combustible material.

(3) In all cases, landings of not less than three feet (3′) in depth shall be provided at the top and bottom of every flight of stairs except where there is a change in direction of the stairs in which case the landing shall be not less than the width of the stairs.

(4) No flight of stairs shall exceed twelve feet (12′) vertical rise without a landing.

(5) Hand-rails shall be provided on one (1) side of all stairways three feet, six inches (3′ 6″) or less in width consisting of more than five (5) risers above a landing, and on both sides of all stairways over three feet, six inches (3′ 6″) in width consisting of more than five (5) risers above a landing. On all exterior stairways hand-rails shall be provided on both sides.

(6) All exterior doors on dwellings containing three or more dwelling units shall open outwards and all doors on stair enclosures shall open in the direction of exit travel and be equipped with approved self-closing devices.

(7) No riser in any such stair shall exceed eight inches (8″) in height and no tread shall be less than nine inches (9″) in depth excluding nosing. All risers and treads shall be of uniform height and depth.

(8) The distance from any exit door of a dwelling unit to a stairway or to the exterior shall not exceed seventy-five feet (75′) in a frame building having a fire-resistance rating of one (1) hour, or one hundred feet (100′) in a protected non-combustible building having a fire-resistance rating of not less than two (2) hours.

(9) If deemed necessary by the Fire Chief or the Building Commissioner the requirements for means of egress from any building may be increased.

SECTION 4. 20. ELECTRIC SERVICE AND WIRING

The electrical service and wiring of all buildings shall conform to the requirements of the Inspection Department of The Hydro-Electric Power Commission of Ontario. Where the Inspector finds any conditions indicating inadequate wiring, he shall report the same to the District Inspection Office of the said Commission requesting an inspection and report.

When ordered by the Inspector, the electrical service and wiring shall be repaired or replaced as required by the said Commission within the time specified by the Inspector. If the owner or his agent fails to comply with such order, the Inspector shall order The Windsor Utilities Commission to discontinue the electrical service.

SECTION 4. 21.

The premises shall be kept clean and free from rubbish or other debris at all times.

SECTION 4. 22. FUEL STORAGE

There shall be a convenient and properly constructed place or receptacle for the storage of fuel in or about the dwelling and in or about any dwelling unit that is separately heated.

SECTION 4. 23.

Floors and walls of all dwellings or any portion thereof shall be free from any dampness at all times.

SECTION 4. 24. COURTS

No windows in habitable rooms in dwellings containing three (3) or more dwelling units shall open into inner or outer courts unless—

(1) The inner court shall be so constructed that its least dimension will not be less than its height.

(2) The outer court shall be so constructed that its width will not be less than its length.

No windows of rooms other than habitable rooms in dwellings, as noted above, shall open into courts unless—

(1) The inner court shall be so constructed that its least horizontal dimension will not be less than one-half (½) its height.

(2) The outer court shall be so constructed that its length will not be more than three (3) times its width and its width will not be less than one-third (1/3) its height; provided that its width need not exceed its length.

For the purpose of this section—

"height of court" shall mean the vertical distance from the lowest level of such court to the highest point of any bounding wall. Where the court bottom is the roof of any lower storey of a building, which storey contains habitable rooms, and a sky light or other opening forming the sole lighting and/or ventilating medium is provided therein for such rooms, the height of the court shall be measured from the floor level of the lowest storey so receiving light or ventilation from such sky light or opening to the highest point of any bounding wall.

"length of court" shall mean, in the case of an outer court, the mean horizontal distance between the open end and closed end of the court and in the case of an inner court, the greatest horizontal dimension of said court.

"width of court" shall mean in the case of an outer court the least horizontal dimension between the sides of such court as distinguished from the open and closed ends of the court, and in the case of an inner court the least horizontal dimension of such court.

SECTION 4. 25. SEWAGE DISPOSAL

All dwellings shall have the sanitary facilities and the roof drainage system connected to an adequate sewer or sewers. If there is a sewer in the abutting street or alley or within one hundred feet (100′) of a dwelling, then the house sewer shall be connected thereto.

If a sewer is not available, the sewage disposal system for the dwelling shall be approved by the Medical Officer of Health before it may be installed and/or operated.

SECTION 4. 26. STORAGE CUPBOARDS

No storage cupboards shall be constructed under any stairs in any dwelling with three or more dwelling units.

SECTION 4. 27. PUBLIC HALLS

All public halls in multiple dwellings shall be adequately lighted at all times by the owner. Exit lights when required by the Fire Chief and/or the Building Commissioner shall be installed as directed by them. The size and design of the said lights shall be approved by the Fire Chief.

SECTION 4. 28. STORAGE OF COMBUSTIBLE MATERIAL

No dwelling, or any part thereof, or the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any article dangerous or detrimental to life or health, nor of any combustible article, except under such conditions as may be prescribed by the Fire Chief under authority of a written permit issued by him. No multiple dwelling or any part thereof, or the lot upon which it is situated, shall be used as a place of storage, keeping or handling of feed, hay, straw, cotton, paper stock, feathers or rags.

SECTION 5. 1. POWERS OF THE INSPECTOR

When any dwelling unit, building or premises are not in conformity with the standards set forth in Section 4 hereof, the Inspector may notify the owner, his agent and/or the tenant by registered letter specifying wherein the said dwelling unit, building or premises are defective, and the owner or his agent shall then at his own expense, within three (3) months, make the same comply with the provisions of this by-law or demolish any defective building or structure on the said premises. When the building in the opinion of the Building Commissioner is beyond repair, he shall so state in his letter and order the building to be demolished.

SECTION 5. 2.

The said notice shall also set forth the work required to remedy the defects complained of, a description of the premises affected, the provisions respecting the right of appeal from the Inspector's order, the final date for filing an appeal and copies of such notice shall be forwarded to the Clerk of the Corporation and the other Inspectors.

SECTION 5. 3.

In the event that the Inspector cannot locate the owner of the premises referred to in Section 5. 1. hereof or his agent after diligent inquiry, the Inspector shall cause the notice, hereinbefore referred to, to be published at least twice in a local newspaper at intervals of not less than two weeks and such publication shall be deemed to constitute sufficient notice to the said owner or agent.

SECTION 5. 4. RIGHT OF APPEAL

The owner or his agent may appeal the order of the Inspector to the Board of Review hereinafter mentioned provided such appeal is received by the Secretary of the said Board within ten (10) days of the date of the said order and complies with all the provisions of Section 6 of this by-law.

SECTION 5. 5. CONFIRMATION OR MODIFICATION OF ORDER

If the order of the Inspector is confirmed or modified by the said Board of Review, the owner or his agent shall forthwith comply with the terms of such order within the period of time specified therein provided that the said Board may extend the time for so complying for a further period of not more than sixty (60) days.

SECTION 5. 6.

If any owner or his agent refuses or neglects to remedy the defects in the said dwelling unit, building or premises or demolish any defective building or structure on the said premises as required by order of the Inspector and within the time stated therein, then the Inspector may forthwith prohibit the further use of the said building and premises or any portion thereof, and may also with or without the consent of the owner or his agent undertake and complete the necessary repairs or demolish any defective building or structure thereon and for any of the said purposes shall have the right to enter upon the building or premises of such owner or an adjoining owner from time to time as may be necessary and the owner or such adjoining owner shall not be entitled to compensation for any trespass done by the Corporation. All costs or expenses incurred by the Inspector or Corporation under the provisions of this section, including necessary repairs to an adjoining property, shall be borne by the owner and shall become a lien upon his lands and the said costs or expenses with interest thereon at the rate of six per cent (6%) per annum may be collected in like manner as municipal taxes or by action in any court of competent jurisdiction. The certificate of the Inspector shall be final and conclusive as to the amount of such costs and expenses. Where it is deemed expedient to collect such costs and expenses as taxes, all amounts not exceeding One Hundred Dollars ($100.00) with interest thereon as aforesaid shall be added to the Collector's roll for collection in the year following the date of completion of the said work. All amounts in excess of One Hundred Dollars ($100.00) with interest thereon as aforesaid shall be

added to the Collector's roll and collected in equal consecutive annual payments over a period not exceeding five (5) years from the date of completion of the said work. The demolition of any building or structure shall be carried out by the Building Commissioner only when he has satisfied himself that the same is beyond repair, unsafe and/or a hazard to the public. The Building Commissioner shall before any repair or demolition is commenced obtain through the Purchasing Agent of the Corporation, if possible, bids from contractors respecting such work and the lowest bid shall be accepted provided all other considerations are equal.

SECTION 5. 7. COST OF REPAIRS

The Building Commissioner shall notify the Treasurer of the Corporation of the cost of the above work and the Treasurer shall pay to the contractor the amount approved by the Building Commissioner and the Clerk of the Corporation shall also be notified of this amount.

SECTION 5. 8. CLOSING AND PROHIBITING USE OF DWELLINGS

When the Inspector finds a dwelling which is in such a condition as to be hazardous to the health of the occupants or to the public health, or is a fire hazard or liable to cause injury to any person or is dangerous in any manner whatsoever, he shall have the power to close the dwelling and prohibit its use until the necessary repairs are made thereto.

SECTION 6. 1. BOARD OF REVIEW

For the purpose of this by-law there is hereby constituted a Board of Review hereinafter referred to as the Board. The Board shall consist of three (3) persons appointed by the Council of the Corporation and is hereby authorized and empowered to entertain appeals against the orders of the Inspector.

SECTION 6. 2. ORGANIZATION

The members of the Board shall select one of themselves to act as Chairman, who shall preside at all meetings thereof. In case of the absence of the Chairman, the Board may appoint another member to act as Chairman pro tempore. The members of the Board shall remain in office during the pleasure of the Council of the Corporation.

SECTION 6. 3. SECRETARY

The Board shall appoint a secretary and the Clerk of the Corporation shall provide the Board with such secretarial and clerical assistance as it may require.

SECTION 6. 4. QUORUM

Two (2) members of the Board shall constitute a quorum.

SECTION 6. 5.

Any person desiring to appeal the order of the Inspector to the Board shall give notice in writing to the Clerk of the Corporation within ten (10) days from the date of the said order.

SECTION 6. 6.

At the time such notice is given the appellant shall deposit with the said Clerk a fee of Ten Dollars ($10.00) and no appeal shall be heard until the said fee has been paid.

SECTION 6. 7.

In the event the appeal is allowed by the Board the said fee of Ten Dollars ($10.00) shall be returned to the appellant; otherwise the fee shall be retained by the Corporation.

SECTION 6. 8.

The Board shall adopt its own procedure for dealing with such appeals and may confirm, modify or set aside the order of the Inspector. When the appeal has been decided a copy of the Board's decision shall be forwarded promptly to the appellant and the Inspector.

SECTION 6. 9.

The Clerk of the Corporation shall notify the Chairman of the Board upon receipt of an appeal and the Board shall hold a public hearing with respect thereto within thirty (30) days of receipt of the said appeal. The Secretary of the Board shall give notice by ordinary post to all interested parties, at least ten (10) days before the date of such hearing and the hearing shall be held at such time and place within the limits of the Corporation as shall therein be stated.

All hearings shall be public and the appellant, his representative, the Inspector and/or his authorized representatives and any other person whose interest may be affected by the matter in question shall be given an opportunity to be heard.

SECTION 7. 1. GENERAL

The Inspector or his authorized representative is hereby authorized to enter at all reasonable hours upon any building or premises for the purpose of carrying out his duties under this by-law.

SECTION 8. 1. PENALTIES AND OFFENCES

The violation of any provision of this by-law shall be and constitutes a separate offence under this by-law for each and every day such violation shall continue.

SECTION 8. 2.

Any person violating any provisions of this by-law shall upon conviction forfeit and pay a penalty of not more than THREE HUNDRED DOLLARS ($300.00), (exclusive of costs) for each such offence and every such penalty shall be recoverable under *The Summary Convictions Act*, all the provisions of which shall apply except that the imprisonment may be for a term not exceeding six (6) months.

SECTION 8. 3.

The provisions of this by-law shall be enforceable in the same manner as a by-law passed under the authority of *The Municipal Act*.

SECTION 9. 1.

This by-law shall take effect upon, from and after being validated by an Act passed by the Legislative Assembly of the Province of Ontario.

(Signed) MICHAEL PATRICK,
Mayor.

(Seal) (Signed) J. B. ADAMAC,
Clerk.

FIRST READING —September 23, 1957.

SECOND READING—September 23, 1957.

THIRD READING —September 23, 1957.

SCHEDULE B

All and singular those certain parcels or tracts of land and premises situate, lying and being in the City of Windsor in the County of Essex and Province of Ontario, being composed of—

(*a*) The easterly One Hundred and Eight feet (108′) of Lot Number Nineteen (19) on the west side of Dufferin Place, Block 7, according to Registered Plan 358;

(*b*) The easterly One Hundred and Eight feet (108′) of Lot Number Four (4) on the west side of Dufferin Place, Block 9, according to Registered Plan 358;

(*c*) The easterly One Hundred and Eight feet (108′) of Lot Number Thirty-nine (39) on the west side of Dufferin Place, Block 9, according to Registered Plan 358;

(*d*) The north half of Lot Number One (1) on the south side of Riverside Drive East (formerly Sandwich Street East), Block 3, according to Registered Plan 126.

An Act respecting
the City of Windsor

1st Reading

February 21st, 1958

2nd Reading

March 5th, 1958

3rd Reading

March 14th, 1958

MR. DAVIES

1958

No. 23

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting The Lakeshore District Board of Education

Mr. Lewis

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 23 1958

BILL

An Act respecting The Lakeshore District Board of Education

Preamble

WHEREAS The Lakeshore District Board of Education by its petition has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Elected membership of Board of Education 1954, c. 87

1. Notwithstanding subsection 2 of section 53 of *The Secondary Schools and Boards of Education Act, 1954*, the elected membership of The Lakeshore District Board of Education shall be composed of twelve trustees, of which four trustees shall be elected by each of the municipalities of the Town of Mimico, the Town of New Toronto, and the Village of Long Branch.

Commencement

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

Short title

3. This Act may be cited as *The Lakeshore District Board of Education Act, 1958*.

An Act respecting The Lakeshore District Board of Education

1st Reading

2nd Reading

3rd Reading

MR. LEWIS

(*Private Bill*)

1958

No. 23

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

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Short title

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An Act respecting
The Lakeshore District Board
of Education

1st Reading

February 20th, 1958

2nd Reading

March 4th, 1958

3rd Reading

March 6th, 1958

MR. LEWIS

1958

No. 24

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting The Board of Education for the Township of North York

MR. GRAHAM

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 24 1958

BILL

An Act respecting The Board of Education for the Township of North York

WHEREAS The Board of Education for the Township of North York, herein referred to as the Board, by its petition has represented that it has by By-law No. 4A, January 3, 1951, provided pensions for non-teaching permanent employees of the Board, which said by-law was passed pursuant to the provisions of *The Municipal Act*; and whereas the provisions of *The Municipal Act* permit only the provision of such pensions by contract with Her Majesty in accordance with the *Government Annuities Act* (Canada) or with an insurer licensed under *The Insurance Act*, or with both Her Majesty and an insurer; and whereas the petitioner considers that in order to provide greater benefits for such employees it is desirable that additional powers be conferred upon the Board; and whereas the petitioner has prayed for special legislation in respect of such matter; and whereas it is expedient to grant the prayer of the petition;

Preamble

R.S.O. 1950, c. 243

R.S.C. 1952, c. 132

R.S.O. 1950, c. 183

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 addition to its powers under paragraph 48 of section 386 of *The Municipal Act*, The Board of Education for the Township of North York may pass by-laws with the approval of the Department of Municipal Affairs for providing pensions for non-teaching employees of the Board, or any class thereof, and the spouse or dependants of any such employee.

Pensions

(2) Subsection 1 of section 300 of *The Municipal Act* shall not apply to any by-law passed under this section or to any debt or obligation incurred by such by-law.

Application of R.S.O. 1950, c. 243

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

Commencement

3. This Act may be cited as *The North York Board of Education Act, 1958.*

Short title

An Act respecting
The Board of Education for
the Township of North York

1st Reading

2nd Reading

3rd Reading

MR. GRAHAM

(*Private Bill*)

1958

No. 24

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting The Board of Education for the Township of North York

MR. GRAHAM

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 24 1958

BILL

An Act respecting The Board of Education for the Township of North York

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(2) Subsection 1 of section 300 of *The Municipal Act* shall not apply to any by-law passed under this section or to any debt or obligation incurred by such by-law. Application of R.S.O. 1950, c. 243

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

3. This Act may be cited as *The North York Board of Education Act, 1958*. Short title

An Act respecting The Board of Education for the Township of North York

1st Reading

February 20th, 1958

2nd Reading

3rd Reading

MR. GRAHAM

(Reprinted as amended by the Committee on Private Bills)

1958

No. 24

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting The Board of Education for the Township of North York

MR. GRAHAM

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 24 1958

BILL

An Act respecting The Board of Education for the Township of North York

WHEREAS The Board of Education for the Township of North York, herein referred to as the Board, by its petition has represented that it has by By-law No. 4A, January 3, 1951, provided pensions for non-teaching permanent employees of the Board, which said by-law was passed pursuant to the provisions of *The Municipal Act*; and whereas the provisions of *The Municipal Act* permit only the provision of such pensions by contract with Her Majesty in accordance with the *Government Annuities Act* (Canada) or with an insurer licensed under *The Insurance Act*, or with both Her Majesty and an insurer; and whereas the petitioner considers that in order to provide greater benefits for such employees it is desirable that additional powers be conferred upon the Board; and whereas the petitioner has prayed for special legislation in respect of such matter; and whereas it is expedient to grant the prayer of the petition;

Preamble

R.S.O. 1950, c. 243

R.S.C. 1952, c. 132

R.S.O. 1950, c. 183

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 addition to its powers under paragraph 48 of section 386 of *The Municipal Act*, The Board of Education for the Township of North York may pass by-laws with the approval of the Minister of Education for providing pensions for non-teaching employees of the Board, or any class thereof, and the spouse or dependants of any such employee.

Pensions

(2) Subsection 1 of section 300 of *The Municipal Act* shall not apply to any by-law passed under this section or to any debt or obligation incurred by such by-law.

Application of R.S.O. 1950, c. 243

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

Commencement

3. This Act may be cited as *The North York Board of Education Act, 1958.*

Short title

An Act respecting The Board of Education for the Township of North York

1st Reading

February 20th, 1958

2nd Reading

March 4th, 1958

3rd Reading

March 6th, 1958

Mr. Graham

1958

No. 25

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting St. Michael's College

MR. YAREMKO

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 25 1958

BILL

An Act respecting St. Michael's College

Preamble

WHEREAS St. Michael's College by its petition has represented that it was incorporated by *An Act to incorporate St. Michael's College in the Diocese of Toronto*, being chapter 237 of the Statutes of the Province of Canada, 1855, as amended by *The St. Michael's College Act, 1954*, and that it has conducted and maintained an institution of learning in the City of Toronto; and whereas the petitioner has prayed for legislation conferring upon it university status and such ancillary powers as are necessary to carry out its functions; and whereas it is expedient to grant the prayer of the petition;

1954, c. 130

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Interpretation

1. In this Act,

(*a*) "alumni" means former students of St. Michael's College, or of The Institute of Mediaeval Studies, or of The University of St. Michael's College;

(*b*) "Basilian Fathers" means the General Council of the Congregation of the Priests of St. Basil, a religious congregation of the Roman Catholic Church;

(*c*) "graduates" means the graduates of St. Michael's College, or of The Institute of Mediaeval Studies, or of The University of St. Michael's College, who hold degrees;

(*d*) "The University" means The University of St. Michael's College.

College continued as University

2.—(1) St. Michael's College, as incorporated by *An Act to incorporate St. Michael's College in the Diocese of Toronto*, being chapter 237 of the Statutes of the Province of Canada,

1855, as amended by *The St. Michael's College Act, 1954*, is hereby continued as a body corporate hereafter to be called and known as The University of St. Michael's College.

Officers

(2) Until their successors are appointed, the persons holding office as Superior, Vice-Superior and Councillor of St. Michael's College shall be the President, Vice-President and Councillor, respectively, of The University.

University powers

3.—(1) The University shall have university powers including the powers to grant degrees and honorary degrees, and shall be a university federated with the University of Toronto.

Supervision of degree-granting powers

(2) The power and authority of conferring degrees, except degrees in theology, of The University shall be suspended and in abeyance so long as The University remains federated with the University of Toronto, but may be resumed by The University if The University shall have ceased to be a university federated with the University of Toronto, within the meaning of *The University of Toronto Act, 1947*.

1947, c. 112

Collegium

4.—(1) The University shall be under the management and administration of the Collegium which is hereby constituted as a body corporate under that name.

Membership

(2) The Collegium shall consist of the following members:

(*a*) the President of The University;

(*b*) the Vice-President of The University;

(*c*) the Councillor of The University;

(*d*) the Praeses of The Institute of Mediaeval Studies;

(*e*) the Principal of St. Michael's College;

(*f*) the Registrar of The University;

(*g*) the Bursar of The University;

(*h*) three members who shall be elected by the beforementioned members according to the regulations which may be made from time to time by the Collegium.

Chairman, Treasurer

(3) The President and Bursar of The University shall be the Chairman and Treasurer, respectively, of the Collegium.

Executive Committee

(4) The President, Vice-President and Councillor of The University shall constitute the Executive Committee of the Collegium.

(5) If the office of any elected member becomes vacant during his term of office, it shall be filled by the Collegium for the unexpired portion of such term. Vacancy in office of elected member

5.—(1) The Collegium shall have, in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to purchase, acquire, take and hold by gift, devise or otherwise real and personal property for the purpose of The University without licence in mortmain, and may grant, sell, mortgage, lease and otherwise dispose of the same or any part thereof. Property R.S.O. 1950, c. 184

(2) The real and personal property vested in the Collegium and any lands and premises leased to or occupied by the Collegium shall not be liable to taxation for provincial, municipal or school purposes, and shall be exempt from every description of taxation; but, except as mentioned in subsection 3 and unless otherwise by law exempt, the interest of every lessee under a lease from the Collegium and every occupant other than the Collegium of real property vested in the Collegium shall be liable to taxation. Tax exemption

(3) The liability to taxation of the interest of a lessee or occupant mentioned in this section shall not extend to the interest of a lessee or occupant, Lessees or occupants of certain lands exempted

(*a*) being a member of the teaching staff or an officer or servant of The University; or

(*b*) being an association of undergraduates or an incorporated society of undergraduates or of graduates and undergraduates which is the lessee or occupant of any part of the property commonly known as the University Park, composed of the north halves of park lots Nos. eleven, twelve and thirteen in the first concession from the Bay, in the Township of York, now in the City of Toronto, and including that part of park lot No. fourteen in the first concession, described in a conveyance to Her late Majesty Queen Victoria, registered as No. 8654R in the registry office for the Registry Division of the City of Toronto,

but the interest of every such lessee or occupant shall be exempt from taxation.

6. All real and personal property now vested in St. Michael's College or held in trust for St. Michael's College or now vested in, or held in trust for, The Institute of Mediaeval Studies shall be and is hereby vested in the Collegium. Property vested in Collegium

Application of property and revenue

7. All the property which shall at any time belong to the Collegium, as well as the revenue thereof, shall at all times be exclusively applied and appropriated to the advancement of education in The University.

Books of account

8. The Collegium shall keep proper books of account of the financial affairs of The University.

Collegium powers

9. The Collegium shall have power,

(*a*) to prescribe the respective duties, power and authority of the officers and servants of The University;

(*b*) to make by-laws, rules and regulations,

(i) pertaining to meetings of the Collegium and its transactions, for fixing the quorum of the Collegium and for the appointment of such committees (other than the Executive Committee) as it may deem necessary, and for conferring on any such committees power and authority to act for the Collegium in and in relation to such matters as the Collegium may deem it expedient to delegate to a committee with power to act for the Collegium,

(ii) as to the selection and appointment of the President, Vice-President and Councillor, and any other officers of The University, or any of its colleges, schools, faculties, seminaries, institutes and halls,

(iii) in respect of all such matters and things as may seem necessary or advisable for the welfare, advancement and good government of The University which are not contrary to this Act or are not by this Act assigned to any other body;

(*c*) to appoint a Chancellor;

(*d*) to appoint a librarian, professors, lecturers, instructors, tutors, fellows and all officers, agents and servants of The University and its constituent parts, for whose appointment no other by-laws, rules or regulations have been made, and to remove the same and to determine their salaries, duties and tenure of office, which, unless otherwise provided, shall be at the pleasure of the Collegium, provided, however, that the members of the faculty of theology

be duly approved by The Roman Catholic Archbishop of Toronto or by the Basilian Fathers, and provided further that any by-law affecting The Institute of Mediaeval Studies shall have first been approved by the Praeses of The Institute of Mediaeval Studies;

(*e*) subject to the limitations imposed by any trust as to the same, to invest all such money as shall come to the hands of the Collegium and is not required to be expended for any purpose to which it lawfully may be applied, in such manner as to the Collegium may seem meet;

(*f*) to lay out and expend such sums as the Collegium may deem necessary for the erection, furnishing, maintenance and equipment of such buildings as are or may be deemed necessary for the purposes of The University or the students thereof;

(*g*) to establish faculties, departments, colleges, schools, institutes, seminaries, halls, chairs and lectureships within The University;

(*h*) to receive and administer all gifts, legacies, devises, grants, subscriptions or donations for The University and its constituent parts subject to the powers of the Senate under clause *f* of section 11;

(*i*) to impose tuition and other fees on the students of The University;

(*j*) to apply for, purchase or otherwise acquire any copyright or like right or any interest therein or right thereunder, and use, exercise, develop, dispose of, assign or grant licences in respect of or otherwise turn to account any copyright or like right or any interest or right so acquired, and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of a copyright or like right or of any interest therein or right thereunder may possess, exercise and enjoy.

Senate

10.—(1) There shall be a Senate of The University which shall consist of the following members:

(*a*) the Chancellor;

(*b*) the Vice-Chancellor;

(*c*) the members of the Collegium;

(*d*) such members of the teaching staff as shall be appointed in accordance with the regulations of the Senate;

(*e*) eight representatives elected every four years by the graduates and alumni of The University.

Chairman

(2) The Vice-Chancellor shall be Chairman of the Senate.

Term of office

(3) The members of the Senate shall hold office until their successors are appointed or elected, as the case may be.

Powers of Senate

11. The Senate shall have power,

(*a*) to provide for the regulation and conduct of its proceedings including the determination of the quorum necessary for the transaction of business;

1947, c. 112

(*b*) subject to *The University of Toronto Act, 1947*, to provide for the granting of and to grant degrees, including honorary degrees, in the several colleges, schools, seminaries, faculties, institutes and halls which are or may from time to time be established and to determine the courses of study and qualifications for degrees;

(*c*) to make such regulations as may be deemed necessary and proper for the nomination and election of the members of the Senate;

(*d*) to establish faculty and other councils, and to make regulations providing for the constitution of such councils and defining their powers and duties;

(*e*) to make regulations respecting, and deal with, admission of students, courses of study, conduct of examinations and all other matters of a strictly educational nature which are not by this Act assigned to another body or officer;

(*f*) to provide for the establishment of fellowships, scholarships, bursaries, exhibitions, medals, prizes and other awards;

(*g*) to summon and provide for the holding of Convocation for the conferring of degrees and for such other purposes as may be determined by the Senate;

(*h*) to appoint such representatives to the Senate of the University of Toronto as *The University of Toronto Act, 1947* may authorize;

(*i*) to deal with such other matters and affairs as may from time to time be committed to it by the Collegium.

Convocation

12.—(1) Convocation shall consist of the members of the Collegium, the members of the Senate, all members of the teaching staff of The University and all graduates and alumni of The University.

Convened by Senate

(2) Convocation shall be convened by the Senate.

Chancellor to preside

(3) The Chancellor shall preside at Convocation and shall confer degrees.

Vice-Chancellor

(4) The Vice-Chancellor shall, in the absence of the Chancellor, preside at Convocation and confer degrees.

In absence of Chancellor and Vice-Chancellor

(5) In the absence of both the Chancellor and the Vice-Chancellor, the Senate shall name a full professor from the teaching staff to preside at Convocation and confer degrees.

President, powers and duties

13.—(1) The President shall have all the rights, powers and privileges conferred on the Superior of St. Michael's College by *The University of Toronto Act, 1947*, and shall be charged with the general oversight of The University as a whole, and shall be the Vice-Chancellor and the senior administrative officer of The University.

Registrar to be secretary, duties

(2) The Registrar shall be the Secretary of the Senate and shall,

(*a*) keep all records and papers of the Senate including lists of all graduates and alumni including holders of diplomas and certificates, the records of all examination results and the standing of all students in The University;

(*b*) register all students of The University;

(*c*) conduct the elections of the representatives of the graduates and alumni on the Senate of The University; and

(*d*) perform such other duties as may be assigned to him by the Senate or the Collegium.

President, Principal and Registrar, general duties

(3) The President, the Principal and the Registrar shall also perform such other duties and functions as may be assigned to them by the Collegium and shall in all matters pertaining to their offices act under the direction and control of the Collegium.

Arts faculty

14. The arts faculty of The University in its relation to the University of Toronto shall be known as and may be called a college of the University of Toronto bearing as such college the name St. Michael's College.

Institute of Mediaeval Studies

15. The Institute of Mediaeval Studies is hereby established as a graduate school of research in theological studies in The University.

Chancellor of St. Michael's College continued

16.—(1) The Chancellor of St. Michael's College is hereby continued and shall be known as the Chancellor of The University of St. Michael's College.

Officers and staff continued

(2) The Registrar, the Librarian, the Bursar and all members of the teaching staff of St. Michael's College, and other officers, servants and employees of St. Michael's College, are hereby continued in their respective engagements in The University.

Repeal:

17. The following are repealed:

1855, c. 237

1. *An Act to incorporate St. Michael's College in the Diocese of Toronto*, being chapter 237 of the Statutes of the Province of Canada, 1855.

1954, c. 130

2. *The St. Michael's College Act, 1954.*

Commencement

18. This Act comes into force on the 1st day of July, 1958.

Short title

19. This Act may be cited as *The University of St. Michael's College Act, 1958.*

An Act respecting St. Michael's College

1st Reading

2nd Reading

3rd Reading

MR. YAREMKO

(*Private Bill*)

1958

No. 25

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting St. Michael's College

MR. YAREMKO

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 25 1958

BILL

An Act respecting St. Michael's College

WHEREAS St. Michael's College by its petition has represented that it was incorporated by *An Act to incorporate St. Michael's College in the Diocese of Toronto*, being chapter 237 of the Statutes of the Province of Canada, 1855, as amended by *The St. Michael's College Act, 1954*, and that it has conducted and maintained an institution of learning in the City of Toronto; and whereas the petitioner has prayed for legislation conferring upon it university status and such ancillary powers as are necessary to carry out its functions; and whereas it is expedient to grant the prayer of the petition; Preamble 1954, c. 130

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, Interpretation

(*a*) "alumni" means former students of St. Michael's College, or of The Institute of Mediaeval Studies, or of The University of St. Michael's College;

(*b*) "Basilian Fathers" means the General Council of the Congregation of the Priests of St. Basil, a religious congregation of the Roman Catholic Church;

(*c*) "graduates" means the graduates of St. Michael's College, or of The Institute of Mediaeval Studies, or of The University of St. Michael's College, who hold degrees;

(*d*) "The University" means The University of St. Michael's College.

2.—(1) St. Michael's College, as incorporated by *An Act to incorporate St. Michael's College in the Diocese of Toronto*, being chapter 237 of the Statutes of the Province of Canada, College continued as University

1855, as amended by *The St. Michael's College Act, 1954*, is hereby continued as a body corporate hereafter to be called and known as The University of St. Michael's College.

Officers

(2) Until their successors are appointed, the persons holding office as Superior, Vice-Superior and Councillor of St. Michael's College shall be the President, Vice-President and Councillor, respectively, of The University.

University powers

3.—(1) The University shall have university powers including the powers to grant degrees and honorary degrees, and shall be a university federated with the University of Toronto.

Supervision of degree-granting powers

(2) The power and authority of conferring degrees, except degrees in theology, of The University shall be suspended and in abeyance so long as The University remains federated with the University of Toronto, but may be resumed by The University if The University shall have ceased to be a university federated with the University of Toronto, within the meaning of *The University of Toronto Act, 1947*.

1947, c. 112

Collegium

4.—(1) The University shall be under the management and administration of the Collegium which is hereby constituted as a body corporate under that name.

Membership

(2) The Collegium shall consist of the following members:

(*a*) the President of The University;

(*b*) the Vice-President of The University;

(*c*) the Councillor of The University;

(*d*) the Praeses of The Institute of Mediaeval Studies;

(*e*) the Principal of St. Michael's College;

(*f*) the Registrar of The University;

(*g*) the Bursar of The University;

(*h*) three members who shall be elected by the beforementioned members according to the regulations which may be made from time to time by the Collegium.

Chairman, Treasurer

(3) The President and Bursar of The University shall be the Chairman and Treasurer, respectively, of the Collegium.

Executive Committee

(4) The President, Vice-President and Councillor of The University shall constitute the Executive Committee of the Collegium.

(5) If the office of any elected member becomes vacant during his term of office, it shall be filled by the Collegium for the unexpired portion of such term. Vacancy in office of elected member

5.—(1) The Collegium shall have, in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to purchase, acquire, take and hold by gift, devise or otherwise real and personal property for the purpose of The University without licence in mortmain, and may grant, sell, mortgage, lease and otherwise dispose of the same or any part thereof. Property R.S.O. 1950, c. 184

(2) The real and personal property vested in the Collegium and any lands and premises leased to or occupied by the Collegium shall not be liable to taxation for provincial, municipal or school purposes, and shall be exempt from every description of taxation; but, except as mentioned in subsection 3 and unless otherwise by law exempt, the interest of every lessee under a lease from the Collegium and every occupant other than the Collegium of real property vested in the Collegium shall be liable to taxation. Tax exemption

(3) The liability to taxation of the interest of a lessee or occupant mentioned in this section shall not extend to the interest of a lessee or occupant, Lessees or occupants of certain lands exempted

(*a*) being a member of the teaching staff or an officer or servant of The University; or

(*b*) being an association of undergraduates or an incorporated society of undergraduates or of graduates and undergraduates which is the lessee or occupant of any part of the property commonly known as the University Park, composed of the north halves of park lots Nos. eleven, twelve and thirteen in the first concession from the Bay, in the Township of York, now in the City of Toronto, and including that part of park lot No. fourteen in the first concession, described in a conveyance to Her late Majesty Queen Victoria, registered as No. 8654R in the registry office for the Registry Division of the City of Toronto,

but the interest of every such lessee or occupant shall be exempt from taxation.

6. All real and personal property now vested in St. Michael's College or held in trust for St. Michael's College or now vested in, or held in trust for, The Institute of Mediaeval Studies shall be and is hereby vested in the Collegium. Property vested in Collegium

Application of property and revenue

7. All the property which shall at any time belong to the Collegium, as well as the revenue thereof, shall at all times be exclusively applied and appropriated to the advancement of education.

Books of account

8. The Collegium shall keep proper books of account of the financial affairs of The University.

Collegium powers

9. The Collegium shall have power,

(*a*) to prescribe the respective duties, power and authority of the officers and servants of The University;

(*b*) to make by-laws, rules and regulations,

(i) pertaining to meetings of the Collegium and its transactions, for fixing the quorum of the Collegium and for the appointment of such committees (other than the Executive Committee) as it may deem necessary, and for conferring on any such committees power and authority to act for the Collegium in and in relation to such matters as the Collegium may deem it expedient to delegate to a committee with power to act for the Collegium,

(ii) as to the selection and appointment of the President, Vice-President and Councillor, and any other officers of The University, or any of its colleges, schools, faculties, seminaries, institutes and halls,

(iii) in respect of all such matters and things as may seem necessary or advisable for the welfare, advancement and good government of The University which are not contrary to this Act or are not by this Act assigned to any other body;

(*c*) to appoint a Chancellor;

(*d*) to appoint a librarian, professors, lecturers, instructors, tutors, fellows and all officers, agents and servants of The University and its constituent parts, for whose appointment no other by-laws, rules or regulations have been made, and to remove the same and to determine their salaries, duties and tenure of office, which, unless otherwise provided, shall be at the pleasure of the Collegium, provided, however, that the members of the faculty of theology

be duly approved by The Roman Catholic Archbishop of Toronto or by the Basilian Fathers, and provided further that any by-law affecting The Institute of Mediaeval Studies shall have first been approved by the Praeses of The Institute of Mediaeval Studies;

(*e*) subject to the limitations imposed by any trust as to the same, to invest all such money as shall come to the hands of the Collegium and is not required to be expended for any purpose to which it lawfully may be applied, in such manner as to the Collegium may seem meet;

(*f*) to lay out and expend such sums as the Collegium may deem necessary for the erection, furnishing, maintenance and equipment of such buildings as are or may be deemed necessary for the purposes of The University or the students thereof;

(*g*) to establish faculties, departments, colleges, schools, institutes, seminaries, halls, chairs and lectureships within The University;

(*h*) to receive and administer all gifts, legacies, devises, grants, subscriptions or donations for The University and its constituent parts subject to the powers of the Senate under clause *f* of section 11;

(*i*) to impose tuition and other fees on the students of The University;

(*j*) to apply for, purchase or otherwise acquire any copyright or like right or any interest therein or right thereunder, and use, exercise, develop, dispose of, assign or grant licences in respect of or otherwise turn to account any copyright or like right or any interest or right so acquired, and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of a copyright or like right or of any interest therein or right thereunder may possess, exercise and enjoy.

Senate

10.—(1) There shall be a Senate of The University which shall consist of the following members:

(*a*) the Chancellor;

(*b*) the Vice-Chancellor;

(*c*) the members of the Collegium;

(*d*) such members of the teaching staff as shall be appointed in accordance with the regulations of the Senate;

(*e*) eight representatives elected every four years by the graduates and alumni of The University.

Chairman

(2) The Vice-Chancellor shall be Chairman of the Senate.

Term of office

(3) The members of the Senate shall hold office until their successors are appointed or elected, as the case may be.

Powers of Senate

11. The Senate shall have power,

(*a*) to provide for the regulation and conduct of its proceedings including the determination of the quorum necessary for the transaction of business;

1947, c. 112

(*b*) subject to *The University of Toronto Act, 1947*, to provide for the granting of and to grant degrees, including honorary degrees, in the several colleges, schools, seminaries, faculties, institutes and halls which are or may from time to time be established and to determine the courses of study and qualifications for degrees;

(*c*) to make such regulations as may be deemed necessary and proper for the nomination and election of the members of the Senate;

(*d*) to establish faculty and other councils, and to make regulations providing for the constitution of such councils and defining their powers and duties;

(*e*) to make regulations respecting, and deal with, admission of students, courses of study, conduct of examinations and all other matters of a strictly educational nature which are not by this Act assigned to another body or officer;

(*f*) to provide for the establishment of fellowships, scholarships, bursaries, exhibitions, medals, prizes and other awards;

(*g*) to summon and provide for the holding of Convocation for the conferring of degrees and for such other purposes as may be determined by the Senate;

(*h*) to appoint such representatives to the Senate of the University of Toronto as *The University of Toronto Act, 1947* may authorize;

(*i*) to deal with such other matters and affairs as may from time to time be committed to it by the Collegium.

12.—(1) Convocation shall consist of the members of the Collegium, the members of the Senate, all members of the teaching staff of The University and all graduates and alumni of The University. Convocation

(2) Convocation shall be convened by the Senate. Convened by Senate

(3) The Chancellor shall preside at Convocation and shall confer degrees. Chancellor to preside

(4) The Vice-Chancellor shall, in the absence of the Chancellor, preside at Convocation and confer degrees. Vice-Chancellor

(5) In the absence of both the Chancellor and the Vice-Chancellor, the Senate shall name a full professor from the teaching staff to preside at Convocation and confer degrees. In absence of Chancellor and Vice-Chancellor

13.—(1) The President shall have all the rights, powers and privileges conferred on the Superior of St. Michael's College by *The University of Toronto Act, 1947*, and shall be charged with the general oversight of The University as a whole, and shall be the Vice-Chancellor and the senior administrative officer of The University. President, powers and duties

(2) The Registrar shall be the Secretary of the Senate and shall, Registrar to be secretary, duties

(*a*) keep all records and papers of the Senate including lists of all graduates and alumni including holders of diplomas and certificates, the records of all examination results and the standing of all students in The University;

(*b*) register all students of The University;

(*c*) conduct the elections of the representatives of the graduates and alumni on the Senate of The University; and

(*d*) perform such other duties as may be assigned to him by the Senate or the Collegium.

(3) The President, the Principal and the Registrar shall also perform such other duties and functions as may be assigned to them by the Collegium and shall in all matters pertaining to their offices act under the direction and control of the Collegium. President, Principal and Registrar, general duties

Arts faculty

14. The arts faculty of The University in its relation to the University of Toronto shall be known as and may be called a college of the University of Toronto bearing as such college the name St. Michael's College.

Institute of Mediaeval Studies

15. The Institute of Mediaeval Studies is hereby established as a graduate school of research in theological studies in The University.

Chancellor of St. Michael's College continued

16.—(1) The Chancellor of St. Michael's College is hereby continued and shall be known as the Chancellor of The University of St. Michael's College.

Officers and staff continued

(2) The Registrar, the Librarian, the Bursar and all members of the teaching staff of St. Michael's College, and other officers, servants and employees of St. Michael's College, are hereby continued in their respective engagements in The University.

Repeal:

17. The following are repealed:

1855, c. 237

1. *An Act to incorporate St. Michael's College in the Diocese of Toronto*, being chapter 237 of the Statutes of the Province of Canada, 1855.

1954, c. 130

2. *The St. Michael's College Act, 1954.*

Commencement

18. This Act comes into force on the 1st day of July, 1958.

Short title

19. This Act may be cited as *The University of St. Michael's College Act, 1958.*

An Act respecting St. Michael's College

1st Reading

February 20th, 1958

2nd Reading

3rd Reading

MR. YAREMKO

(*Reprinted as amended by the Committee on Private Bills*)

1958

No. 25

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting St. Michael's College

MR. YAREMKO

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 25 1958

BILL

An Act respecting St. Michael's College

Preamble

WHEREAS St. Michael's College by its petition has represented that it was incorporated by *An Act to incorporate St. Michael's College in the Diocese of Toronto*, being chapter 237 of the Statutes of the Province of Canada, 1855, as amended by *The St. Michael's College Act, 1954*, and that it has conducted and maintained an institution of learning in the City of Toronto; and whereas the petitioner has prayed for legislation conferring upon it university status and such ancillary powers as are necessary to carry out its functions; and whereas it is expedient to grant the prayer of the petition;

1954, c. 130

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Interpretation

1. In this Act,

(*a*) "alumni" means former students of St. Michael's College, or of The Institute of Mediaeval Studies, or of The University of St. Michael's College;

(*b*) "Basilian Fathers" means the General Council of the Congregation of the Priests of St. Basil, a religious congregation of the Roman Catholic Church;

(*c*) "graduates" means the graduates of St. Michael's College, or of The Institute of Mediaeval Studies, or of The University of St. Michael's College, who hold degrees;

(*d*) "The University" means The University of St. Michael's College.

College continued as University

2.—(1) St. Michael's College, as incorporated by *An Act to incorporate St. Michael's College in the Diocese of Toronto*, being chapter 237 of the Statutes of the Province of Canada,

1855, as amended by *The St. Michael's College Act, 1954*, is hereby continued as a body corporate hereafter to be called and known as The University of St. Michael's College.

Officers

(2) Until their successors are appointed, the persons holding office as Superior, Vice-Superior and Councillor of St. Michael's College shall be the President, Vice-President and Councillor, respectively, of The University.

University powers

3.—(1) The University shall have university powers including the powers to grant degrees and honorary degrees, and shall be a university federated with the University of Toronto.

Supervision of degree-granting powers

(2) The power and authority of conferring degrees, except degrees in theology, of The University shall be suspended and in abeyance so long as The University remains federated with the University of Toronto, but may be resumed by The University if The University shall have ceased to be a university federated with the University of Toronto, within the meaning of *The University of Toronto Act, 1947*.

1947, c. 112

Collegium

4.—(1) The University shall be under the management and administration of the Collegium which is hereby constituted as a body corporate under that name.

Membership

(2) The Collegium shall consist of the following members:

(*a*) the President of The University;

(*b*) the Vice-President of The University;

(*c*) the Councillor of The University;

(*d*) the Praeses of The Institute of Mediaeval Studies;

(*e*) the Principal of St. Michael's College;

(*f*) the Registrar of The University;

(*g*) the Bursar of The University;

(*h*) three members who shall be elected by the before-mentioned members according to the regulations which may be made from time to time by the Collegium.

Chairman, Treasurer

(3) The President and Bursar of The University shall be the Chairman and Treasurer, respectively, of the Collegium.

Executive Committee

(4) The President, Vice-President and Councillor of The University shall constitute the Executive Committee of the Collegium.

(5) If the office of any elected member becomes vacant during his term of office, it shall be filled by the Collegium for the unexpired portion of such term. Vacancy in office of elected member

5.—(1) The Collegium shall have, in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to purchase, acquire, take and hold by gift, devise or otherwise real and personal property for the purpose of The University without licence in mortmain, and may grant, sell, mortgage, lease and otherwise dispose of the same or any part thereof. Property R.S.O. 1950, c. 184

(2) The real and personal property vested in the Collegium and any lands and premises leased to or occupied by the Collegium shall not be liable to taxation for provincial, municipal or school purposes, and shall be exempt from every description of taxation; but, except as mentioned in subsection 3 and unless otherwise by law exempt, the interest of every lessee under a lease from the Collegium and every occupant other than the Collegium of real property vested in the Collegium shall be liable to taxation. Tax exemption

(3) The liability to taxation of the interest of a lessee or occupant mentioned in this section shall not extend to the interest of a lessee or occupant, Lessees or occupants of certain lands exempted

(*a*) being a member of the teaching staff or an officer or servant of The University; or

(*b*) being an association of undergraduates or an incorporated society of undergraduates or of graduates and undergraduates which is the lessee or occupant of any part of the property commonly known as the University Park, composed of the north halves of park lots Nos. eleven, twelve and thirteen in the first concession from the Bay, in the Township of York, now in the City of Toronto, and including that part of park lot No. fourteen in the first concession, described in a conveyance to Her late Majesty Queen Victoria, registered as No. 8654R in the registry office for the Registry Division of the City of Toronto,

but the interest of every such lessee or occupant shall be exempt from taxation.

6. All real and personal property now vested in St. Michael's College or held in trust for St. Michael's College or now vested in, or held in trust for, The Institute of Mediaeval Studies shall be and is hereby vested in the Collegium. Property vested in Collegium

Application of property and revenue

7. All the property which shall at any time belong to the Collegium, as well as the revenue thereof, shall at all times be exclusively applied and appropriated to the advancement of education.

Books of account

8. The Collegium shall keep proper books of account of the financial affairs of The University.

Collegium powers

9. The Collegium shall have power,

(*a*) to prescribe the respective duties, power and authority of the officers and servants of The University;

(*b*) to make by-laws, rules and regulations,

(i) pertaining to meetings of the Collegium and its transactions, for fixing the quorum of the Collegium and for the appointment of such committees (other than the Executive Committee) as it may deem necessary, and for conferring on any such committees power and authority to act for the Collegium in and in relation to such matters as the Collegium may deem it expedient to delegate to a committee with power to act for the Collegium,

(ii) as to the selection and appointment of the President, Vice-President and Councillor, and any other officers of The University, or any of its colleges, schools, faculties, seminaries, institutes and halls,

(iii) in respect of all such matters and things as may seem necessary or advisable for the welfare, advancement and good government of The University which are not contrary to this Act or are not by this Act assigned to any other body;

(*c*) to appoint a Chancellor;

(*d*) to appoint a librarian, professors, lecturers, instructors, tutors, fellows and all officers, agents and servants of The University and its constituent parts, for whose appointment no other by-laws, rules or regulations have been made, and to remove the same and to determine their salaries, duties and tenure of office, which, unless otherwise provided, shall be at the pleasure of the Collegium, provided, however, that the members of the faculty of theology

be duly approved by The Roman Catholic Archbishop of Toronto or by the Basilian Fathers, and provided further that any by-law affecting The Institute of Mediaeval Studies shall have first been approved by the Praeses of The Institute of Mediaeval Studies;

(*e*) subject to the limitations imposed by any trust as to the same, to invest all such money as shall come to the hands of the Collegium and is not required to be expended for any purpose to which it lawfully may be applied, in such manner as to the Collegium may seem meet;

(*f*) to lay out and expend such sums as the Collegium may deem necessary for the erection, furnishing, maintenance and equipment of such buildings as are or may be deemed necessary for the purposes of The University or the students thereof;

(*g*) to establish faculties, departments, colleges, schools, institutes, seminaries, halls, chairs and lectureships within The University;

(*h*) to receive and administer all gifts, legacies, devises, grants, subscriptions or donations for The University and its constituent parts subject to the powers of the Senate under clause *f* of section 11;

(*i*) to impose tuition and other fees on the students of The University;

(*j*) to apply for, purchase or otherwise acquire any copyright or like right or any interest therein or right thereunder, and use, exercise, develop, dispose of, assign or grant licences in respect of or otherwise turn to account any copyright or like right or any interest or right so acquired, and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of a copyright or like right or of any interest therein or right thereunder may possess, exercise and enjoy.

Senate

10.—(1) There shall be a Senate of The University which shall consist of the following members:

(*a*) the Chancellor;

(*b*) the Vice-Chancellor;

(*c*) the members of the Collegium;

(*d*) such members of the teaching staff as shall be appointed in accordance with the regulations of the Senate;

(*e*) eight representatives elected every four years by the graduates and alumni of The University.

Chairman

(2) The Vice-Chancellor shall be Chairman of the Senate.

Term of office

(3) The members of the Senate shall hold office until their successors are appointed or elected, as the case may be.

Powers of Senate

11. The Senate shall have power,

(*a*) to provide for the regulation and conduct of its proceedings including the determination of the quorum necessary for the transaction of business;

1947, c. 112

(*b*) subject to *The University of Toronto Act, 1947*, to provide for the granting of and to grant degrees, including honorary degrees, in the several colleges, schools, seminaries, faculties, institutes and halls which are or may from time to time be established and to determine the courses of study and qualifications for degrees;

(*c*) to make such regulations as may be deemed necessary and proper for the nomination and election of the members of the Senate;

(*d*) to establish faculty and other councils, and to make regulations providing for the constitution of such councils and defining their powers and duties;

(*e*) to make regulations respecting, and deal with, admission of students, courses of study, conduct of examinations and all other matters of a strictly educational nature which are not by this Act assigned to another body or officer;

(*f*) to provide for the establishment of fellowships, scholarships, bursaries, exhibitions, medals, prizes and other awards;

(*g*) to summon and provide for the holding of Convocation for the conferring of degrees and for such other purposes as may be determined by the Senate;

(*h*) to appoint such representatives to the Senate of the University of Toronto as *The University of Toronto Act, 1947* may authorize;

(*i*) to deal with such other matters and affairs as may from time to time be committed to it by the Collegium.

12.—(1) Convocation shall consist of the members of the Collegium, the members of the Senate, all members of the teaching staff of The University and all graduates and alumni of The University. Convocation

(2) Convocation shall be convened by the Senate. Convened by Senate

(3) The Chancellor shall preside at Convocation and shall confer degrees. Chancellor to preside

(4) The Vice-Chancellor shall, in the absence of the Chancellor, preside at Convocation and confer degrees. Vice-Chancellor

(5) In the absence of both the Chancellor and the Vice-Chancellor, the Senate shall name a full professor from the teaching staff to preside at Convocation and confer degrees. In absence of Chancellor and Vice-Chancellor

13.—(1) The President shall have all the rights, powers and privileges conferred on the Superior of St. Michael's College by *The University of Toronto Act, 1947*, and shall be charged with the general oversight of The University as a whole, and shall be the Vice-Chancellor and the senior administrative officer of The University. President, powers and duties

(2) The Registrar shall be the Secretary of the Senate and shall, Registrar to be secretary, duties

(*a*) keep all records and papers of the Senate including lists of all graduates and alumni including holders of diplomas and certificates, the records of all examination results and the standing of all students in The University;

(*b*) register all students of The University;

(*c*) conduct the elections of the representatives of the graduates and alumni on the Senate of The University; and

(*d*) perform such other duties as may be assigned to him by the Senate or the Collegium.

(3) The President, the Principal and the Registrar shall also perform such other duties and functions as may be assigned to them by the Collegium and shall in all matters pertaining to their offices act under the direction and control of the Collegium. President, Principal and Registrar, general duties

Arts faculty

14. The arts faculty of The University in its relation to the University of Toronto shall be known as and may be called a college of the University of Toronto bearing as such college the name St. Michael's College.

Institute of Mediaeval Studies

15. The Institute of Mediaeval Studies is hereby established as a graduate school of research in theological studies in The University.

Chancellor of St. Michael's College continued

16.—(1) The Chancellor of St. Michael's College is hereby continued and shall be known as the Chancellor of The University of St. Michael's College.

Officers and staff continued

(2) The Registrar, the Librarian, the Bursar and all members of the teaching staff of St. Michael's College, and other officers, servants and employees of St. Michael's College, are hereby continued in their respective engagements in The University.

Repeal:

17. The following are repealed:

1855, c. 237

1. *An Act to incorporate St. Michael's College in the Diocese of Toronto*, being chapter 237 of the Statutes of the Province of Canada, 1855.

1954, c. 130

2. *The St. Michael's College Act, 1954.*

Commencement

18. This Act comes into force on the 1st day of July, 1958.

Short title

19. This Act may be cited as *The University of St. Michael's College Act, 1958.*

An Act respecting St. Michael's College

1st Reading

February 20th, 1958

2nd Reading

March 17th, 1958

3rd Reading

March 19th, 1958

Mr. Yaremko

1958

No. 26

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of Toronto

Mr. Cowling

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 26 1958

BILL

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Where the council of the Corporation desires to expropriate land under the power conferred in *The Municipal Act* for the purpose of establishing, laying out, opening up, widening, improving, protecting from erosion, altering or diverting a highway, the Corporation may, instead of the procedure provided by *The Municipal Act*, proceed in the manner provided by *The Public Works Act* in the case of lands taken by the Minister of Public Works for the purposes of Ontario without the consent of the owner of such lands, and the provisions of *The Public Works Act* shall *mutatis mutandis* apply, and the powers and duties of the Minister of Public Works as set out in *The Public Works Act* may be exercised and performed in the name of the Corporation. Procedure on expropriation of land R.S.O. 1950, cc. 243, 323

(2) The plan and description of the lands taken, required by section 17 of *The Public Works Act* to be deposited in the registry office, shall be signed by the mayor and the clerk of the Corporation and by an Ontario land surveyor, and upon the deposit of the plan and description the land shall become and be vested in the Corporation. Plan and description, filing of

2. The lease dated the 29th day of April, 1957, between the Corporation and Dovercourt Boys' Club, set forth as the Schedule hereto, is hereby confirmed and declared to be legal, valid and binding upon the parties thereto and the parties are hereby empowered to enter into the lease and to carry out their respective obligations and exercise their respective privileges thereunder. Lease to Dovercourt Boys' Club, confirmation of

1911, c. 119, s. 18, re-enacted

3. Section 18 of *An Act respecting the City of Toronto*, being chapter 119 of the Statutes of Ontario, 1911, as amended by section 8 of *The City of Toronto Act, 1947* and section 2 of *The City of Toronto Act, 1953*, is repealed and the following substituted therefor:

Salaries of Toronto Electric Commissioners

18. The Toronto Electric Commissioners may determine the annual salaries of its members, except the Mayor, provided that the salaries shall not exceed in the case of the chairman $12,000 and in the case of the other member $8,000.

Indemnification of Allan Austin Lamport authorized

4. The council of the Corporation is hereby authorized to pay to Allan Austin Lamport or his executors, administrators or assigns, an amount not exceeding $40,000 to indemnify him on account of a judgment, costs and legal expenses incurred in an action brought by Thomas A. Ross for libel and slander arising out of certain statements made by Allan Austin Lamport and published on or about the 30th day of October, 1953, while he was Mayor and chairman of the Board of Commissioners of Police for the City of Toronto.

Historical board authorized

5.—(1) The council of the Corporation may by by-law establish a board to be known as the "Toronto Historical Board", hereinafter called the historical board, and may entrust to the historical board the construction, maintenance, control, operation and management of historic sites and properties owned or acquired by the Corporation within the City of Toronto.

Incorporation and members

(2) The historical board shall be a local board and a body politic and corporate and shall consist of a member of council, a member of the board of control and fifteen other members, each of whom shall be appointed by council on the nomination of the board of control, and no appointment shall be made by the council in the absence of such nomination except on the affirmative vote of at least two-thirds of the members of council present and voting.

Idem

(3) The member of the board of control and the member of council may be appointed for the whole or any part of the unexpired part of their term as members of council and the fifteen other members, who shall not be members of council, shall be appointed for not more than three years.

Term of office

(4) Of the fifteen other members of the first historical board, five shall be appointed for the period ending December 31, 1958, five for the period ending December 31, 1959, and five for the period ending December 31, 1960.

(5) In the year 1959 and in each year thereafter, five members shall be appointed and shall continue to be members until their successors are appointed, and shall be eligible for reappointment. Idem

(6) In the case of a vacancy from any cause other than the expiration of the term, the member appointed to fill the vacancy shall hold office for the balance of the term of the member whose place is vacant. Vacancy

(7) The council of the Corporation may acquire historic sites and properties and may provide the necessary funds for the objects of the historical board. Historic sites

(8) Subject to *The Archaeological and Historic Sites Protection Act, 1953* and to such limitations and restrictions as the council may impose, the historical board may, Powers of historical board 1953, c. 4

(*a*) make regulations governing its proceedings, the calling of meetings and the conduct of its members and employees;

(*b*) appoint a chairman and such other officials and employees as may be deemed necessary;

(*c*) require the payment of fees or charges for admission to or the use of properties under its control or supervision and fix such fees and charges;

(*d*) sell or distribute objects and literature of historical significance or interest, and sell, within the properties under its control or supervision, souvenirs, articles and refreshments at such prices as the historical board may decide;

(*e*) fix visiting hours when any of the properties under its supervision may be open;

(*f*) represent the Corporation in matters of historical significance assigned to it by council;

(*g*) mark or supervise the marking of historic sites and properties designated by council within the municipality;

(*h*) negotiate and enter into agreements with property owners relating to the erection and maintenance of historical markers on properties not owned by the Corporation;

(*i*) produce, copy and distribute historical publications and documents relating to the history of Toronto;

(*j*) carry out such other duties relating to the history and development of Toronto as may be assigned to it by council.

Remuneration

(9) The members of the historical board shall serve without remuneration.

Seat to become vacant by absence

(10) A member shall cease to be a member of the historical board if he absents himself from three successive meetings of the historical board without being authorized so to do by a resolution of the historical board entered upon its minutes.

Quorum

(11) A quorum of the historical board shall consist of seven members.

Contracts with historical board

(12) No member of the historical board nor any member of council shall have any contract with the historical board or be pecuniarily interested, directly or indirectly, in any contract or work relating to the operations or functions of the historical board.

Minutes, documents

(13) The historical board shall keep minutes of its meetings, and shall keep all papers and documents pertaining to the business of the historical board, and all books, documents and files kept by the historical board shall be open to the inspection of the members of council or of any other person or persons appointed for that purpose by council.

Budget and expenditures

(14) The historical board shall submit to the board of control an annual budget of its estimated revenues and expenditures in a form satisfactory to the city treasurer, and when money is provided by council, the treasurer shall pay out such money as the historical board may from time to time require.

Insurance

(15) The historical board shall deposit and keep on deposit with the city treasurer insurance policies indemnifying the Corporation against public liability and property damage in respect of the properties under the control or supervision of the historical board.

Annual report

(16) Immediately after the end of each year, the historical board shall submit its annual report to council, including a complete audited and certified financial statement of its affairs, with revenue and expense account, balance sheet and profit and loss statement.

Audit

(17) The city auditor shall be the auditor of the historical board and all books, documents, transactions, minutes and accounts of the historical board shall at all times be open to his inspection.

(18) The historical board shall apply the revenue received by it to the payment of its expenses in the performance of its functions, provided that it may apply any funds donated to the historical board by a private donor to the specific purpose designated by the donor. Payment of expenses

(19) Except as to any funds received from a private donor for a specific purpose, the historical board shall pay over any net revenue to the Corporation. Net revenue

(20) The powers, rights and authority of the Corporation to acquire lands or to raise money for the acquisition of lands or the construction of buildings shall not be transferred to the historical board. Debentures and acquisition of land

(21) The council of the Corporation may by by-law repeal or amend from time to time any by-law passed under the authority of this section and, upon the passing of a by-law to repeal, the historical board shall cease to exist and the whole of its undertaking, property, documents and other assets shall be and become vested in the Corporation, and be subject to the control and management of council, and for such purpose it shall not be requisite that any conveyance, transfer or assignment be executed or made. Amend or repeal of by-law

6.—(1) The council of the Corporation is authorized to pay additional remuneration, not exceeding a total of $5,000 per annum at an annual rate not exceeding $2,500, to the members of council who serve as members of the special committee established to implement the recommendations contained in the report of J. D. Woods and Gordon Limited, dated January 31, 1957, on the civic administration of the Corporation. Remuneration to members of Committee of Implementation authorized

(2) This section shall have effect for a period of three years commencing April 1, 1957. Effective period

7.—(1) This Act, except section 3, comes into force on the day it receives Royal Assent. Commencement

(2) Section 3 shall be deemed to have come into force on the 1st day of January, 1958. Idem

8. This Act may be cited as *The City of Toronto Act, 1958.* Short title

SCHEDULE

THIS INDENTURE made in triplicate this 29th day of April, one thousand nine hundred and fifty-seven.

IN PURSUANCE OF THE SHORT FORMS OF LEASES ACT,

BETWEEN:

THE CORPORATION OF THE CITY OF TORONTO (hereinafter called "the Lessor"),

OF THE FIRST PART,

—and—

DOVERCOURT BOYS' CLUB, a Corporation incorporated without share capital under the laws of the Province of Ontario, having its head office at the City of Toronto in the said Province (hereinafter called "the Lessee"),

OF THE SECOND PART.

WHEREAS under an Indenture dated December 28, 1895, The Land Security Company conveyed to the Lessor for park purposes the lands and premises situate, lying and being in the City of Toronto in the County of York being composed of part of the Block of land lying between the easterly limit of Bartlett Avenue and the westerly limit of Westmoreland Avenue marked "Reservation" and shown on a plan filed in the Registry Office for the County of York as No. 622, but now on file in the Registry Office for the Registry Division of Toronto known municipally as Dovercourt Park;

AND WHEREAS the Lessee is incorporated as a corporation without share capital under the provisions of *The Corporations Act, 1953*, with the objects necessary to enable it to construct and erect a Club House building, establish, equip, maintain, operate and conduct a club for the accommodation, recreation and convenience of boys and girls and provide and promote behaviour guidance, the health, social, educational, vocational and character development of boys and girls;

AND WHEREAS the Lessee has requested the Lessor to demise and lease unto the Lessee that part of the said lands and premises known municipally as Dovercourt Park, hereinafter described and outlined in red on the attached Print of Plan dated April 4, 1957, prepared by the City Surveyor of the Lessor, for the construction thereon by the Lessee of a club house building to be used by the Lessee exclusively (with the exception of certain ground floor rooms hereinafter specified that will be used by the Lessor) for the purposes of a club for boys and girls regardless of race, colour and creed, in accordance with the objects set forth in the original Letters Patent incorporating the Lessee;

AND WHEREAS as appears by Report No. 1 of the Committee on Parks and Exhibitions of the Lessor as adopted in Council on the 21st day of January, 1957, as amended by Report No. 8 of the said Committee adopted in Council on the 29th day of April, 1957, it was recommended that the said parcel be demised and leased unto the Lessee for such purposes, for the term, at the rent and upon the terms and conditions all as in the said Reports and hereinafter set forth;

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the rents, covenants and agreements hereinafter reserved and contained on the part of the Lessee, the Lessor doth demise and lease unto the Lessee firstly, for the sole purpose of a site for a club house building that is to be constructed by the Lessee, ALL AND SINGULAR that certain parcel or tract

of land and premises situate, lying and being in the City of Toronto, in the County of York and Province of Ontario, being composed of part of the Block of land lying between the easterly limit of Bartlett Avenue and the westerly limit of Westmoreland Avenue marked "Reservation" and shown on plan filed in the Registry Office for the County of York as No. 622, but now on file in the Registry Office for the Registry Division of Toronto, the boundaries of the said parcel being described as follows:

COMMENCING at a point in the westerly limit of Westmoreland Avenue where the same is intersected by the southerly limit of a parcel of land established as a public highway by City of Toronto By-law No. 4778 and described secondly therein the said highway being now known as Fernbank Avenue;

Thence westerly along the said southerly limit of Fernbank Avenue one hundred and sixty-five feet (165′);

Thence southerly parallel to the said westerly limit of Westmoreland Avenue one hundred and ninety feet (190′);

Thence easterly parallel to the said southerly limit of Fernbank Avenue one hundred and sixty-five feet (165′) to the said westerly limit of Westmoreland Avenue;

Thence northerly along the last-mentioned limit one hundred and ninety feet (190′) more or less to the point of commencement which said parcel is outlined in red on the Print of Plan dated April 4, 1957, prepared by the City Surveyor hereto annexed and forming a part hereof, and secondly, upon the completion of the construction of the club house building on the hereinbefore described parcel and the Lessee giving to the Lessor notice in writing of such completion, the said building (with the exception of the interior of the ground floor rooms that will be used by the Lessor shown blocked in green on the floor plan dated December, 1956, also annexed hereto and forming a part hereof hereinafter referred to as "the City Accommodation") exclusively for the purposes of a Club for boys and girls regardless of race, colour and creed, in accordance with the objects of the Lessee set forth in its original Letters Patent dated the 18th day of July, 1957, it being mutually understood and agreed by and between the parties hereto that the said building with the exception noted above, shall thereupon form and for all purposes be considered an integral part of the premises hereby demised.

TO HAVE AND TO HOLD the said demised premises for and during the term of twenty-one years from the first day of May, 1957, and from thenceforth next ensuing and fully to be complete and ended.

YIELDING AND PAYING THEREFOR yearly and every year during the term hereby demised the sum of One Dollar ($1.00) payable in advance to the Treasurer of the Lessor at his office in the City Hall, Toronto, on the first day of May in each and every year during the term hereby demised, the first of such payments to become due and be paid on the execution hereof.

THE LESSEE COVENANTS WITH THE LESSOR AS FOLLOWS:

1. To pay rent and to pay taxes, including taxes for local improvements, and all the rates, whether municipal or parliamentary, assessed against the premises hereby demised provided that when and so often as the Lessee shall neglect or omit to pay any such taxes, rates, local improvement rates or other assessments, the Lessor may pay the same and may thereupon charge them to the Lessee who hereby covenants to pay the same forthwith, and agrees with the Lessor that the Lessor shall have and enjoy the same remedies and may take the same steps for recovery thereof as the Lessor would and could have and take for the recovery of rent in arrears;

2. To repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted;

3. That the Lessor may enter and view state of repair; and the Lessee will repair according to notice in writing, reasonable wear and tear and damage by fire, lightning and tempest only excepted;

4. That the Lessee will not assign or sub-let without leave provided that such consent may notwithstanding any statutory provisions to the contrary, be arbitrarily refused by the Lessor in its sole and uncontrolled discretion;

5. That the Lessee will leave the premises in good repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted;

6. That the Lessee will pay all hydro-electric charges, gas and water rates assessed or chargeable upon or in respect to the premises hereby demised and shall be responsible for providing the necessary janitorial services for the said demised premises;

7. That the Lessee shall be responsible for heating the premises hereby demised entirely at the expense of the Lessee and shall during the said term provide the City Accommodation with adequate and suitable heat that will maintain a minimum temperature of the air in such accommodation that will at all times be satisfactory to the Commissioner of Parks and Recreation of the Lessor and for the provision of heat by the Lessee to the City Accommodation as hereinbefore set forth, the Lessor shall pay to the Lessee that portion of the total annual cost to the Lessee of providing heat for the entire club house building that will be constructed by the Lessee on the land hereby demised (including the City Accommodation) that bears the same ratio to such total cost as the amount of space comprising the City Accommodation bears to the total amount of space in the said club house building, calculated on a cubic foot basis;

8. That the Lessee will at all times during the said term keep the premises hereby demised in a clean, orderly and sanitary condition and shall not litter or permit or allow to be littered the lands and premises adjoining the said demised premises by persons using the said demised premises with the consent of the Lessee;

9. That the Lessee will not,

(*a*) keep or sell or permit or allow to be kept or sold in or upon the premises hereby demised or any part thereof, any spiritous liquors;

(*b*) permit or allow any boisterous or unseemly conduct in or upon the said demised premises; and

(*c*) make or do or permit or allow to be made or done anything, in or upon the said demised premises, which should be deemed a nuisance or which shall be offensive or shall be annoying to the Lessor or to the users or occupiers of adjacent properties;

10. That the Lessee will not carry on or permit or allow to be carried on, in or upon the premises hereby demised any business whatsoever and that the Lessee will not use or occupy the said land hereby demised or permit or allow the said demised land to be used or occupied for any purpose whatsoever other than as a site for a club house building and that upon the completion of the construction of a club house building on the said demised land, such building shall be used and occupied by the Lessee exclusively for the purposes of a club for boys and girls regardless of race, colour and creed, in accordance with the objects of the Lessee set forth in the original Letters Patent incorporating it; and it is hereby mutually understood and agreed by and between the Lessor and the Lessee that in the event that at any time the premises hereby demised are not being used by the Lessee, or are being used in contravention of this covenant and agreement, and such failure to use or contravention of this covenant and agreement as the case may be, continues for thirty days after the receipt by the Lessee of notice in writing from the Lessor or the said Commissioner of Parks and Recreation setting out the particulars of such failure or contravention as the case may be, the Lessor in any such case shall have the right to forthwith terminate this lease and thereupon all the rights

of the Lessee hereunder shall immediately cease, determine and be at an end and the Lessor may re-enter and take possession of the said demised premises without process of law, and without being liable for payment to the Lessee of any compensation or other monies whatsoever including without limiting the generality of the foregoing any compensation for or in respect to any building or improvement erected or made by the Lessee upon the said demised land;

11. That the Lessee will not erect, place or demolish or permit or allow to be erected, placed or demolished on the land hereby demised any building or other structure or erection of any kind whatsoever or any part thereof, or make or suffer to be made any extensions, additions, alterations or improvements whatsoever to the said demised premises without the approval of the Commissioner of Parks and Recreation of the Lessor and a permit therefor from the Commissioner of Buildings of the Lessor, first had and obtained;

12. That the Lessee shall submit for the approval of the Commissioner of Parks and Recreation of the Lessor the plans and specifications of the club house building that will be constructed by the Lessee on the land hereby demised and the Lessee shall construct the said club house building strictly in accordance with such plans and specifications as approved by the said Commissioner, and any other structure or erection of any kind to be erected or placed on the said demised premises shall be subject to the approval of the said Commissioner of Parks and Recreation as to location and design first had and obtained;

13. That the Lessee from time to time and at all times during the currency of this lease, shall at the cost, charge and expense of the Lessee obtain all permits and licenses required by and incident to the use and occupation of the premises hereby demised by the Lessee or any other person;

14. That the Lessee will not put up or exhibit, or permit or allow to be put up or exhibited upon any part of the premises hereby demised, any sign, notice, notice-board, painting, design or other device advertising any business, undertaking or scheme, or any other sign or advertisement that may be objectionable to the Commissioner of Parks and Recreation of the Lessor without the consent in writing of such Commissioner or of some other officer of the Lessor authorized to give such consent, first had and obtained;

15. That the Lessee from time to time and at all times during the term of this lease, will maintain at the sole expense of the Lessee and deposit and keep deposited with the Lessor, a public liability and property damage policy that is satisfactory in every respect to the City Treasurer of the Lessor and that will protect the Lessor against all loss, cost, charges, damages and expenses whatsoever which may be paid, sustained, suffered or incurred by the Lessor by reason of, on account of, or incidental to the death of or any injury to any person, or any damage to or destruction of property arising out of or as a result of this lease of the premises hereby demised by the Lessor to the Lessee and/or the use and occupation of the said demised premises by the Lessee and its servants, employees, agents, contractors, licensees and invitees or any of them or otherwise howsoever.

PROVISO for re-entry by the Lessor on non-payment of rent or non-performance of covenants.

THE LESSOR COVENANTS WITH THE LESSEE as follows:

1. For quiet enjoyment;

2. That if, at the expiration of the term hereby granted, or of any future term of twenty-one years, the Lessee shall be desirous of taking a renewal lease of the premises hereby demised for a further term of twenty-one years, the Lessee then conforming to all the terms and conditions herein mentioned and set forth and having given to the Lessor thirty days' notice in writing of such desire, the Lessor will at the cost and charges of the Lessee, grant except as is herein otherwise provided, such renewal

lease for the further term of twenty-one years from the expiration of the present or existing lease, at the same rent, and with the exception of the provisions requiring the payment by the Lessor to the Lessee of compensation for the club house building referred to therein, containing similar covenants, provisoes and agreements as in this lease set forth, provided that the Lessor shall not be compellable to renew this or any future lease, and in the event of it not so renewing, the Lessee shall not be entitled to receive any compensation whatsoever for or in respect to any building or improvement erected or made by the Lessee on the land hereby demised;

3. That upon the completion of the construction of the club house building on the land hereby demised and the Lessee giving to the Lessor notice in writing of such completion, the Lessor shall during the remainder of the said term and at the expense of the Lessor insure and keep insured against damage or destruction by fire or any peril listed in the standard supplemental contract, the said club house building in a sum sufficient to cover the full insurable value of the said club house building, and in the event of damage to or the destruction of the premises hereby demised or any part thereof as aforesaid, the Lessor shall apply the proceeds of insurance covering such damage or destruction to restore, replace or repair the said demised premises or part thereof, as the case may be;

4. That the Lessor shall be responsible for providing janitorial services for the City Accommodation.

It is Hereby Declared and Agreed by and between the parties hereto as follows:

1. That in the event of the Lessor or The Municipality of Metropolitan Toronto requiring possession of the premises hereby demised at any time for a municipal purpose or purposes, the Lessor shall have the right to terminate this lease upon giving to the Lessee at any time one year's notice in writing of the intention of the Lessor to terminate the said lease and such notice having been given, the said lease shall terminate exactly one year after the receipt of such notice by the Lessee;

2. If the Lessee has completed the construction of the club house building on the land hereby demised and has given to the Lessor notice in writing of such completion, the Lessee shall upon the expiration of the one year period after the receipt by the Lessee of a notice from the Lessor as provided in Declaration and Agreement No. 1 hereof, be entitled to receive from the Lessor compensation for the said club house building in the amount of the total capital cost to the Lessee of constructing the said club house building (exclusive of the amount of the capital building grant made or to be made by the Lessor to the Lessee, namely, the sum of thirty-five thousand dollars ($35,000.00)) less an amount for depreciation in respect thereto calculated on the basis of five (5) per centum per annum of the said total capital cost for the period from the date of commencement of the term hereby demised to the date of the said expiration provided that if the date of the said expiration is other than the 30th day of April in any year during the said term, the amount for depreciation for the lease year in which the date of the said expiration occurs, shall be that proportion of five (5) per centum of the said total capital cost that the number of days in the said lease year from the 1st day of May to the date of the said expiration bears to the total number of days in the said lease year provided that for the purpose of calculating the compensation to be paid by the Lessor to the Lessee hereunder, the total capital cost to the Lessee of constructing the said club house building shall be the actual original capital cost to the Lessee of constructing the said club house building notwithstanding that the said club house building may have been restored, replaced or repaired in the event of damage to or the destruction of the said club house building or any part thereof by reason of fire or any peril listed in the standard supplemental contract, and provided further that the Lessee shall not under any circumstances be entitled to receive any compensation whatsoever from the Lessor for the unexpired residue of the term of this lease, if any;

3. That after the completion of the construction of the club house building by the Lessee on the land hereby demised, such building and any

extensions, additions, alterations, and improvements thereto that may be erected or made from time to time, and any other structure or erection that may be placed or erected on the said demised land, shall for all purposes be the sole property of the Lessor;

4. That the Lessor shall be responsible for landscaping and maintaining at the expense of the Lessor those parts of the premises hereby demised comprising the ground areas remaining after the completion of the construction of the club house building by the Lessee on the land hereby demised, and the Lessor and its servants, employees, agents, contractors, invitees and licensees or any of them shall at any and all times be entitled to ingress and egress to and from the City Accommodation;

5. That any notice that the Lessor may be required to give to the Lessee under the provisions of this lease shall for all purposes be deemed to have been sufficiently and properly given if forwarded by registered mail and addressed to the Lessee at the demised premises and shall irrebutably be presumed to have been received by the Lessee on the third day following such registration;

6. That the Lessor shall at its own cost and expense take all possible steps to obtain at the next ensuing session of the Legislature of the Province of Ontario legislation validating and confirming this lease, and in the event that an application by the Lessor for such legislation is refused, the Lessor shall have the right to terminate this lease upon giving to the Lessee at any time thirty days' notice in writing of the intention of the Lessor to terminate the said lease, and such notice having been given, this lease will terminate exactly thirty days after the receipt of such notice by the Lessee and if the Lessee has completed the construction of the club house building on the land hereby demised and has given to the Lessor notice in writing of such completion, the Lessee shall upon the expiration of the thirty day period after the receipt of such notice given by the Lessor to the Lessee as in this Declaration and Agreement provided, be entitled to receive from the Lessor compensation for the said club house building in accordance with the provisions with respect thereto hereinbefore set forth in Declaration and Agreement No. 2 hereof PROVIDED that the Lessee shall not under any circumstances be entitled to receive any compensation whatsoever from the Lessor for the unexpired residue of the term of this lease AND PROVIDED FURTHER THAT if this lease is terminated by the Lessor as herein provided prior to the 1st day of July, 1958, and the construction of the said club house building is not completed at the date of such termination, the Lessee shall have until the 1st day of July, 1958, to complete the construction of the said club house building as in this lease provided and if the construction of the said club house building is completed by the Lessee on or before the 1st day of July, 1958, the Lessee shall be entitled to receive compensation for the said club house building as hereinbefore set forth notwithstanding the prior termination of this lease by the Lessor, and in the event that this lease is terminated under the circumstances in this proviso set forth, the Lessee shall be responsible for maintaining the public liability and property damage policy referred to in covenant No. 15 hereof on the part of the Lessee, as herein set out;

7. That every covenant, proviso, declaration and agreement herein contained shall enure to the benefit of and be binding upon the parties hereto, their successors and assigns respectively;

8. That the capital grant of thirty-five thousand ($35,000.00) dollars that the Lessor has authorized to be made to the Lessee, shall be applied by the Lessee to the capital cost of the club house building to be constructed by the Lessee on the land hereby demised as in this lease provided, and in the event that the Lessee does not proceed with or complete the construction of the said club house building, the Lessee shall return to the Lessor the whole of the said grant then remaining that has not been used for the purpose hereinbefore mentioned.

In Witness Whereof the Lessor and the Lessee have hereunto affixed their respective corporate seals attested to by the hands of their respective proper officers in that behalf duly authorized.

Signed, Sealed and Delivered

Authorized by Reports Nos. 1 and 8 of the Committee on Parks and Exhibitions adopted in Council on January 21 and April 29, 1957, respectively, and by Report No. 12 of the said Committee adopted in Council on June 24, 1957.

The Corporation of the City of Toronto:

Nathan Phillips,
Mayor,

(Seal)

W. M. Campbell,
Deputy Treasurer.

Dovercourt Boys' Club:

C. W. Foster,
President,

(Seal)

T. D. Miller,
Vice-President.

[Plan showing part of Dovercourt Park, Toronto, attached.

Sketch of proposed changing rooms in the Dovercourt Boys' Club for the Parks and Recreation Department, City of Toronto, attached.]

An Act respecting the City of Toronto

1st Reading

2nd Reading

3rd Reading

MR. COWLING

(*Private Bill*)

1958

No. 26

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of Toronto

Mr. Cowling

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 26 1958

BILL

An Act respecting the City of Toronto

Preamble

WHEREAS The Corporation of the City of Toronto, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Procedure on expropriation of land

R.S.O. 1950, cc. 243, 323

1.—(1) Where the council of the Corporation desires to expropriate land under the power conferred in *The Municipal Act* for the purpose of establishing, laying out, opening up, widening, improving, protecting from erosion, altering or diverting a highway, the Corporation may, instead of the procedure provided by *The Municipal Act*, proceed in the manner provided by *The Public Works Act* in the case of lands taken by the Minister of Public Works for the purposes of Ontario without the consent of the owner of such lands, and the provisions of *The Public Works Act* shall *mutatis mutandis* apply, and the powers and duties of the Minister of Public Works as set out in *The Public Works Act* may be exercised and performed in the name of the Corporation.

Plan and description, filing of

(2) The plan and description of the lands taken, required by section 17 of *The Public Works Act* to be deposited in the registry office, shall be signed by the mayor and the clerk of the Corporation and by an Ontario land surveyor, and upon the deposit of the plan and description the land shall become and be vested in the Corporation.

Lease to Dovercourt Boys' Club, confirmation of

2. The lease dated the 29th day of April, 1957, between the Corporation and Dovercourt Boys' Club, set forth as the Schedule hereto, is hereby confirmed and declared to be legal, valid and binding upon the parties thereto and the parties are hereby empowered to enter into the lease and to carry out their respective obligations and exercise their respective privileges thereunder.

1911, c. 119, s. 18, re-enacted

3. Section 18 of *An Act respecting the City of Toronto*, being chapter 119 of the Statutes of Ontario, 1911, as amended by section 8 of *The City of Toronto Act, 1947* and section 2 of *The City of Toronto Act, 1953*, is repealed and the following substituted therefor:

Salaries of Toronto Electric Commissioners

18. The Toronto Electric Commissioners may determine the annual salaries of its members, except the Mayor, provided that the salaries shall not exceed in the case of the chairman $12,000 and in the case of the other member $8,000.

Indemnification of Allan Austin Lamport authorized

4. The council of the Corporation is hereby authorized to pay to Allan Austin Lamport or his executors, administrators or assigns, an amount not exceeding $40,000 to indemnify him on account of a judgment, costs and legal expenses incurred in an action brought by Thomas A. Ross for libel and slander arising out of certain statements made by Allan Austin Lamport and published on or about the 30th day of October, 1953, while he was Mayor and chairman of the Board of Commissioners of Police for the City of Toronto.

Historical board authorized

5.—(1) The council of the Corporation may by by-law establish a board to be known as the "Toronto Historical Board", hereinafter called the historical board, and may entrust to the historical board the construction, maintenance, control, operation and management of historic sites and properties owned or acquired by the Corporation within the City of Toronto.

Incorporation and members

(2) The historical board shall be a local board and a body politic and corporate and shall consist of a member of council, a member of the board of control and fifteen other members, each of whom shall be appointed by council on the nomination of the board of control, and no appointment shall be made by the council in the absence of such nomination except on the affirmative vote of at least two-thirds of the members of council present and voting.

Idem

(3) The member of the board of control and the member of council may be appointed for the whole or any part of the unexpired part of their term as members of council and the fifteen other members, who shall not be members of council, shall be appointed for not more than three years.

Term of office

(4) Of the fifteen other members of the first historical board, five shall be appointed for the period ending December 31, 1958, five for the period ending December 31, 1959, and five for the period ending December 31, 1960.

(5) In the year 1959 and in each year thereafter, five members shall be appointed and shall continue to be members until their successors are appointed, and shall be eligible for reappointment. Idem

(6) In the case of a vacancy from any cause other than the expiration of the term, the member appointed to fill the vacancy shall hold office for the balance of the term of the member whose place is vacant. Vacancy

(7) The council of the Corporation may acquire historic sites and properties and may provide the necessary funds for the objects of the historical board. Historic sites

(8) Subject to *The Archaeological and Historic Sites Protection Act, 1953* and to such limitations and restrictions as the council may impose, the historical board may, Powers of historical board 1953, c. 4

(*a*) make regulations governing its proceedings, the calling of meetings and the conduct of its members and employees;

(*b*) appoint a chairman and such other officials and employees as may be deemed necessary;

(*c*) require the payment of fees or charges for admission to or the use of properties under its control or supervision and fix such fees and charges;

(*d*) sell or distribute objects and literature of historical significance or interest, and sell, within the properties under its control or supervision, souvenirs, articles and refreshments at such prices as the historical board may decide;

(*e*) fix visiting hours when any of the properties under its supervision may be open;

(*f*) represent the Corporation in matters of historical significance assigned to it by council;

(*g*) mark or supervise the marking of historic sites and properties designated by council within the municipality;

(*h*) negotiate and enter into agreements with property owners relating to the erection and maintenance of historical markers on properties not owned by the Corporation;

(*i*) produce, copy and distribute historical publications and documents relating to the history of Toronto;

(*j*) carry out such other duties relating to the history and development of Toronto as may be assigned to it by council.

Remuneration

(9) The members of the historical board shall serve without remuneration.

Seat to become vacant by absence

(10) A member shall cease to be a member of the historical board if he absents himself from three successive meetings of the historical board without being authorized so to do by a resolution of the historical board entered upon its minutes.

Quorum

(11) A quorum of the historical board shall consist of seven members.

Contracts with historical board

(12) No member of the historical board nor any member of council shall have any contract with the historical board or be pecuniarily interested, directly or indirectly, in any contract or work relating to the operations or functions of the historical board.

Minutes, documents

(13) The historical board shall keep minutes of its meetings, and shall keep all papers and documents pertaining to the business of the historical board, and all books, documents and files kept by the historical board shall be open to the inspection of the members of council or of any other person or persons appointed for that purpose by council.

Budget and expenditures

(14) The historical board shall submit to the board of control an annual budget of its estimated revenues and expenditures in a form satisfactory to the city treasurer, and when money is provided by council, the treasurer shall pay out such money as the historical board may from time to time require.

Insurance

(15) The historical board shall deposit and keep on deposit with the city treasurer insurance policies indemnifying the Corporation against public liability and property damage in respect of the properties under the control or supervision of the historical board.

Annual report

(16) Immediately after the end of each year, the historical board shall submit its annual report to council, including a complete audited and certified financial statement of its affairs, with revenue and expense account, balance sheet and profit and loss statement.

Audit

(17) The city auditor shall be the auditor of the historical board and all books, documents, transactions, minutes and accounts of the historical board shall at all times be open to his inspection.

(18) The historical board shall apply the revenue received by it to the payment of its expenses in the performance of its functions, provided that it may apply any funds donated to the historical board by a private donor to the specific purpose designated by the donor. Payment of expenses

(19) Except as to any funds received from a private donor for a specific purpose, the historical board shall pay over any net revenue to the Corporation. Net revenue

(20) The powers, rights and authority of the Corporation to acquire lands or to raise money for the acquisition of lands or the construction of buildings shall not be transferred to the historical board. Debentures and acquisition of land

(21) The council of the Corporation may by by-law repeal or amend from time to time any by-law passed under the authority of this section and, upon the passing of a by-law to repeal, the historical board shall cease to exist and the whole of its undertaking, property, documents and other assets shall be and become vested in the Corporation, and be subject to the control and management of council, and for such purpose it shall not be requisite that any conveyance, transfer or assignment be executed or made. Amend or repeal of by-law

6.—(1) The council of the Corporation is authorized to pay additional remuneration, not exceeding a total of $5,000 per annum at an annual rate not exceeding $2,500, to the members of council who serve as members of the special committee established to implement the recommendations contained in the report of J. D. Woods and Gordon Limited, dated January 31, 1957, on the civic administration of the Corporation. Remuneration to members of Committee of Implementation authorized

(2) This section shall have effect for a period of three years commencing April 1, 1957. Effective period

7.—(1) This Act, except section 3, comes into force on the day it receives Royal Assent. Commencement

(2) Section 3 shall be deemed to have come into force on the 1st day of January, 1958. Idem

8. This Act may be cited as *The City of Toronto Act, 1958.* Short title

SCHEDULE

THIS INDENTURE made in triplicate this 29th day of April, one thousand nine hundred and fifty-seven.

IN PURSUANCE OF THE SHORT FORMS OF LEASES ACT,

BETWEEN:

THE CORPORATION OF THE CITY OF TORONTO (hereinafter called "the Lessor"),

OF THE FIRST PART,

—and—

DOVERCOURT BOYS' CLUB, a Corporation incorporated without share capital under the laws of the Province of Ontario, having its head office at the City of Toronto in the said Province (hereinafter called "the Lessee"),

OF THE SECOND PART.

WHEREAS under an Indenture dated December 28, 1895, The Land Security Company conveyed to the Lessor for park purposes the lands and premises situate, lying and being in the City of Toronto in the County of York being composed of part of the Block of land lying between the easterly limit of Bartlett Avenue and the westerly limit of Westmoreland Avenue marked "Reservation" and shown on a plan filed in the Registry Office for the County of York as No. 622, but now on file in the Registry Office for the Registry Division of Toronto known municipally as Dovercourt Park;

AND WHEREAS the Lessee is incorporated as a corporation without share capital under the provisions of *The Corporations Act, 1953*, with the objects necessary to enable it to construct and erect a Club House building, establish, equip, maintain, operate and conduct a club for the accommodation, recreation and convenience of boys and girls and provide and promote behaviour guidance, the health, social, educational, vocational and character development of boys and girls;

AND WHEREAS the Lessee has requested the Lessor to demise and lease unto the Lessee that part of the said lands and premises known municipally as Dovercourt Park, hereinafter described and outlined in red on the attached Print of Plan dated April 4, 1957, prepared by the City Surveyor of the Lessor, for the construction thereon by the Lessee of a club house building to be used by the Lessee exclusively (with the exception of certain ground floor rooms hereinafter specified that will be used by the Lessor) for the purposes of a club for boys and girls regardless of race, colour and creed, in accordance with the objects set forth in the original Letters Patent incorporating the Lessee;

AND WHEREAS as appears by Report No. 1 of the Committee on Parks and Exhibitions of the Lessor as adopted in Council on the 21st day of January, 1957, as amended by Report No. 8 of the said Committee adopted in Council on the 29th day of April, 1957, it was recommended that the said parcel be demised and leased unto the Lessee for such purposes, for the term, at the rent and upon the terms and conditions all as in the said Reports and hereinafter set forth;

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the rents, covenants and agreements hereinafter reserved and contained on the part of the Lessee, the Lessor doth demise and lease unto the Lessee firstly, for the sole purpose of a site for a club house building that is to be constructed by the Lessee, ALL AND SINGULAR that certain parcel or tract

of land and premises situate, lying and being in the City of Toronto, in the County of York and Province of Ontario, being composed of part of the Block of land lying between the easterly limit of Bartlett Avenue and the westerly limit of Westmoreland Avenue marked "Reservation" and shown on plan filed in the Registry Office for the County of York as No. 622, but now on file in the Registry Office for the Registry Division of Toronto, the boundaries of the said parcel being described as follows:

COMMENCING at a point in the westerly limit of Westmoreland Avenue where the same is intersected by the southerly limit of a parcel of land established as a public highway by City of Toronto By-law No. 4778 and described secondly therein the said highway being now known as Fernbank Avenue;

Thence westerly along the said southerly limit of Fernbank Avenue one hundred and sixty-five feet (165′);

Thence southerly parallel to the said westerly limit of Westmoreland Avenue one hundred and ninety feet (190′);

Thence easterly parallel to the said southerly limit of Fernbank Avenue one hundred and sixty-five feet (165′) to the said westerly limit of Westmoreland Avenue;

Thence northerly along the last-mentioned limit one hundred and ninety feet (190′) more or less to the point of commencement which said parcel is outlined in red on the Print of Plan dated April 4, 1957, prepared by the City Surveyor hereto annexed and forming a part hereof, and secondly, upon the completion of the construction of the club house building on the hereinbefore described parcel and the Lessee giving to the Lessor notice in writing of such completion, the said building (with the exception of the interior of the ground floor rooms that will be used by the Lessor shown blocked in green on the floor plan dated December, 1956, also annexed hereto and forming a part hereof hereinafter referred to as "the City Accommodation") exclusively for the purposes of a Club for boys and girls regardless of race, colour and creed, in accordance with the objects of the Lessee set forth in its original Letters Patent dated the 18th day of July, 1957, it being mutually understood and agreed by and between the parties hereto that the said building with the exception noted above, shall thereupon form and for all purposes be considered an integral part of the premises hereby demised.

TO HAVE AND TO HOLD the said demised premises for and during the term of twenty-one years from the first day of May, 1957, and from thenceforth next ensuing and fully to be complete and ended.

YIELDING AND PAYING THEREFOR yearly and every year during the term hereby demised the sum of One Dollar ($1.00) payable in advance to the Treasurer of the Lessor at his office in the City Hall, Toronto, on the first day of May in each and every year during the term hereby demised, the first of such payments to become due and be paid on the execution hereof.

THE LESSEE COVENANTS WITH THE LESSOR AS FOLLOWS:

1. To pay rent and to pay taxes, including taxes for local improvements, and all the rates, whether municipal or parliamentary, assessed against the premises hereby demised provided that when and so often as the Lessee shall neglect or omit to pay any such taxes, rates, local improvement rates or other assessments, the Lessor may pay the same and may thereupon charge them to the Lessee who hereby covenants to pay the same forthwith, and agrees with the Lessor that the Lessor shall have and enjoy the same remedies and may take the same steps for recovery thereof as the Lessor would and could have and take for the recovery of rent in arrears;

2. To repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted;

3. That the Lessor may enter and view state of repair; and the Lessee will repair according to notice in writing, reasonable wear and tear and damage by fire, lightning and tempest only excepted;

4. That the Lessee will not assign or sub-let without leave provided that such consent may notwithstanding any statutory provisions to the contrary, be arbitrarily refused by the Lessor in its sole and uncontrolled discretion;

5. That the Lessee will leave the premises in good repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted;

6. That the Lessee will pay all hydro-electric charges, gas and water rates assessed or chargeable upon or in respect to the premises hereby demised and shall be responsible for providing the necessary janitorial services for the said demised premises;

7. That the Lessee shall be responsible for heating the premises hereby demised entirely at the expense of the Lessee and shall during the said term provide the City Accommodation with adequate and suitable heat that will maintain a minimum temperature of the air in such accommodation that will at all times be satisfactory to the Commissioner of Parks and Recreation of the Lessor and for the provision of heat by the Lessee to the City Accommodation as hereinbefore set forth, the Lessor shall pay to the Lessee that portion of the total annual cost to the Lessee of providing heat for the entire club house building that will be constructed by the Lessee on the land hereby demised (including the City Accommodation) that bears the same ratio to such total cost as the amount of space comprising the City Accommodation bears to the total amount of space in the said club house building, calculated on a cubic foot basis;

8. That the Lessee will at all times during the said term keep the premises hereby demised in a clean, orderly and sanitary condition and shall not litter or permit or allow to be littered the lands and premises adjoining the said demised premises by persons using the said demised premises with the consent of the Lessee;

9. That the Lessee will not,

(*a*) keep or sell or permit or allow to be kept or sold in or upon the premises hereby demised or any part thereof, any spiritous liquors;

(*b*) permit or allow any boisterous or unseemly conduct in or upon the said demised premises; and

(*c*) make or do or permit or allow to be made or done anything, in or upon the said demised premises, which should be deemed a nuisance or which shall be offensive or shall be annoying to the Lessor or to the users or occupiers of adjacent properties;

10. That the Lessee will not carry on or permit or allow to be carried on, in or upon the premises hereby demised any business whatsoever and that the Lessee will not use or occupy the said land hereby demised or permit or allow the said demised land to be used or occupied for any purpose whatsoever other than as a site for a club house building and that upon the completion of the construction of a club house building on the said demised land, such building shall be used and occupied by the Lessee exclusively for the purposes of a club for boys and girls regardless of race, colour and creed, in accordance with the objects of the Lessee set forth in the original Letters Patent incorporating it; and it is hereby mutually understood and agreed by and between the Lessor and the Lessee that in the event that at any time the premises hereby demised are not being used by the Lessee, or are being used in contravention of this covenant and agreement, and such failure to use or contravention of this covenant and agreement as the case may be, continues for thirty days after the receipt by the Lessee of notice in writing from the Lessor or the said Commissioner of Parks and Recreation setting out the particulars of such failure or contravention as the case may be, the Lessor in any such case shall have the right to forthwith terminate this lease and thereupon all the rights

of the Lessee hereunder shall immediately cease, determine and be at an end and the Lessor may re-enter and take possession of the said demised premises without process of law, and without being liable for payment to the Lessee of any compensation or other monies whatsoever including without limiting the generality of the foregoing any compensation for or in respect to any building or improvement erected or made by the Lessee upon the said demised land;

11. That the Lessee will not erect, place or demolish or permit or allow to be erected, placed or demolished on the land hereby demised any building or other structure or erection of any kind whatsoever or any part thereof, or make or suffer to be made any extensions, additions, alterations or improvements whatsoever to the said demised premises without the approval of the Commissioner of Parks and Recreation of the Lessor and a permit therefor from the Commissioner of Buildings of the Lessor, first had and obtained;

12. That the Lessee shall submit for the approval of the Commissioner of Parks and Recreation of the Lessor the plans and specifications of the club house building that will be constructed by the Lessee on the land hereby demised and the Lessee shall construct the said club house building strictly in accordance with such plans and specifications as approved by the said Commissioner, and any other structure or erection of any kind to be erected or placed on the said demised premises shall be subject to the approval of the said Commissioner of Parks and Recreation as to location and design first had and obtained;

13. That the Lessee from time to time and at all times during the currency of this lease, shall at the cost, charge and expense of the Lessee obtain all permits and licenses required by and incident to the use and occupation of the premises hereby demised by the Lessee or any other person;

14. That the Lessee will not put up or exhibit, or permit or allow to be put up or exhibited upon any part of the premises hereby demised, any sign, notice, notice-board, painting, design or other device advertising any business, undertaking or scheme, or any other sign or advertisement that may be objectionable to the Commissioner of Parks and Recreation of the Lessor without the consent in writing of such Commissioner or of some other officer of the Lessor authorized to give such consent, first had and obtained;

15. That the Lessee from time to time and at all times during the term of this lease, will maintain at the sole expense of the Lessee and deposit and keep deposited with the Lessor, a public liability and property damage policy that is satisfactory in every respect to the City Treasurer of the Lessor and that will protect the Lessor against all loss, cost, charges, damages and expenses whatsoever which may be paid, sustained, suffered or incurred by the Lessor by reason of, on account of, or incidental to the death of or any injury to any person, or any damage to or destruction of property arising out of or as a result of this lease of the premises hereby demised by the Lessor to the Lessee and/or the use and occupation of the said demised premises by the Lessee and its servants, employees, agents, contractors, licensees and invitees or any of them or otherwise howsoever.

PROVISO for re-entry by the Lessor on non-payment of rent or non-performance of covenants.

THE LESSOR COVENANTS WITH THE LESSEE as follows:

1. For quiet enjoyment;

2. That if, at the expiration of the term hereby granted, or of any future term of twenty-one years, the Lessee shall be desirous of taking a renewal lease of the premises hereby demised for a further term of twenty-one years, the Lessee then conforming to all the terms and conditions herein mentioned and set forth and having given to the Lessor thirty days' notice in writing of such desire, the Lessor will at the cost and charges of the Lessee, grant except as is herein otherwise provided, such renewal

lease for the further term of twenty-one years from the expiration of the present or existing lease, at the same rent, and with the exception of the provisions requiring the payment by the Lessor to the Lessee of compensation for the club house building referred to therein, containing similar covenants, provisoes and agreements as in this lease set forth, provided that the Lessor shall not be compellable to renew this or any future lease, and in the event of it not so renewing, the Lessee shall not be entitled to receive any compensation whatsoever for or in respect to any building or improvement erected or made by the Lessee on the land hereby demised;

3. That upon the completion of the construction of the club house building on the land hereby demised and the Lessee giving to the Lessor notice in writing of such completion, the Lessor shall during the remainder of the said term and at the expense of the Lessor insure and keep insured against damage or destruction by fire or any peril listed in the standard supplemental contract, the said club house building in a sum sufficient to cover the full insurable value of the said club house building, and in the event of damage to or the destruction of the premises hereby demised or any part thereof as aforesaid, the Lessor shall apply the proceeds of insurance covering such damage or destruction to restore, replace or repair the said demised premises or part thereof, as the case may be;

4. That the Lessor shall be responsible for providing janitorial services for the City Accommodation.

It is Hereby Declared and Agreed by and between the parties hereto as follows:

1. That in the event of the Lessor or The Municipality of Metropolitan Toronto requiring possession of the premises hereby demised at any time for a municipal purpose or purposes, the Lessor shall have the right to terminate this lease upon giving to the Lessee at any time one year's notice in writing of the intention of the Lessor to terminate the said lease and such notice having been given, the said lease shall terminate exactly one year after the receipt of such notice by the Lessee;

2. If the Lessee has completed the construction of the club house building on the land hereby demised and has given to the Lessor notice in writing of such completion, the Lessee shall upon the expiration of the one year period after the receipt by the Lessee of a notice from the Lessor as provided in Declaration and Agreement No. 1 hereof, be entitled to receive from the Lessor compensation for the said club house building in the amount of the total capital cost to the Lessee of constructing the said club house building (exclusive of the amount of the capital building grant made or to be made by the Lessor to the Lessee, namely, the sum of thirty-five thousand dollars ($35,000.00)) less an amount for depreciation in respect thereto calculated on the basis of five (5) per centum per annum of the said total capital cost for the period from the date of commencement of the term hereby demised to the date of the said expiration provided that if the date of the said expiration is other than the 30th day of April in any year during the said term, the amount for depreciation for the lease year in which the date of the said expiration occurs, shall be that proportion of five (5) per centum of the said total capital cost that the number of days in the said lease year from the 1st day of May to the date of the said expiration bears to the total number of days in the said lease year provided that for the purpose of calculating the compensation to be paid by the Lessor to the Lessee hereunder, the total capital cost to the Lessee of constructing the said club house building shall be the actual original capital cost to the Lessee of constructing the said club house building notwithstanding that the said club house building may have been restored, replaced or repaired in the event of damage to or the destruction of the said club house building or any part thereof by reason of fire or any peril listed in the standard supplemental contract, and provided further that the Lessee shall not under any circumstances be entitled to receive any compensation whatsoever from the Lessor for the unexpired residue of the term of this lease, if any;

3. That after the completion of the construction of the club house building by the Lessee on the land hereby demised, such building and any

extensions, additions, alterations, and improvements thereto that may be erected or made from time to time, and any other structure or erection that may be placed or erected on the said demised land, shall for all purposes be the sole property of the Lessor;

4. That the Lessor shall be responsible for landscaping and maintaining at the expense of the Lessor those parts of the premises hereby demised comprising the ground areas remaining after the completion of the construction of the club house building by the Lessee on the land hereby demised, and the Lessor and its servants, employees, agents, contractors, invitees and licensees or any of them shall at any and all times be entitled to ingress and egress to and from the City Accommodation;

5. That any notice that the Lessor may be required to give to the Lessee under the provisions of this lease shall for all purposes be deemed to have been sufficiently and properly given if forwarded by registered mail and addressed to the Lessee at the demised premises and shall irrebutably be presumed to have been received by the Lessee on the third day following such registration;

6. That the Lessor shall at its own cost and expense take all possible steps to obtain at the next ensuing session of the Legislature of the Province of Ontario legislation validating and confirming this lease, and in the event that an application by the Lessor for such legislation is refused, the Lessor shall have the right to terminate this lease upon giving to the Lessee at any time thirty days' notice in writing of the intention of the Lessor to terminate the said lease, and such notice having been given, this lease will terminate exactly thirty days after the receipt of such notice by the Lessee and if the Lessee has completed the construction of the club house building on the land hereby demised and has given to the Lessor notice in writing of such completion, the Lessee shall upon the expiration of the thirty day period after the receipt of such notice given by the Lessor to the Lessee as in this Declaration and Agreement provided, be entitled to receive from the Lessor compensation for the said club house building in accordance with the provisions with respect thereto hereinbefore set forth in Declaration and Agreement No. 2 hereof PROVIDED that the Lessee shall not under any circumstances be entitled to receive any compensation whatsoever from the Lessor for the unexpired residue of the term of this lease AND PROVIDED FURTHER THAT if this lease is terminated by the Lessor as herein provided prior to the 1st day of July, 1958, and the construction of the said club house building is not completed at the date of such termination, the Lessee shall have until the 1st day of July, 1958, to complete the construction of the said club house building as in this lease provided and if the construction of the said club house building is completed by the Lessee on or before the 1st day of July, 1958, the Lessee shall be entitled to receive compensation for the said club house building as hereinbefore set forth notwithstanding the prior termination of this lease by the Lessor, and in the event that this lease is terminated under the circumstances in this proviso set forth, the Lessee shall be responsible for maintaining the public liability and property damage policy referred to in covenant No. 15 hereof on the part of the Lessee, as herein set out;

7. That every covenant, proviso, declaration and agreement herein contained shall enure to the benefit of and be binding upon the parties hereto, their successors and assigns respectively;

8. That the capital grant of thirty-five thousand ($35,000.00) dollars that the Lessor has authorized to be made to the Lessee, shall be applied by the Lessee to the capital cost of the club house building to be constructed by the Lessee on the land hereby demised as in this lease provided, and in the event that the Lessee does not proceed with or complete the construction of the said club house building, the Lessee shall return to the Lessor the whole of the said grant then remaining that has not been used for the purpose hereinbefore mentioned.

In Witness Whereof the Lessor and the Lessee have hereunto affixed their respective corporate seals attested to by the hands of their respective proper officers in that behalf duly authorized.

Signed, Sealed and Delivered

Authorized by Reports Nos. 1 and 8 of the Committee on Parks and Exhibitions adopted in Council on January 21 and April 29, 1957, respectively, and by Report No. 12 of the said Committee adopted in Council on June 24, 1957.

The Corporation of the City of Toronto:

Nathan Phillips,
Mayor,

(Seal)

W. M. Campbell,
Deputy Treasurer.

Dovercourt Boys' Club:

C. W. Foster,
President,

(Seal)

T. D. Miller,
Vice-President.

[Plan showing part of Dovercourt Park, Toronto, attached.

Sketch of proposed changing rooms in the Dovercourt Boys' Club for the Parks and Recreation Department, City of Toronto, attached.]

BILL

An Act respecting the City of Toronto

1st Reading

February 21st, 1958

2nd Reading

March 11th, 1958

3rd Reading

March 14th, 1958

MR. COWLING

1958

No. 27

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the Canadian National Exhibition Association

MR. FROST (Bracondale)

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 27 1958

BILL

An Act respecting Canadian National Exhibition Association

WHEREAS the Canadian National Exhibition Association by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *c* of subsection 1 of section 6 of *The Canadian National Exhibition Association Act, 1948* is amended by striking out "inaugural" in the second line and inserting in lieu thereof "first", so that the clause shall read as follows: 1948, c. 105, s. 6, subs. 1, cl. *c*, amended

(*c*) seven members of the council of the City of Toronto to be appointed at the first meeting each year of the council; and appointed directors

. . . . .

(2) Subsection 1*a* of the said section 6, as enacted by section 1 of *The Canadian National Exhibition Association Act, 1957*, is amended by inserting after "Agriculture" in the third line "or another official of the Department of Agriculture who is a member of the Agriculture Section", so that the subsection shall read: 1948, c. 105, s. 6, subs. 1*a* (1957, c. 129, s. 1), amended

(1*a*) The Minister of Agriculture of the Province of Ontario may designate in writing the Deputy Minister of Agriculture, or another official of the Department of Agriculture who is a member of the Agriculture Section, to be a member of the Board in lieu of the Minister, and such designation shall continue to be effective, unless revoked in writing by the Minister, so long as the person making the designation continues in the office of Minister of Agriculture. Minister may designate Department official to be member

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

3. This Act may be cited as *The Canadian National Exhibition Association Act, 1958.* Short title

An Act respecting the Canadian National Exhibition Association

1st Reading

2nd Reading

3rd Reading

MR. FROST (Bracondale)

(*Private Bill*)

1958

No. 27

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

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An Act respecting the Canadian National Exhibition Association

Mr. Frost (Bracondale)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 27 1958

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MR. FROST (Bracondale)

1958

No. 28

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to incorporate The Chartered Institute of Secretaries of Joint Stock Companies and other Public Bodies in Ontario

Mr. Robarts

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 28 1958

BILL

An Act to incorporate The Chartered Institute of Secretaries of Joint Stock Companies and other Public Bodies in Ontario

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WHEREAS the persons named in section 1 by their petition have represented that The Chartered Institute of Secretaries of Joint Stock Companies and other Public Bodies Canadian Branch (Province of Ontario) has been operating since 1927 in Ontario, as an unincorporated association, as a branch of The Chartered Institute of Secretaries of Joint Stock Companies and other Public Bodies, a body established on November 4, 1902, by Royal Charter of His late Majesty King Edward VII, and that it is expedient to constitute such association a corporation in Ontario; and whereas the petitioners have prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Institute incorporated

1. Frank Ernest Kane Udell, Samuel Ernest Clark, Harry Hall Edmison, Bruce Benjamin Upshall and Cecil Brown Bell, all of the City of Toronto in the County of York, George Blake, of the City of London in the County of Middlesex, Cameron Knox MacGillivray, of the City of Hamilton in the County of Wentworth, and such other persons as hereafter may become members of the Institute are hereby constituted a body corporate and politic under the name "The Chartered Institute of Secretaries of Joint Stock Companies and other Public Bodies in Ontario", herein called the Institute.

Objects

2. The objects of the Institute shall be to provide means and facilities by which its members may increase their knowledge, skill and proficiency in all things relating to the profession or business of a Chartered Secretary and to hold such examinations and prescribe such tests of competency as may be deemed expedient to qualify for admission to

membership and to discipline any member guilty of any default or misconduct in the practice of his profession or business.

Council

3.—(1) There shall be a council of the Institute, herein called the Council, which shall control and manage the affairs of the Institute.

Composition

(2) The Council shall consist of fifteen elected members who shall be elected for such term and in such manner as the by-laws provide, and in addition every past chairman of the Institute and of the aforesaid unincorporated association shall be an *ex officio* member of the Council.

Officers

(3) The Council shall elect from its members a chairman, two vice-chairmen, a treasurer and such other officers as it may deem necessary.

Secretary

(4) The Council shall appoint a member of the Institute as secretary who shall be paid such remuneration as may be fixed by the Council.

Vacancy

(5) When a vacancy occurs in the Council from any cause, the Council shall appoint a member of the Institute to fill the vacancy for the unexpired term of the member of the Council being replaced.

Membership

4.—(1) All persons who, on the day this Act comes into force, are in good standing as members of the aforesaid unincorporated association shall be admitted to the register in the same class of membership as they held in the unincorporated association and together with all other persons admitted to the register shall constitute the membership of the Institute.

Idem

(2) Any person who is of the full age of twenty-one years or over and who in the opinion of the Council is a person of good moral character and habits and provides satisfactory evidence of having attained the standards of knowledge and complied with such other requirements as the by-laws may prescribe shall be admitted to the register.

Classes of membership

(3) The Institute shall have two classes of membership, namely, Fellows and Associates, qualifications for which shall be those prescribed by the by-laws.

Honorary members

(4) The Council may elect as honorary members persons who have rendered outstanding service to the Institute.

Designation

5.—(1) Every member of the Institute shall have the right to use the designation "Chartered Secretary" and may use

after his name, in the case of a Fellow, the initials F.C.I.S., signifying "Fellow of The Chartered Institute of Secretaries", and in the case of an Associate, the initials A.C.I.S., signifying "Associate of The Chartered Institute of Secretaries".

(2) Any person in Ontario who, not being a member of the Institute, takes or uses the designation "Chartered Secretary" or the initials F.C.I.S. or A.C.I.S. or any name, title or description, such as C.S. or C.I.S., implying that he is a member of the Institute is guilty of an offence and on summary conviction is liable to a fine of not more than $25 for each offence. Offence

(3) All fines recovered under subsection 2 shall be paid over forthwith by the convicting magistrate to the Institute. Fines payable to Institute

6.—(1) The secretary shall keep a register in which shall be entered in alphabetical order the names of all members in good standing showing the class of membership held, and only those persons whose names appear in the register shall be members and entitled to the privileges of membership in the Institute. Register

(2) The register shall be open to inspection by any person during normal business hours. Inspection

7.—(1) The Institute may, by resolution of the Council, establish local Chapters having jurisdiction over such areas as the Council may from time to time determine. Chapters

(2) Chapters shall be constituted and governed in accordance with such rules and regulations as may be made and approved by the Council. Idem

8.—(1) The Council may pass by-laws, not contrary to law or to the provisions of this Act, for all purposes relating to the affairs, business and property of the Institute, its management, government, aims, objects and interest, including, By-laws

(*a*) prescribing a curriculum and the course of studies to be pursued by students and the subjects upon which students and candidates for admission as members shall be examined and for granting certificates to students and candidates who have successfully passed the examinations;

(*b*) establishing the power, duties and remuneration of examiners to be appointed for the purpose of ascertaining and reporting upon the qualifications of candidates for membership;

(*c*) regulating and governing the conduct of its members in the practice of their profession or business, including the suspension or expulsion of any member for misconduct or violation of the rules or by-laws of the Institute;

(*d*) fixing the fees to be paid by students, candidates for membership and members;

(*e*) governing the election of members of the Council and fixing their term of office;

(*f*) fixing the dates and places of meetings of the Institute and the Council and providing for the manner of calling and conducting meetings;

(*g*) providing for the form and use of a seal by the Institute;

(*h*) respecting any other matter deemed necessary or advisable for the effective management of the Institute and the conduct of its business.

Approval of by-laws

(2) No by-law shall come into force until approved at an annual general meeting of the Institute or at a special general meeting called for the purpose of considering the by-law.

Educational facilities

9. The Institute may establish lectures, correspondence courses and classes to provide instruction to students preparing for the examinations of the Institute or may enter into agreements with the governing body of any university, college or other educational organization for the attendance of students at such lectures or classes in such university, college or other educational organization as may come within the courses of subjects prescribed by the by-laws of the Institute.

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10. The Institute, by resolution of the Council, may,

(*a*) purchase or otherwise acquire land;

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(*c*) hold, mortgage, lease, dispose of, sell, alienate or convey any real or personal property;

(*d*) borrow money upon the credit of the Institute, limit or increase the amount to be borrowed, issue debentures or other securities of the Institute,

pledge or sell such debentures or other securities for such sums and at such prices as may be deemed expedient, mortgage, hypothecate, charge or pledge all or any of the real or personal property, undertaking and rights of the Institute, present and future, and secure any such debentures or other securities or any money borrowed or any other liability of the Institute, but nothing in this clause limits or restricts the borrowing of money by the Institute on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Institute;

(*e*) accept by devise or gift moneys, real estate or other donations to be used to further the objects of the Institute;

(*f*) invest moneys of the Institute not immediately required for the purposes of the Institute in such investments as trustees may by law invest trust funds;

(*g*) operate a library for the benefit of members and students and publish, or cause to be published, books, pamphlets or other publications of interest to members and students;

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11. The Institute may establish and administer a benevolent fund for the benefit of any members or the families of deceased members who may require financial assistance and for the purpose may make and receive contributions and donations. Benevolent fund

12. Any surplus derived from carrying on the affairs and business of the Institute shall be devoted and applied solely to promote and carry out its objects and purposes and shall not be divided among its members. Surplus

13. Nothing in this Act shall affect or interfere with the right of any person not a member of the Institute to perform the duties of a secretary in Ontario. Application of Act

14. Nothing in this Act affects the practice of any profession or calling by any person practising the same under any general or special Act and nothing in this Act or the by-laws passed by the Council pursuant to this Act shall be taken or deemed to relieve any person from compliance with any general or special Act relating to the practice of any profession or calling. Application of Act

First council

15.—(1) Frank Ernest Kane Udell, Samuel Ernest Clark, Cameron Knox MacGillivray, George Blake, Stephen Howard Ambrose, Charles Oswald Biggs, Harry Hall Edmison, Sydney Richard Gee, George Thompson Jackson, William Graham Ledingham, Ora Douglas Newton, James Albert Mason Price, Donald Alexander Harry Roberts, Reginald Thomas Rose, Frederick James Turner, Bruce Benjamin Upshall, who are the council of the aforesaid unincorporated association, are hereby constituted the first council of the Institute; the first-named shall hold office as chairman, the second-named shall hold office as vice-chairman, the third-named shall hold office as treasurer, the fourth-named shall hold office as past chairman of the unincorporated association and the remainder shall hold office as members of the Council until their successors are elected in accordance with this Act and by-laws of the Institute.

Provisional by-laws

(2) The first council shall prepare provisional by-laws for the purposes set out in section 8.

General Meeting

(3) The first council, within nine months after the day this Act comes into force, shall call a general meeting of the members of the Institute for the purposes of organization, of approving the provisional by-laws and of electing the members of the Council.

By-laws of unincorporated association

(4) Pending approval of these provisional by-laws, the rules of the unincorporated association, in so far as they are not inconsistent with the provisions of this Act, shall be the by-laws of the Institute.

Assets and liabilities of unincorporated association

16. The assets and liabilities of the unincorporated association shall respectively be transferred to and assumed by the Institute as and from the date this Act comes into force.

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

Short title

18. This Act may be cited as *The Chartered Secretaries of Ontario Act, 1958.*

BILL

An Act to incorporate The Chartered Institute of Secretaries of Joint Stock Companies and other Public Bodies in Ontario

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1st Reading

2nd Reading

3rd Reading

MR. ROBARTS

(*Private Bill*)

1958

No. 28

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

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1st Reading

February 21st, 1958

2nd Reading

March 11th, 1958

3rd Reading

March 14th, 1958

MR. ROBARTS

1958

No. 29

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Estate of Melville Ross Gooderham, the Kathleen Isabel Drope Trust and the Charlotte Ross Grant Trust

Mr. Macaulay

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 29 1958

BILL

An Act respecting the Estate of Melville Ross Gooderham, the Kathleen Isabel Drope Trust and the Charlotte Ross Grant Trust

WHEREAS The Canada Permanent Trust Company, William James Grant and Geoffrey Byrne Beatty by their petition have represented that, as executors and trustees of the estate of the late Melville Ross Gooderham, trustees of the Kathleen Isabel Drope Trust and trustees of the Charlotte Ross Grant Trust, they hold 68,000 shares in the capital stock of The Manufacturers Life Insurance Company and by the terms of the last will and testament of Melville Ross Gooderham and of the indentures dated the 15th day of December, 1933, as amended by indentures dated the 11th day of December, 1940, constituting the said Trusts certain restrictions are imposed on the sale of the said shares; and whereas the executors and trustees have prayed for special legislation authorizing them to sell all of the said shares to The Manufacturers Life Insurance Company pursuant to a plan for the mutualization of the Company; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding anything contained in the last will and testament of Melville Ross Gooderham and in the indentures constituting the Kathleen Isabel Drope Trust and the Charlotte Ross Grant Trust, the executors and trustees may sell all of the said shares in the capital stock of The Manufacturers Life Insurance Company to the Company at the price of $275 per share on such terms and conditions as to payment thereof as the executors and trustees may approve, pursuant to and in accordance with a plan for the mutualization of The Manufacturers Life Insurance Company under the provisions of the *Canadian and British Insurance Companies Act* (Canada). Power to sell shares R.S.C. 1952, c. 31

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

3. This Act may be cited as *The M. R. Gooderham Estate et al Act, 1958.* Short title

An Act respecting the Estate of Melville Ross Gooderham, the Kathleen Isabel Drope Trust and the Charlotte Ross Grant Trust

---

1st Reading

February 20th, 1958

2nd Reading

3rd Reading

MR. MACAULAY

(*Private Bill*)

1958

No. 29

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Estate of Melville Ross Gooderham, the Kathleen Isabel Drope Trust and the Charlotte Ross Grant Trust

Mr. Macaulay

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 29 1958

BILL

An Act respecting the Estate of Melville Ross Gooderham, the Kathleen Isabel Drope Trust and the Charlotte Ross Grant Trust

Preamble

WHEREAS The Canada Permanent Trust Company, William James Grant and Geoffrey Byrne Beatty by their petition have represented that, as executors and trustees of the estate of the late Melville Ross Gooderham, trustees of the Kathleen Isabel Drope Trust and trustees of the Charlotte Ross Grant Trust, they hold 68,000 shares in the capital stock of The Manufacturers Life Insurance Company and by the terms of the last will and testament of Melville Ross Gooderham and of the indentures dated the 15th day of December, 1933, as amended by indentures dated the 11th day of December, 1940, constituting the said Trusts certain restrictions are imposed on the sale of the said shares; and whereas the executors and trustees have prayed for special legislation authorizing them to sell all of the said shares to The Manufacturers Life Insurance Company pursuant to a plan for the mutualization of the Company; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Power to sell shares

1. Notwithstanding anything contained in the last will and testament of Melville Ross Gooderham and in the indentures constituting the Kathleen Isabel Drope Trust and the Charlotte Ross Grant Trust, the executors and trustees may sell all of the said shares in the capital stock of The Manufacturers Life Insurance Company to the Company at the price of $275 per share on such terms and conditions as to payment thereof as the executors and trustees may approve, pursuant to and in accordance with a plan for the mutualization of The Manufacturers Life Insurance Company under the provisions of the *Canadian and British Insurance Companies Act* (Canada). R.S.C. 1952, c. 31

Commencement

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

Short title

3. This Act may be cited as *The M. R. Gooderham Estate et al Act, 1958.*

An Act respecting the Estate of Melville Ross Gooderham, the Kathleen Isabel Drope Trust and the Charlotte Ross Grant Trust

---

1st Reading

February 20th, 1958

2nd Reading

March 17th, 1958

3rd Reading

March 27th, 1958

MR. MACAULAY

1958

No. 30

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to incorporate The Society of Professional Directors of Municipal Recreation of Ontario

MR. HALL

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 30 1958

BILL

An Act to incorporate The Society of Professional Directors of Municipal Recreation of Ontario

Preamble

WHEREAS the persons named in section 1 by their petition have represented that they are desirious of being incorporated, together with the members of The Recreation Directors Federation of Ontario, under the name "The Society of Professional Directors of Municipal Recreation of Ontario" for the purposes of increasing the professional competence, knowledge, skill and status of its members, establishing a high standard of ethical practice for its members, and promoting all things relating to recreation in Ontario; and whereas the petitioners have prayed that special legislation be passed for such purposes; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Society incorporated

1.—(1) Robert Neale Davidson, Recreation Director, of the Township of Scarborough in the County of York, William John Hare, Recreation Director, of the Township of Toronto in the County of Peel, and Ian McLaren Thomson, Recreation Director, of the Township of Etobicoke in the County of York, and all persons who on the day this Act comes into force are members in good standing of The Recreation Directors Federation of Ontario, and such other persons as hereafter may become members of the Society, are hereby constituted a body corporate and politic under the name "The Society of Professional Directors of Municipal Recreation of Ontario", herein called the "Society".

Head Office

(2) The head office of the Society shall be at the City of Toronto in the County of York, until changed by special resolution under *The Corporations Act, 1953.* 1953, c. 19

Objects

2. The objects of the Society shall be to increase the professional competence, knowledge, skill and status of its

members, to establish a high standard of ethical practice for its members and to promote all things relating to recreation in Ontario.

Membership

3. Any person who has met the requirements as prescribed by the by-laws of the Society and provides satisfactory evidence of good character shall be registered as a member of the Society of the class for which he is qualified under the by-laws of the Society.

Register

4.—(1) The Registrar shall enroll in a register provided by the Executive the names of all persons admitted to the Society, and such register shall indicate the class of membership to which each member belongs.

Idem

(2) The Registrar shall keep the register correct in accordance with this Act and the instructions of the Executive.

Entitlement to privileges of members

(3) A person whose name appears in the register shall be entitled to the privileges of the class of membership in respect of which he is registered and no person whose name does not appear in the register shall be entitled to any of the privileges of membership in the Society.

Certificate of membership, issue

5.—(1) The Registrar shall issue to each member admitted to the Society a certificate of membership, signed by the President or Vice-President and by the Registrar, bearing the seal of the Society and indicating the class of membership to which the member belongs.

to be displayed

(2) Every member shall keep his certificate of membership prominently displayed in his office or place of practice.

Property of society

(3) Every certificate of membership shall be the property of the Society and shall be returned forthwith by the member to the Society when his membership ceases.

Non-payment of fees

6.—(1) Where the annual fee of any member is not paid within one month from the date upon which it becomes due, the Registrar shall send a written notice of such default by registered mail to the member's last known address as shown in the register and if payment is not made within one month thereafter the Registrar, upon the direction of the Executive, shall cause the name of the member to be erased from the register and thereupon the member shall cease to be a member.

Re-admission

(2) Any person, who ceases to be a member by reason of non-payment of fees or by reason of resignation, upon payment of all cumulative fees in arrears and upon production of evidence of good faith satisfactory to the Executive shall be re-admitted as a member.

7.—(1) There shall be an executive of the Society, herein called the Executive, which shall control and manage the affairs of the Society. Executive

(2) The Executive shall consist of eight members all of whom shall be of the full age of twenty-one years or more and shall hold the qualifications required by the by-laws, of whom seven shall be elected at the annual meeting of the Society by vote of the members entitled to vote at general meetings of the Society, and the eighth member shall be the most immediate past president of the Society who has not been elected at the annual meeting as one of the seven elected members. Composition

(3) Any member of the Executive shall be eligible for re-election. Eligibility

(4) In the case of the death, resignation or incapacity of any member of the Executive, the office may be declared vacant by the Executive and the Executive may fill the vacancy in such manner as the by-laws may provide. Vacancies

8.—(1) There shall be a President, a Vice-President, a Recording Secretary, a Corresponding Secretary and a Treasurer of the Society, who shall be elected by the Executive from among the seven elected members immediately following their election. Officers

(2) The Executive shall appoint a Registrar of the Society, who may be a member of the Executive and who shall hold office according to the by-laws of the Society. Registrar

(3) The Executive may appoint such other officers as may be provided for by the by-laws of the Society. Other officers

(4) The Executive shall appoint a Board of Regents of the Society in accordance with the by-laws of the Society. Board of Regents

9. The Society may acquire, by purchase, lease, gift or otherwise, and hold real and personal property for its purposes, and may sell, alienate, exchange, lease, mortgage or otherwise dispose of the same or any part thereof as occasion may require. Real and personal property

10.—(1) The Executive may pass by-laws, not contrary to law or to this Act, for all purposes relating to the affairs, business and property of the Society, its management, government, aims, objects and interests, and specifically may pass by-laws providing for: By-laws

(*a*) the admission, qualifications, registration and classification of members, and prescribing the privileges

of the members of the respective classes, including the classes of which the members shall be entitled to use the designation "Registered Director of Municipal Recreation" and the initials "R.D.M.R.", and the classes of which the members shall be entitled to vote;

(*b*) the prescribing of a code of professional ethics;

(*c*) the government and discipline of members, including the suspension or expulsion of any member for misconduct or violation of this Act or the by-laws of the Society;

(*d*) the keeping of a register of members and the conditions and procedure of registration and renewal thereof, and the cancellation or suspension of membership and registration;

(*e*) the fixing, levying and collecting of fees payable upon application for registration, registration, renewal of registration or trial of examinations, and prescribing the penalties for failure to pay such fees;

(*f*) the election of the Executive and the qualifications, remuneration and reimbursement of its members and the powers, duties and responsibilities of the Executive and its members;

(*g*) the appointment and composition of the Board of Regents, and the remuneration and reimbursement of its members and the powers, duties and responsibilities of the Board of Regents and its members;

(*h*) the election or appointment of the officers of the Society and their powers, duties, responsibilities, remuneration and reimbursement;

(*i*) the composition of standing and other committees of the Society and the remuneration and reimbursement of their members and the powers, duties and responsibilities of the respective committees and their members;

(*j*) the fixing of dates and places of meetings of the Society and the Executive and prescribing the manner of calling and conducting such meetings and prescribing the quorum for the purpose of any such meeting;

(*k*) the form and use of the seal of the Society;

(*l*) the management of the property of the Society;

(*m*) the establishment of scholarships, bursaries and prizes;

(*n*) instituting and providing means for increasing the professional competence, knowledge, skill and status of the members of the Society and promoting all things relating to recreation in Ontario;

(*o*) the application of the funds of the Society for the purposes aforesaid and for the furtherance of its objects, and for the investment of its funds not immediately required for its purposes in securities authorized by law for the investment of trust moneys;

(*p*) forms for use under this Act and the by-laws of the Society;

(*q*) any other matter deemed necessary or advisable for the management of the Society and the conduct of its business.

Approval of by-laws

(2) No by-law shall come into force until approved at an annual general or special meeting of the Society.

Surplus

11. Any surplus moneys derived from carrying on the affairs and business of the Society shall be devoted solely to promoting and carrying out its objects and shall not be divided among its members.

Designation

12.—(1) Every member of the Society of the classes prescribed by the by-laws of the Society as having such privilege shall have the right to use the designation "Registered Director of Municipal Recreation" and may use the initials "R.D.M.R." indicating that he is a registered director of municipal recreation.

Offence and penalty

(2) Any person who, not being a member of the Society of a class prescribed by the by-laws of the Society as having such privilege, takes or uses the designation "Registered Director of Municipal Recreation" or the initials "R.D.M.R.", or any name, title or description implying or which may lead to the belief that he is a registered member of the Society of such a class, is guilty of an offence and on summary conviction is liable to a penalty of not more than $25 for each offence.

Penalties payable to Society

(3) All penalties recovered under subsection 2 shall be paid over forthwith by the convicting magistrate to the Society.

Application of Act

13. Nothing in this Act affects the practice of any profession or calling by any person practising the same under any general or special Act and nothing in this Act or the by-laws passed by the Executive pursuant to this Act shall be taken or deemed to relieve any person from compliance with any general or special Act relative to the practice of any profession or calling.

Provisional Executive, Board of Regents and Officers

14.—(1) The executive of The Recreation Directors Federation of Ontario, the Board of Regents thereof, and the officers thereof, in office on the day this Act comes into force, shall be the provisional Executive, provisional Board of Regents and provisional officers respectively of the Society until their successors are elected or appointed in accordance with this Act and the by-laws of the Society.

Provisional constitution and by-laws

(2) The constitution and by-laws of The Recreation Directors Federation of Ontario shall, except in so far as they may conflict with this Act, be the provisional by-laws of the Society until replaced at the general meeting provided for in subsection 3.

First general meeting

(3) The provisional Executive, within six months after the day this Act comes into force, shall call a general meeting of the members of the Society for the purposes of organization, of approving general by-laws and of electing the elective members of the Executive.

Commencement

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

Short title

16. This Act may be cited as *The Professional Directors of Municipal Recreation Act, 1958.*

An Act to incorporate
The Society of Professional
Directors of Municipal Recreation
of Ontario

1st Reading

2nd Reading

3rd Reading

MR. HALL

(*Private Bill*)

1958

No. 30

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to incorporate The Society of Directors of Municipal Recreation of Ontario

MR. HALL

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 30 1958

BILL

An Act to incorporate The Society of Directors of Municipal Recreation of Ontario

Preamble

WHEREAS the persons named in section 1 by their petition have represented that they are desirious of being incorporated, together with the members of The Recreation Directors Federation of Ontario, under the name "The Society of Directors of Municipal Recreation of Ontario" for the purposes of increasing the competence, knowledge, skill and status of its members, establishing a high standard of ethical practice for its members, and promoting all things relating to recreation in Ontario; and whereas the petitioners have prayed that special legislation be passed for such purposes; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Society incorporated

1.—(1) Robert Neale Davidson, Recreation Director, of the Township of Scarborough in the County of York, William John Hare, Recreation Director, of the Township of Toronto in the County of Peel, and Ian McLaren Thomson, Recreation Director, of the Township of Etobicoke in the County of York, and all persons who on the day this Act comes into force are members in good standing of The Recreation Directors Federation of Ontario, and such other persons as hereafter may become members of the Society, are hereby constituted a body corporate and politic under the name "The Society of Directors of Municipal Recreation of Ontario", herein called the "Society".

Head Office

(2) The head office of the Society shall be at the City of Toronto in the County of York, until changed by special resolution under *The Corporations Act, 1953.* 1953, c. 19

Objects

2. The objects of the Society shall be to increase the competence, knowledge, skill and status of its members, to establish a high standard of ethical practice for its members and to promote all things relating to recreation in Ontario.

Membership

3. Any person who has met the requirements as prescribed by the by-laws of the Society and provides satisfactory evidence of good character shall be registered as a member of the Society of the class for which he is qualified under the by-laws of the Society.

Register

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10.—(1) The Executive may pass by-laws, not contrary to law or to this Act, for all purposes relating to the affairs, business and property of the Society, its management, government, aims, objects and interests, and specifically may pass by-laws providing for: By-laws

(*a*) the admission, qualifications, registration and classification of members, and prescribing the privileges

of the members of the respective classes, including the classes of which the members shall be entitled to use the designation "Registered Director of Municipal Recreation" and the initials "R.D.M.R.", and the classes of which the members shall be entitled to vote;

(*b*) the prescribing of a code of ethics;

(*c*) the government and discipline of members, including the suspension or expulsion of any member for misconduct or violation of this Act or the by-laws of the Society;

(*d*) the keeping of a register of members and the conditions and procedure of registration and renewal thereof, and the cancellation or suspension of membership and registration;

(*e*) the fixing, levying and collecting of fees payable upon application for registration, registration, renewal of registration or trial of examinations, and prescribing the penalties for failure to pay such fees;

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(*g*) the appointment and composition of the Board of Regents, and the remuneration and reimbursement of its members and the powers, duties and responsibilities of the Board of Regents and its members;

(*h*) the election or appointment of the officers of the Society and their powers, duties, responsibilities, remuneration and reimbursement;

(*i*) the composition of standing and other committees of the Society and the remuneration and reimbursement of their members and the powers, duties and responsibilities of the respective committees and their members;

(*j*) the fixing of dates and places of meetings of the Society and the Executive and prescribing the manner of calling and conducting such meetings and prescribing the quorum for the purpose of any such meeting;

(*k*) the form and use of the seal of the Society;

(*l*) the management of the property of the Society;

(*m*) the establishment of scholarships, bursaries and prizes;

(*n*) instituting and providing means for increasing the competence, knowledge, skill and status of the members of the Society and promoting all things relating to recreation in Ontario;

(*o*) the application of the funds of the Society for the purposes aforesaid and for the furtherance of its objects, and for the investment of its funds not immediately required for its purposes in securities authorized by law for the investment of trust moneys;

(*p*) forms for use under this Act and the by-laws of the Society;

(*q*) any other matter deemed necessary or advisable for the management of the Society and the conduct of its business.

Approval of by-laws

(2) No by-law shall come into force until approved at an annual general or special meeting of the Society.

Surplus

11. Any surplus moneys derived from carrying on the affairs and business of the Society shall be devoted solely to promoting and carrying out its objects and shall not be divided among its members.

Designation

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Offence and penalty

(2) Any person who, not being a member of the Society of a class prescribed by the by-laws of the Society as having such privilege, takes or uses the designation "Registered Director of Municipal Recreation" or the initials "R.D.M.R.", or any name, title or description implying or which may lead to the belief that he is a registered member of the Society of such a class, is guilty of an offence and on summary conviction is liable to a penalty of not more than $25 for each offence.

Penalties payable to Society

(3) All penalties recovered under subsection 2 shall be paid over forthwith by the convicting magistrate to the Society.

Application of Act

13. Nothing in this Act affects the practice of any profession or calling by any person practising the same under any general or special Act and nothing in this Act or the by-laws passed by the Executive pursuant to this Act shall be taken or deemed to relieve any person from compliance with any general or special Act relative to the practice of any profession or calling.

Provisional Executive, Board of Regents and Officers

14.—(1) The executive of The Recreation Directors Federation of Ontario, the Board of Regents thereof, and the officers thereof, in office on the day this Act comes into force, shall be the provisional Executive, provisional Board of Regents and provisional officers respectively of the Society until their successors are elected or appointed in accordance with this Act and the by-laws of the Society.

Provisional constitution and by-laws

(2) The constitution and by-laws of The Recreation Directors Federation of Ontario shall, except in so far as they may conflict with this Act, be the provisional by-laws of the Society until replaced at the general meeting provided for in subsection 3.

First general meeting

(3) The provisional Executive, within six months after the day this Act comes into force, shall call a general meeting of the members of the Society for the purposes of organization, of approving general by-laws and of electing the elective members of the Executive.

Commencement

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

Short title

16. This Act may be cited as *The Directors of Municipal Recreation Act, 1958.*

An Act to incorporate The Society of Directors of Municipal Recreation of Ontario

1st Reading

February 21st, 1958

2nd Reading

3rd Reading

MR. HALL

(Reprinted as amended by the Committee on Private Bills)

1958

No. 30

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to incorporate The Society of Directors of Municipal Recreation of Ontario

MR. HALL

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 30 1958

BILL

An Act to incorporate The Society of Directors of Municipal Recreation of Ontario

WHEREAS the persons named in section 1 by their petition have represented that they are desirous of being incorporated, together with the members of The Recreation Directors Federation of Ontario, under the name "The Society of Directors of Municipal Recreation of Ontario" for the purposes of increasing the competence, knowledge, skill and status of its members, establishing a high standard of ethical practice for its members, and promoting all things relating to recreation in Ontario; and whereas the petitioners have prayed that special legislation be passed for such purposes; and whereas it is expedient to grant the prayer of the petition; Preamble

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1.—(1) Robert Neale Davidson, Recreation Director, of the Township of Scarborough in the County of York, William John Hare, Recreation Director, of the Township of Toronto in the County of Peel, and Ian McLaren Thomson, Recreation Director, of the Township of Etobicoke in the County of York, and all persons who on the day this Act comes into force are members in good standing of The Recreation Directors Federation of Ontario, and such other persons as hereafter may become members of the Society, are hereby constituted a body corporate and politic under the name "The Society of Directors of Municipal Recreation of Ontario", herein called the "Society". Society incorporated

(2) The head office of the Society shall be at the City of Toronto in the County of York, until changed by special resolution under *The Corporations Act, 1953*. Head Office 1953, c. 19

2. The objects of the Society shall be to increase the competence, knowledge, skill and status of its members, to establish a high standard of ethical practice for its members and to promote all things relating to recreation in Ontario. Objects

Membership

3. Any person who has met the requirements as prescribed by the by-laws of the Society and provides satisfactory evidence of good character shall be registered as a member of the Society of the class for which he is qualified under the by-laws of the Society.

Register

4.—(1) The Registrar shall enroll in a register provided by the Executive the names of all persons admitted to the Society, and such register shall indicate the class of membership to which each member belongs.

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(2) The Registrar shall keep the register correct in accordance with this Act and the instructions of the Executive.

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Certificate of membership, issue

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Property of society

(3) Every certificate of membership shall be the property of the Society and shall be returned forthwith by the member to the Society when his membership ceases.

Non-payment of fees

6.—(1) Where the annual fee of any member is not paid within one month from the date upon which it becomes due, the Registrar shall send a written notice of such default by registered mail to the member's last known address as shown in the register and if payment is not made within one month thereafter the Registrar, upon the direction of the Executive, shall cause the name of the member to be erased from the register and thereupon the member shall cease to be a member.

Re-admission

(2) Any person, who ceases to be a member by reason of non-payment of fees or by reason of resignation, upon payment of all cumulative fees in arrears and upon production of evidence of good faith satisfactory to the Executive shall be re-admitted as a member.

7.—(1) There shall be an executive of the Society, herein called the Executive, which shall control and manage the affairs of the Society. Executive

(2) The Executive shall consist of eight members all of whom shall be of the full age of twenty-one years or more and shall hold the qualifications required by the by-laws, of whom seven shall be elected at the annual meeting of the Society by vote of the members entitled to vote at general meetings of the Society, and the eighth member shall be the most immediate past president of the Society who has not been elected at the annual meeting as one of the seven elected members. Composition

(3) Any member of the Executive shall be eligible for re-election. Eligibility

(4) In the case of the death, resignation or incapacity of any member of the Executive, the office may be declared vacant by the Executive and the Executive may fill the vacancy in such manner as the by-laws may provide. Vacancies

8.—(1) There shall be a President, a Vice-President, a Recording Secretary, a Corresponding Secretary and a Treasurer of the Society, who shall be elected by the Executive from among the seven elected members immediately following their election. Officers

(2) The Executive shall appoint a Registrar of the Society, who may be a member of the Executive and who shall hold office according to the by-laws of the Society. Registrar

(3) The Executive may appoint such other officers as may be provided for by the by-laws of the Society. Other officers

(4) The Executive shall appoint a Board of Regents of the Society in accordance with the by-laws of the Society. Board of Regents

9. The Society may acquire, by purchase, lease, gift or otherwise, and hold real and personal property for its purposes, and may sell, alienate, exchange, lease, mortgage or otherwise dispose of the same or any part thereof as occasion may require. Real and personal property

10.—(1) The Executive may pass by-laws, not contrary to law or to this Act, for all purposes relating to the affairs, business and property of the Society, its management, government, aims, objects and interests, and specifically may pass by-laws providing for: By-laws

(*a*) the admission, qualifications, registration and classification of members, and prescribing the privileges

of the members of the respective classes, including the classes of which the members shall be entitled to use the designation "Registered Director of Municipal Recreation" and the initials "R.D.M.R.", and the classes of which the members shall be entitled to vote;

(*b*) the prescribing of a code of ethics;

(*c*) the government and discipline of members, including the suspension or expulsion of any member for misconduct or violation of this Act or the by-laws of the Society;

(*d*) the keeping of a register of members and the conditions and procedure of registration and renewal thereof, and the cancellation or suspension of membership and registration;

(*e*) the fixing, levying and collecting of fees payable upon application for registration, registration, renewal of registration or trial of examinations, and prescribing the penalties for failure to pay such fees;

(*f*) the election of the Executive and the qualifications, remuneration and reimbursement of its members and the powers, duties and responsibilities of the Executive and its members;

(*g*) the appointment and composition of the Board of Regents, and the remuneration and reimbursement of its members and the powers, duties and responsibilities of the Board of Regents and its members;

(*h*) the election or appointment of the officers of the Society and their powers, duties, responsibilities, remuneration and reimbursement;

(*i*) the composition of standing and other committees of the Society and the remuneration and reimbursement of their members and the powers, duties and responsibilities of the respective committees and their members;

(*j*) the fixing of dates and places of meetings of the Society and the Executive and prescribing the manner of calling and conducting such meetings and prescribing the quorum for the purpose of any such meeting;

(*k*) the form and use of the seal of the Society;

(*l*) the management of the property of the Society;

(*m*) the establishment of scholarships, bursaries and prizes;

(*n*) instituting and providing means for increasing the competence, knowledge, skill and status of the members of the Society and promoting all things relating to recreation in Ontario;

(*o*) the application of the funds of the Society for the purposes aforesaid and for the furtherance of its objects, and for the investment of its funds not immediately required for its purposes in securities authorized by law for the investment of trust moneys;

(*p*) forms for use under this Act and the by-laws of the Society;

(*q*) any other matter deemed necessary or advisable for the management of the Society and the conduct of its business.

Approval of by-laws

(2) No by-law shall come into force until approved at an annual general or special meeting of the Society.

Surplus

11. Any surplus moneys derived from carrying on the affairs and business of the Society shall be devoted solely to promoting and carrying out its objects and shall not be divided among its members.

Designation

12.—(1) Every member of the Society of the classes prescribed by the by-laws of the Society as having such privilege shall have the right to use the designation "Registered Director of Municipal Recreation" and may use the initials "R.D.M.R." indicating that he is a registered director of municipal recreation.

Offence and penalty

(2) Any person who, not being a member of the Society of a class prescribed by the by-laws of the Society as having such privilege, takes or uses the designation "Registered Director of Municipal Recreation" or the initials "R.D.M.R.", or any name, title or description implying or which may lead to the belief that he is a registered member of the Society of such a class, is guilty of an offence and on summary conviction is liable to a penalty of not more than $25 for each offence.

Penalties payable to Society

(3) All penalties recovered under subsection 2 shall be paid over forthwith by the convicting magistrate to the Society.

Application of Act

13. Nothing in this Act affects the practice of any profession or calling by any person practising the same under any general or special Act and nothing in this Act or the by-laws passed by the Executive pursuant to this Act shall be taken or deemed to relieve any person from compliance with any general or special Act relative to the practice of any profession or calling.

Provisional Executive, Board of Regents and Officers

14.—(1) The executive of The Recreation Directors Federation of Ontario, the Board of Regents thereof, and the officers thereof, in office on the day this Act comes into force, shall be the provisional Executive, provisional Board of Regents and provisional officers respectively of the Society until their successors are elected or appointed in accordance with this Act and the by-laws of the Society.

Provisional constitution and by-laws

(2) The constitution and by-laws of The Recreation Directors Federation of Ontario shall, except in so far as they may conflict with this Act, be the provisional by-laws of the Society until replaced at the general meeting provided for in subsection 3.

First general meeting

(3) The provisional Executive, within six months after the day this Act comes into force, shall call a general meeting of the members of the Society for the purposes of organization, of approving general by-laws and of electing the elective members of the Executive.

Commencement

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

Short title

16. This Act may be cited as *The Directors of Municipal Recreation Act, 1958.*

An Act to incorporate The Society of Directors of Municipal Recreation of Ontario

1st Reading

February 21st, 1958

2nd Reading

March 17th, 1958

3rd Reading

March 19th, 1958

MR. HALL

1958

No. 31

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of Belleville

Mr. Sandercock

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 31 1958

BILL

An Act respecting the City of Belleville

WHEREAS The Corporation of the City of Belleville, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

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 shall by by-law provide for the establishment of the position of a general administrative head, to be known as the City Manager, who shall be responsible to the council, shall have such general control and management of the administration of the City's government and affairs and perform such duties as the council shall define, limit and determine in such by-law, and shall be responsible for the efficient administration of all its departments to the extent that he shall be given authority and control over them. City Manager

(2) The by-law passed under subsection 1 may be amended from time to time, but shall not be repealed without the assent of the municipal electors. Amendment and repeal

(3) Until the by-law passed under subsection 1 is repealed with the assent of the electors, there shall be a City Manager of the Corporation who shall be appointed by by-law of the council of the Corporation, shall hold office at the will and pleasure of the council and shall receive such remuneration as the council by by-law shall determine. Appointment, term of office and remuneration of City Manager

(4) The person appointed as City Manager may also hold the office of clerk, treasurer or any other office in the employment of the Corporation. City Manager may hold other offices

2.—(1) For the year 1960 and thereafter, the council of the Corporation shall consist of a mayor and eight aldermen to be elected by general vote. Composition of council

Council for 1959

(2) At the annual election next after this Act comes into force, there shall be elected a mayor and seven aldermen and the mayor and seven aldermen then elected, together with the seven aldermen elected at the annual election next before this Act comes into force, shall remain in office until the end of the year 1959 and a new council is elected as provided in subsections 3 and 4 and is organized.

Mayor, election and term of office

(3) At the second annual election after this Act comes into force and at each annual election thereafter, there shall be elected a mayor who shall hold office for a one-year term.

Aldermen, election and term of office

(4) At the second annual election after this Act comes into force, there shall be elected eight aldermen of whom the four receiving the highest number of votes at such election shall remain in office for a two-year term and the other four shall remain in office for a one-year term, and thereafter at each annual election there shall be elected four aldermen who shall remain in office for a two-year term.

Application of R.S.O. 1950, c. 243, s. 77(5)

(5) Subsection 5 of section 77 of *The Municipal Act* shall apply *mutatis mutandis* to the first election of aldermen pursuant to subsection 4.

Vacancies where alderman resigns to run for other office

(6) Where the seat of an alderman is rendered vacant by reason of the filing of the resignation mentioned in subsection 2 of section 56 of *The Municipal Act*, the vacancy shall not be filled in the manner provided in section 168, 169 or 170 of *The Municipal Act* but the seat shall remain vacant until the next ensuing annual election at which there shall be elected an alderman in addition to the four normally to be elected at such election and the alderman receiving the fifth highest number of votes at such election shall hold office only for the remainder of the term for which the person who vacated the office was elected to such office and, where the seats of two or more aldermen are rendered vacant as aforesaid, the provisions of this subsection shall apply *mutatis mutandis*.

1949, c. 115, s. 4, repealed

3.—(1) Section 4 of *The City of Belleville Act, 1949* is repealed.

1949, c. 115, Sched. A, repealed

(2) Schedule A of *The City of Belleville Act, 1949* is repealed.

Commencement

4.—(1) This Act, except section 3, comes into force on the day it receives Royal Assent.

Idem

(2) Section 3 comes into force on the 30th day of November, 1959.

Short title

5. This Act may be cited as *The City of Belleville Act, 1958*.

An Act respecting the City of Belleville

1st Reading

2nd Reading

3rd Reading

MR. SANDERCOCK

(*Private Bill*)

1958

No. 31

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of Belleville

Mr. Sandercock

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 31 1958

BILL

An Act respecting the City of Belleville

WHEREAS The Corporation of the City of Belleville, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

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 shall by by-law provide for the establishment of the position of a general administrative head, to be known as the City Manager, who shall be responsible to the council, shall have such general control and management of the administration of the City's government and affairs and perform such duties as the council shall define, limit and determine in such by-law, and shall be responsible for the efficient administration of all its departments to the extent that he shall be given authority and control over them. City Manager

(2) The by-law passed under subsection 1 may be amended from time to time, but shall not be repealed without the assent of the municipal electors. Amendment and repeal

(3) Until the by-law passed under subsection 1 is repealed with the assent of the electors, there shall be a City Manager of the Corporation who shall be appointed by by-law of the council of the Corporation, shall hold office at the will and pleasure of the council and shall receive such remuneration as the council by by-law shall determine. Appointment, term of office and remuneration of City Manager

(4) The person appointed as City Manager may also hold the office of clerk, treasurer or any other office in the employment of the Corporation. City Manager may hold other offices

2.—(1) For the year 1960 and thereafter, the council of the Corporation shall consist of a mayor and eight aldermen to be elected by general vote. Composition of council

Council for 1959

(2) At the annual election next after this Act comes into force, there shall be elected a mayor and seven aldermen and the mayor and seven aldermen then elected, together with the seven aldermen elected at the annual election next before this Act comes into force, shall remain in office until the end of the year 1959 and a new council is elected as provided in subsections 3 and 4 and is organized.

Mayor, election and term of office

(3) At the second annual election after this Act comes into force and at each annual election thereafter, there shall be elected a mayor who shall hold office for a one-year term.

Aldermen, election and term of office

(4) At the second annual election after this Act comes into force, there shall be elected eight aldermen of whom the four receiving the highest number of votes at such election shall remain in office for a two-year term and the other four shall remain in office for a one-year term, and thereafter at each annual election there shall be elected four aldermen who shall remain in office for a two-year term.

Application of R.S.O. 1950, c. 243, s. 77(5)

(5) Subsection 5 of section 77 of *The Municipal Act* shall apply *mutatis mutandis* to the first election of aldermen pursuant to subsection 4.

Vacancies where alderman resigns to run for other office

(6) Where the seat of an alderman is rendered vacant by reason of the filing of the resignation mentioned in subsection 2 of section 56 of *The Municipal Act*, the vacancy shall not be filled in the manner provided in section 168, 169 or 170 of *The Municipal Act* but the seat shall remain vacant until the next ensuing annual election at which there shall be elected an alderman in addition to the four normally to be elected at such election and the alderman receiving the fifth highest number of votes at such election shall hold office only for the remainder of the term for which the person who vacated the office was elected to such office and, where the seats of two or more aldermen are rendered vacant as aforesaid, the provisions of this subsection shall apply *mutatis mutandis*.

1949, c. 115, s. 4, repealed

3.—(1) Section 4 of *The City of Belleville Act, 1949* is repealed.

1949, c. 115, Sched. A, repealed

(2) Schedule A of *The City of Belleville Act, 1949* is repealed.

Commencement

4.—(1) This Act, except section 3, comes into force on the day it receives Royal Assent.

Idem

(2) Section 3 comes into force on the 30th day of November, 1959.

Short title

5. This Act may be cited as *The City of Belleville Act, 1958*.

An Act respecting
the City of Belleville

1st Reading

February 19th, 1958

2nd Reading

February 27th, 1958

3rd Reading

March 6th, 1958

MR. SANDERCOCK

1958

No. 32

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting The Board of Education for the City of Sault Ste. Marie

Mr. Lyons

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 32 1958

BILL

An Act respecting The Board of Education for the City of Sault Ste. Marie

WHEREAS The Board of Education for the City of Sault Ste. Marie, herein called the Board, by its petition has represented that it is desirable to extend to December 31, 1959, the term of office of the elective trustees of the Board whose term would otherwise expire on December 31, 1958, and to provide for the election of all the elective trustees of the Board for a term of two years at the time of and in the same manner as the election of the mayor and members of the council of the City of Sault Ste. Marie at the biennial municipal elections commencing in the year 1959 and subsequent municipal elections, and has prayed for special legislation in respect thereof; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The term of office of the elective trustees of the Board whose term would otherwise expire on December 31, 1958, is hereby extended and continued to December 31, 1959. Term of office extended

2. In the year 1959 and in every second year thereafter, all the elective trustees of the Board shall be elected at the same time as the mayor and members of the council of the City of Sault Ste. Marie and shall hold office for two years. Biennial elections

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

4. This Act may be cited as *The Sault Ste. Marie Board of Education Act, 1958.* Short title

BILL

An Act respecting
The Board of Education for the
City of Sault Ste. Marie

1st Reading

2nd Reading

3rd Reading

MR. LYONS

(*Private Bill*)

1958

No. 32

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting The Board of Education for the City of Sault Ste. Marie

Mr. Lyons

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 32 1958

BILL

An Act respecting The Board of Education for the City of Sault Ste. Marie

WHEREAS The Board of Education for the City of Sault Ste. Marie, herein called the Board, by its petition has represented that it is desirable to extend to December 31, 1959, the term of office of the elective trustees of the Board whose term would otherwise expire on December 31, 1958, and to provide for the election of all the elective trustees of the Board for a term of two years at the time of and in the same manner as the election of the mayor and members of the council of the City of Sault Ste. Marie at the biennial municipal elections commencing in the year 1959 and subsequent municipal elections, and has prayed for special legislation in respect thereof; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The term of office of the elective trustees of the Board whose term would otherwise expire on December 31, 1958, is hereby extended and continued to December 31, 1959. Term of office extended

2. In the year 1959 and in every second year thereafter, all the elective trustees of the Board shall be elected at the same time as the mayor and members of the council of the City of Sault Ste. Marie and shall hold office for two years. Biennial elections

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

4. This Act may be cited as *The Sault Ste. Marie Board of Education Act, 1958.* Short title

An Act respecting
The Board of Education for the
City of Sault Ste. Marie

1st Reading

February 20th, 1958

2nd Reading

March 5th, 1958

3rd Reading

March 11th, 1958

MR. LYONS

1958

No. 33

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting The Corporation of the Synod of Toronto and Kingston of The Presbyterian Church in Canada

Mr. Mackenzie

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 33 1958

BILL

An Act respecting The Corporation of the Synod of Toronto and Kingston of The Presbyterian Church in Canada

Preamble

WHEREAS The Corporation of the Synod of Toronto and Kingston of The Presbyterian Church in Canada Limited, herein called "the company", by its petition has represented that it was incorporated by letters patent dated the 17th day of December, 1957, as a private company under and subject to the provisions of subsection 2 of section 3 of *The Corporations Act, 1953*; and that the nature of the work to be undertaken by it is charitable and not for purposes of private gain or profit, namely, to undertake and assist in the work of Church Extension of The Presbyterian Church in Canada within the bounds of the Synod of Toronto and Kingston of the said Church; and that, in order that it may effectually carry out its charitable purposes, it is desirable that its powers be enlarged, that its objects as set out in the letters patent be varied, that certain restrictions be attached to the holding and transfer of shares and the distribution of assets in the event of the winding-up or dissolution of the company, and that it should not be required to use the word "Limited" as part of its corporate name but should be permitted to change its corporate name to "The Corporation of the Synod of Toronto and Kingston of The Presbyterian Church in Canada"; and whereas it is expedient to grant the prayer of the petition;

1953, c. 19

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Company powers enlarged and objects varied and holding of shares restricted

1. Notwithstanding the provisions of the letters patent of the company and of *The Corporations Act, 1953*,

(*a*) the number of shareholders of the company shall not be limited;

(*b*) the company shall not be prohibited from making invitation to the public to subscribe for its shares or securities;

(*c*) the company shall not be restricted to issuing securities to its shareholders only or to borrowing money on the security of its property from its shareholders only;

(*d*) the company shall not be required to use the word "Limited" as part of its corporate name, so that the name of the company shall be "The Corporation of the Synod of Toronto and Kingston of The Presbyterian Church in Canada"; and

(*e*) the objects of the company shall be varied to include the following:

(i) to guarantee repayment of money loaned to congregations of The Presbyterian Church in Canada or the trustees thereof or other persons, groups, societies or corporations directly affiliated with and responsible to the Synod of Toronto and Kingston of The Presbyterian Church in Canada, a Presbytery or a congregation thereof, but shall not carry on the business of guarantee insurance,

(ii) to receive gifts and donations for the purposes of Church Extension within the bounds of the said Synod;

(*f*) no share of the capital stock of the company shall be held by, or in trust for, or be in any way under the control of a person who is not a member of the Synod of Toronto and Kingston of The Presbyterian Church in Canada or a director of the company;

(*g*) no person shall be entitled to hold more than one share of the capital stock of the company;

(*h*) if any shareholder dies or becomes bankrupt or of unsound mind or ceases to be a member of the Synod, his share shall be transferred to such member of the Synod not then a registered holder of a share of the capital stock of the company as the directors of the company shall by resolution nominate, and, if the share is not so transferred within ten days after notice in writing by the directors to the registered holder thereof or to his personal representatives, as the case may be, of such nomination, the directors shall appoint some person to transfer the share to the nominee at and for the consideration of $1 to be paid to the registered holder or his personal representatives, as the case may be, and a transfer by

such person shall be effective and the transferee shall be registered as the holder of the share and as against the former registered holder and all persons claiming through him shall be absolutely entitled to the same, and after such registration the regularity of the proceedings shall not be questioned;

(*i*) no dividends or profits shall be paid in respect of any shares of the capital stock of the company or to the holders thereof and the net profits of the company shall be used solely for the purpose of undertaking and assisting in the work of Church Extension of The Presbyterian Church in Canada within the bounds of the Synod of Toronto and Kingston of the said Church;

(*j*) if upon winding-up or dissolution of the company there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the shareholders but shall be given or transferred to The Trustee Board of The Presbyterian Church in Canada to be used for the purposes of the said Church.

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

3. This Act may be cited as *The Corporation of the Synod of Toronto and Kingston of The Presbyterian Church in Canada Act, 1958.* Short title

BILL

An Act respecting The Corporation of the Synod of Toronto and Kingston of The Presbyterian Church in Canada

1st Reading

2nd Reading

3rd Reading

MR. MACKENZIE

(*Private Bill*)

1958

No. 33

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting The Corporation of the Synod of Toronto and Kingston of The Presbyterian Church in Canada

Mr. Mackenzie

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 33 1958

BILL

An Act respecting The Corporation of the Synod of Toronto and Kingston of The Presbyterian Church in Canada

Preamble

WHEREAS The Corporation of the Synod of Toronto and Kingston of The Presbyterian Church in Canada Limited, herein called "the company", by its petition has represented that it was incorporated by letters patent dated the 17th day of December, 1957, as a private company under and subject to the provisions of subsection 2 of section 3 of *The Corporations Act, 1953*; and that the nature of the work to be undertaken by it is charitable and not for purposes of private gain or profit, namely, to undertake and assist in the work of Church Extension of The Presbyterian Church in Canada within the bounds of the Synod of Toronto and Kingston of the said Church; and that, in order that it may effectually carry out its charitable purposes, it is desirable that its powers be enlarged, that its objects as set out in the letters patent be varied, that certain restrictions be attached to the holding and transfer of shares and the distribution of assets in the event of the winding-up or dissolution of the company, and that it should not be required to use the word "Limited" as part of its corporate name but should be permitted to change its corporate name to "The Corporation of the Synod of Toronto and Kingston of The Presbyterian Church in Canada"; and whereas it is expedient to grant the prayer of the petition;

1953, c. 19

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Company powers enlarged and objects varied and holding of shares restricted

1. Notwithstanding the provisions of the letters patent of the company and of *The Corporations Act, 1953*,

(*a*) the number of shareholders of the company shall not be limited;

(*b*) the company shall not be prohibited from making invitation to the public to subscribe for its shares or securities;

(*c*) the company shall not be restricted to issuing securities to its shareholders only or to borrowing money on the security of its property from its shareholders only;

(*d*) the company shall not be required to use the word "Limited" as part of its corporate name, so that the name of the company shall be "The Corporation of the Synod of Toronto and Kingston of The Presbyterian Church in Canada"; and

(*e*) the objects of the company shall be varied to include the following:

(i) to guarantee repayment of money loaned to congregations of The Presbyterian Church in Canada or the trustees thereof or other persons, groups, societies or corporations directly affiliated with and responsible to the Synod of Toronto and Kingston of The Presbyterian Church in Canada, a Presbytery or a congregation thereof, but shall not carry on the business of guarantee insurance,

(ii) to receive gifts and donations for the purposes of Church Extension within the bounds of the said Synod;

(*f*) no share of the capital stock of the company shall be held by, or in trust for, or be in any way under the control of a person who is not a member of the Synod of Toronto and Kingston of The Presbyterian Church in Canada or a director of the company;

(*g*) no person shall be entitled to hold more than one share of the capital stock of the company;

(*h*) if any shareholder dies or becomes bankrupt or of unsound mind or ceases to be a member of the Synod, his share shall be transferred to such member of the Synod not then a registered holder of a share of the capital stock of the company as the directors of the company shall by resolution nominate, and, if the share is not so transferred within ten days after notice in writing by the directors to the registered holder thereof or to his personal representatives, as the case may be, of such nomination, the directors shall appoint some person to transfer the share to the nominee at and for the consideration of $1 to be paid to the registered holder or his personal representatives, as the case may be, and a transfer by

such person shall be effective and the transferee shall be registered as the holder of the share and as against the former registered holder and all persons claiming through him shall be absolutely entitled to the same, and after such registration the regularity of the proceedings shall not be questioned;

(*i*) no dividends or profits shall be paid in respect of any shares of the capital stock of the company or to the holders thereof and the net profits of the company shall be used solely for the purpose of undertaking and assisting in the work of Church Extension of The Presbyterian Church in Canada within the bounds of the Synod of Toronto and Kingston of the said Church;

(*j*) if upon winding-up or dissolution of the company there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the shareholders but shall be given or transferred to The Trustee Board of The Presbyterian Church in Canada to be used for the purposes of the said Church.

Commencement

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

Short title

3. This Act may be cited as *The Corporation of the Synod of Toronto and Kingston of The Presbyterian Church in Canada Act, 1958.*

An Act respecting The Corporation of the Synod of Toronto and Kingston of The Presbyterian Church in Canada

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1st Reading

February 21st, 1958

2nd Reading

March 11th, 1958

3rd Reading

March 14th, 1958

MR. MACKENZIE

1958

No. 34

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting The South Peel Board of Education

Mr. Kennedy

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 34 1958

BILL

An Act respecting The South Peel Board of Education

WHEREAS The South Peel Board of Education by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of *The Township of Toronto Act, 1952* is repealed and the following substituted therefor: 1952, c. 140, s. 4, re-enacted

4. The Board of Education shall be composed of the following members: two members shall be elected in each ward or part of a ward of the Township that is within the said township school area, except in the part of Ward 5 that is within such area, which part of Ward 5 shall be deemed to be part of Ward 3 for the purpose of the election of such members; two members shall be elected in the Village of Port Credit; one member may be appointed by The Corporation of the County of Peel, and one member may be appointed by a separate school board in the manner provided by section 22 of *The Secondary Schools and Boards of Education Act, 1954.* Composition of Board of Education; 1954, c. 87

2. Members already elected from the Village of Port Credit pursuant to *The Township of Toronto Act, 1952* shall continue to serve until the expiry of their terms. Term of present Port Credit members

3. At the time of holding municipal elections in the Village of Port Credit, commencing in the year 1958 and each year thereafter, one member shall be elected in the Village of Port Credit for a term of two years. Election of Port Credit members

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

5. This Act may be cited as *The South Peel Board of Education Act, 1958.* Short title

An Act respecting
The South Peel Board of Education

1st Reading

2nd Reading

3rd Reading

MR. KENNEDY

(*Private Bill*)

1958

No. 35

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the Town of Fort Frances

MR. NODEN

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 35 1958

BILL

An Act respecting the Town of Fort Frances

WHEREAS The Corporation of the Town of Fort Frances by its petition has represented that it is desirious of providing greater benefits for employees of the Corporation and that it is desirable that powers additional to those provided by paragraph 48 of section 386 of *The Municipal Act* be obtained, and has prayed for special legislation in respect of such matter; and whereas it is expedient to grant the prayer of the petition; Preamble R.S.O. 1950, c. 243

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 of the Town of Fort Frances, in addition to the powers contained in paragraph 48 of section 386 of *The Municipal Act*, may pass by-laws with the approval of the Department of Municipal Affairs for providing pensions for employees of the Corporation or any local board thereof, or any class of employees and their wives and children. Pensions

(2) Subsection 1 of section 300 of *The Municipal Act* shall not apply to any such by-law or to any debt created thereby. R.S.O. 1950, c. 243, s. 300 (1) not applicable

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

3. This Act may be cited as *The Town of Fort Frances Act, 1958*. Short title

An Act respecting
the Town of Fort Frances

1st Reading

2nd Reading

3rd Reading

MR. NODEN

(*Private Bill*)

1958

No. 35

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the Town of Fort Frances

MR. NODEN

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 35 1958

BILL

An Act respecting the Town of Fort Frances

WHEREAS The Corporation of the Town of Fort Frances by its petition has represented that it is desirous of providing greater benefits for employees of the Corporation and that it is desirable that powers additional to those provided by paragraph 48 of section 386 of *The Municipal Act* be obtained, and has prayed for special legislation in respect of such matter; and whereas it is expedient to grant the prayer of the petition; Preamble R.S.O. 1950, c. 243

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 of the Town of Fort Frances, in addition to the powers contained in paragraph 48 of section 386 of *The Municipal Act*, may pass by-laws with the approval of the Department of Municipal Affairs for providing pensions for employees of the Corporation or any local board thereof, or any class of employees and their wives and children. Pensions

(2) Subsection 1 of section 300 of *The Municipal Act* shall not apply to any such by-law or to any debt created thereby. R.S.O. 1950, c. 243, s. 300 (1) not applicable

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

3. This Act may be cited as *The Town of Fort Frances Act, 1958*. Short title

An Act respecting
the Town of Fort Frances

1st Reading

February 21st, 1958

2nd Reading

March 5th, 1958

3rd Reading

March 11th, 1958

MR. NODEN

1958

No. 36

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Township of Sunnidale

Mr. Johnston (Simcoe Centre)

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 36 1958

BILL

An Act respecting the Township of Sunnidale

WHEREAS The Corporation of the Township of Sunnidale by its petition has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 961 passed by the council of The Corporation of the Township of Sunnidale entitled "A By-law of the Council of The Corporation of the Township of Sunnidale to raise the sum of $22,000 for the construction of a community hall at the Village of New Lowell, in the Township of Sunnidale, pursuant to the provisions of *The Community Centres Act*, being R.S.O. 1950, Chapter 58", set forth as the Schedule hereto, is hereby validated and confirmed, and the sum of $22,000 therein referred to may be borrowed on debentures without obtaining the approval of the Ontario Municipal Board and without the recital of the Ontario Municipal Board approval therein. Debenture by-law confirmed

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

3. This Act may be cited as *The Township of Sunnidale Act, 1958*. Short title

SCHEDULE

By-Law No. 961

TOWNSHIP OF SUNNIDALE

A By-Law of the Council of The Corporation of the Township of Sunnidale to raise the sum of $22,000 for the construction of a community hall at the Village of New Lowell, in the Township of Sunnidale, pursuant to the provisions of *The Community Centres Act*, being R.S.O. 1950, Chapter 58.

Whereas the Council of the Corporation of the Township of Sunnidale has been petitioned by over fifty percent of the ratepayers in that part of the Township school area described in Schedule "A" annexed hereto to construct a Community Hall at the Village of New Lowell, in the Township of Sunnidale, to serve the community so described in Schedule "A" as a Community Centre; and

Whereas the Council deems it advisable to construct the said Centre and to borrow the sum of $22,000.00 on debentures of the Township of Sunnidale for such purposes; and

Whereas the amount of the whole rateable property available for public school purposes in the Township of Sunnidale is $2,889,405.00; and

Whereas the whole rateable property in the area to be benefited is $1,300,940.00; and

Whereas the existing debenture debt of the Township of Sunnidale is $192,226.31;

Now Therefore the Council of the Corporation of the Township of Sunnidale enacts as follows:

1. That the sum of $22,000.00 be raised by the issue of debentures of the Corporation of the Township of Sunnidale for the construction of a Community Hall at the Village of New Lowell in the Township of Sunnidale to serve the area within the Township of Sunnidale described in Schedule "A" annexed hereto as a Community Centre.

2. It shall be lawful for the said Corporation to raise the sum of $22,000.00 by the issue of debentures of the said Corporation to such an amount in sums not less than $100.00 each, payable within twenty years from the 1st day of June, A.D. 1957.

3. The said debentures are to be so issued for the sum of $22,000.00, shall bear interest at the rate of six per cent per annum payable yearly.

4. The said debentures so issued for the sum of $22,000.00 in equal, annual, successive instalments; each annual instalment of principal and interest to be in such amount that the aggregate amount payable for principal and interest in any one year shall be as nearly equal as may be as to what is payable for principal and interest, for each of the other years of the said period, and one of such instalments of principal shall be payable in one year from the 1st day of June, A.D. 1957, and the remaining 19 instalments shall be payable on the same day in each of the 19 succeeding years, and the said yearly instalments of interest shall be payable at the same time, and each of the said debentures shall include the whole amount of interest payable in that year, and shall have interest coupons attached thereto for the payment of the interest thereon.

5. The interest coupons to be attached to the said debentures shall be signed by the Reeve and the Treasurer of the Corporation whose signature thereupon may be written, stamped, lithographed or engraved.

6. No reference need be made to this By-law in said debentures or in the interest coupons attached thereto.

7. The said debentures as to principal and interest shall be payable at the Toronto-Dominion Bank, New Lowell Branch, in the County of Simcoe.

8. There shall be raised and levied in each year during the currency of the said debentures, or any of them, by special rate on all the rateable property available for taxes within the area described in Schedule "A" attached hereto of the said Township of Sunnidale in the same manner as other taxes are levied, a sum sufficient to pay and discharge the several yearly sums of principal and interest so accruing due as the same become respectively payable, that is to say, the total sum of $22,000.00.

READ A FIRST AND SECOND TIME this 2nd day of May, 1957.

ABNER RAWN,
Reeve.

HERB. M. BARKER,
Clerk.

READ A THIRD TIME AND FINALLY PASSED this 2nd day of May, 1957.

ABNER RAWN,
Reeve.

HERB. M. BARKER,
Clerk.

Schedule "A"

DEFINED AREA FOR NEW LOWELL COMMUNITY HALL

Concession 1.	Lots 1 to 12 inclusive Lots 27 and 28 E.S.R. and W.S.R. (East and West of the Sunnidale Road) Lots 17 to 24 inclusive and Lot Z.
Concession 2.	Lots 1 to 12 inclusive Lots 25 and 26 E.S.R. and W.S.R. Lots 17 to 23 inclusive and Lot "Z".
Concession 3.	Lots 1 to 12 inclusive Lots 23 and 24 E.S.R. and W.S.R. Lots 17 to 22 inclusive and Lot "Z".
Concession 4.	Lots 1 to 12 inclusive Lots 21 and 22 E.S.R. and W.S.R. Lots 17 to 22 inclusive and Lot "Z".
Concession 5.	Lots 1 to 11 inclusive Lots 19 and 20 E.S.R. and W.S.R. Lots 17 to 21 inclusive and Lot "Z".
Concession 6.	Lots 1 to 10 inclusive Lots 17 and 18 E.S.R. and W.S.R. Lots 15 to 20 inclusive.
Concession 7.	Lots 1 to 10 inclusive Lots 10, 11, 12 and 13 E.S.R. and W.S.R. Lots 15 to 19 inclusive.
Concession 8.	Lots 1 to 10 inclusive Lots 12, 13, 14 and 15 E.S.R. and W.S.R. Lots 15 to 18 inclusive.

An Act respecting the Township of Sunnidale

1st Reading

2nd Reading

3rd Reading

MR. JOHNSTON (Simcoe Centre)

(*Private Bill*)

1958

No. 36

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Township of Sunnidale

Mr. Johnston (Simcoe Centre)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 36 1958

BILL

An Act respecting the Township of Sunnidale

WHEREAS The Corporation of the Township of Sunnidale by its petition has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 961 passed by the council of The Corporation of the Township of Sunnidale entitled "A By-law of the Council of The Corporation of the Township of Sunnidale to raise the sum of $22,000 for the construction of a community hall at the Village of New Lowell, in the Township of Sunnidale, pursuant to the provisions of *The Community Centres Act*, being R.S.O. 1950, Chapter 58", set forth as the Schedule hereto, is hereby validated and confirmed, and the sum of $22,000 therein referred to may be borrowed on debentures without obtaining the approval of the Ontario Municipal Board and without the recital of the Ontario Municipal Board approval therein. Debenture by-law confirmed

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

3. This Act may be cited as *The Township of Sunnidale Act, 1958*. Short title

SCHEDULE

By-Law No. 961

TOWNSHIP OF SUNNIDALE

A By-Law of the Council of The Corporation of the Township of Sunnidale to raise the sum of $22,000 for the construction of a community hall at the Village of New Lowell, in the Township of Sunnidale, pursuant to the provisions of *The Community Centres Act*, being R.S.O. 1950, Chapter 58.

Whereas the Council of the Corporation of the Township of Sunnidale has been petitioned by over fifty percent of the ratepayers in that part of the Township school area described in Schedule "A" annexed hereto to construct a Community Hall at the Village of New Lowell, in the Township of Sunnidale, to serve the community so described in Schedule "A" as a Community Centre; and

Whereas the Council deems it advisable to construct the said Centre and to borrow the sum of $22,000.00 on debentures of the Township of Sunnidale for such purposes; and

Whereas the amount of the whole rateable property available for public school purposes in the Township of Sunnidale is $2,889,405.00; and

Whereas the whole rateable property in the area to be benefited is $1,300,940.00; and

Whereas the existing debenture debt of the Township of Sunnidale is $192,226.31;

Now Therefore the Council of the Corporation of the Township of Sunnidale enacts as follows:

1. That the sum of $22,000.00 be raised by the issue of debentures of the Corporation of the Township of Sunnidale for the construction of a Community Hall at the Village of New Lowell in the Township of Sunnidale to serve the area within the Township of Sunnidale described in Schedule "A" annexed hereto as a Community Centre.

2. It shall be lawful for the said Corporation to raise the sum of $22,000.00 by the issue of debentures of the said Corporation to such an amount in sums not less than $100.00 each, payable within twenty years from the 1st day of June, A.D. 1957.

3. The said debentures are to be so issued for the sum of $22,000.00, shall bear interest at the rate of six per cent per annum payable yearly.

4. The said debentures so issued for the sum of $22,000.00 in equal, annual, successive instalments; each annual instalment of principal and interest to be in such amount that the aggregate amount payable for principal and interest in any one year shall be as nearly equal as may be as to what is payable for principal and interest, for each of the other years of the said period, and one of such instalments of principal shall be payable in one year from the 1st day of June, A.D. 1957, and the remaining 19 instalments shall be payable on the same day in each of the 19 succeeding years, and the said yearly instalments of interest shall be payable at the same time, and each of the said debentures shall include the whole amount of interest payable in that year, and shall have interest coupons attached thereto for the payment of the interest thereon.

5. The interest coupons to be attached to the said debentures shall be signed by the Reeve and the Treasurer of the Corporation whose signature thereupon may be written, stamped, lithographed or engraved.

6. No reference need be made to this By-law in said debentures or in the interest coupons attached thereto.

7. The said debentures as to principal and interest shall be payable at the Toronto-Dominion Bank, New Lowell Branch, in the County of Simcoe.

8. There shall be raised and levied in each year during the currency of the said debentures, or any of them, by special rate on all the rateable property available for taxes within the area described in Schedule "A" attached hereto of the said Township of Sunnidale in the same manner as other taxes are levied, a sum sufficient to pay and discharge the several yearly sums of principal and interest so accruing due as the same become respectively payable, that is to say, the total sum of $22,000.00.

READ A FIRST AND SECOND TIME this 2nd day of May, 1957.

ABNER RAWN,
Reeve.

HERB. M. BARKER,
Clerk.

READ A THIRD TIME AND FINALLY PASSED this 2nd day of May, 1957.

ABNER RAWN,
Reeve.

HERB. M. BARKER,
Clerk.

Schedule "A"

DEFINED AREA FOR NEW LOWELL COMMUNITY HALL

Concession 1.	Lots 1 to 12 inclusive Lots 27 and 28 E.S.R. and W.S.R. (East and West of the Sunnidale Road) Lots 17 to 24 inclusive and Lot Z.
Concession 2.	Lots 1 to 12 inclusive Lots 25 and 26 E.S.R. and W.S.R. Lots 17 to 23 inclusive and Lot "Z".
Concession 3.	Lots 1 to 12 inclusive Lots 23 and 24 E.S.R. and W.S.R. Lots 17 to 22 inclusive and Lot "Z".
Concession 4.	Lots 1 to 12 inclusive Lots 21 and 22 E.S.R. and W.S.R. Lots 17 to 22 inclusive and Lot "Z".
Concession 5.	Lots 1 to 11 inclusive Lots 19 and 20 E.S.R. and W.S.R. Lots 17 to 21 inclusive and Lot "Z".
Concession 6.	Lots 1 to 10 inclusive Lots 17 and 18 E.S.R. and W.S.R. Lots 15 to 20 inclusive.
Concession 7.	Lots 1 to 10 inclusive Lots 10, 11, 12 and 13 E.S.R. and W.S.R. Lots 15 to 19 inclusive.
Concession 8.	Lots 1 to 10 inclusive Lots 12, 13, 14 and 15 E.S.R. and W.S.R. Lots 15 to 18 inclusive.

An Act respecting
the Township of Sunnidale

1st Reading

February 21st, 1958

2nd Reading

March 11th, 1958

3rd Reading

March 14th, 1958

MR. JOHNSTON (Simcoe Centre)

1958

No. 37

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Town of Almonte

Mr. McCue

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 37 1958

BILL

An Act respecting the Town of Almonte

WHEREAS The Corporation of the Town of Almonte, herein called the Corporation, by its petition has represented that it has constructed as local improvements certain watermains and sewers, described in the Schedule hereto, that it has constructed certain watermains and sewers on Teskey Street in the Corporation, and that it has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Aseembly of the Province of Ontario, enacts as follows:

1. By-law No. 2010, passed by The Corporation of the Town of Almonte on the 14th day of May, 1957, set forth as the Schedule hereto, authorizing the issue of debentures of the Corporation in the principal sum of $25,600 to pay the cost of constructing certain watermains and sewers is hereby confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof. Debenture by-law confirmed

2.—(1) All of the watermains and sewers on Teskey Street in the Town of Almonte shall be deemed to have been constructed as local improvements under *The Local Improvement Act* and, except where inconsistent with this section, the provisions of *The Local Improvement Act*, except sections 7 to 19, shall apply with respect thereto. Certain works deemed local improvements R.S.O. 1950, c. 215

(2) The council of the Corporation may pass a by-law without obtaining the approval of the Ontario Municipal Board to borrow not more than $5,000 upon debentures payable in not more than fifteen years for expenditures with respect to such works and the by-law when passed shall be legal, valid and binding upon the Corporation and the ratepayers thereof. Authority to pass debenture by-law

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

4. This Act may be cited as *The Town of Almonte Act, 1958*. Short title

SCHEDULE

By-Law No. 2010

A By-Law of The Corporation of the Town of Almonte to provide for borrowing of $25,600.00 upon debentures to pay for the following works as local improvements:

Whereas pursuant to construction By-law numbered 2007 passed on the 12th day of February, 1957, certain water mains and sewers have been constructed on the streets and between the points set out in columns 4, 5 and 6 of Schedule "A" attached hereto, as local improvements under the provisions of *The Local Improvement Act*;

And Whereas the total cost of such work is $25,600.00 of which the Corporation's portion is $11,673.58 and the property owners' portion is $13,926.42;

And Whereas the Ontario Municipal Board has by its order dated the .... day of ....., 1957, approved of the undertaking by the Corporation of the said capital expenditures and of the exercise by the Corporation of its powers to proceed with, authorize or provide moneys for the said undertaking and of the passing of all requisite by-laws for the said purpose, including debenture By-laws;

And Whereas the Department of Health of Ontario has approved of the construction of the said works and such approval has been certified under the hand of the Minister of the said Department;

And Whereas the estimated lifetime of the said work is more than fifteen (15) years;

And Whereas it will be necessary to borrow on the credit of the Corporation at large the sum of $25,600.00 and to issue debentures therefor;

And Whereas it is expedient to provide that the said debentures shall be payable over a period of fifteen (15) years next after their date of issue;

And Whereas it is expedient to provide that the said debentures shall bear interest at the rate of five (5) per centum per annum and to make the principal of the said debt repayable in yearly sums during the said period of fifteen (15) years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be the amount payable for principal and interest in each of the other years, subject to the statutory proviso that each instalment of principal may be for an even $100.00, $500.00 or $1,000.00 or multiple thereof, and that notwithstanding anything herein contained the annual instalments of principal and interest may differ in amount sufficiently to admit thereof;

And Whereas it will be necessary to raise annually by a special rate during the currency of the said debentures a sum sufficient to provide payment of the said yearly instalments of principal and interest as they shall become payable, of which sum the amount set out at the bottom of the column numbered five (5) of the schedule hereto annexed and marked "A" shall be raised annually for the payment of property owners' portion of the said debt and interest thereon;

And Whereas the amount of the whole rateable property of the Town of Almonte according to the last revised assessment roll is $2,353,574.00;

And Whereas the amount of existing debenture debt of the Corporation (exclusive of debt created for local improvement purposes) is $281,856.15; whereof no part is in arrears for either principal or interest.

THEREFORE, the Council of the Corporation of the Town of Almonte enacts as follows:

1. For the purpose of paying for the cost of the works as outlined in Schedule "A" hereto attached, as local improvements, there shall be borrowed on the credit of the Corporation at large the sum of $25,600.00 and debentures shall be issued therefor in sums of not less than $100.00 Canadian currency each and shall be payable both as to principal and interest at such chartered bank or banking corporation in Canada as may be designated thereon, in legal currency of the Dominion of Canada.

2. The said debentures shall bear interest at the rate of five (5) per-centum per annum and have coupons attached thereto for the payment of interest annually upon the 31st day of January in each year, which coupons shall be signed by the Treasurer of the Corporation, whose signature may be written, stamped, lithographed or engraved thereon.

3. The said debentures shall be dated the 31st day of January, 1957, and shall be issued within two years after the date on which this By-law is passed, and the principal sum of the said debentures shall be repaid in annual instalments at the times and in the manner shown in the following schedule, and the respective amounts of principal and interest payable in each year during the currency of the said debentures shall be as follows:

SCHEDULE

Year	Amount of Interest Payable	Amount of Principal Payable	Annual Payment
1.	$ 1,280.00	$ 1,186.35	$ 2,466.35
2.	1,220.65	1,245.70	2,466.35
3.	1,158.38	1,307.97	2,466.35
4.	1,093.00	1,373.35	2,466.35
5.	1,024.32	1,442.03	2,466.35
6.	952.22	1,514.13	2,466.35
7.	876.52	1,589.83	2,466.35
8.	797.00	1,669.35	2,466.35
9.	713.55	1,752.80	2,466.35
10.	625.90	1,840.45	2,466.35
11.	533.90	1,932.45	2,466.35
12.	437.27	2,029.08	2,466.35
13.	335.80	2,130.55	2,466.35
14.	229.30	2,237.05	2,466.35
15.	117.44	2,348.91	2,466.35
	$11,395.25	$25,600.00	$36,995.25

4. The said debentures shall be signed by the Mayor or by some other person authorized by By-law to sign the same and also by the Treasurer and shall be sealed with the seal of the Corporation. The signature of the Mayor may be written, stamped, lithographed or engraved thereon.

5. During the currency of the said debenture there shall be raised annually for the payment of the property owners' portion of the said debt and interest thereon the sum of $1,340.70 as shown at the bottom of the column numbered five (5) of the said schedule hereto annexed and marked "A" and for the payment of the Corporation's portion of the cost thereof there shall be raised annually in the manner hereinafter provided such sum as together with the said sum of $1,340.70 shall be sufficient to provide for the payment of the said yearly instalments of principal and interest as they shall become payable.

6. For the payment of the Corporation's portion of the cost of the said work and the interest thereon there shall be levied and raised annually a special rate sufficient therefor over and above all other rates on all rateable property according to the last revised assessment roll at the same time and in the same manner as other rates.

7. For the payment of the property owners' portion of the cost of the said work and the interest thereon the special assessment set forth in the assessment roll prepared for the said work is hereby imposed on the lands liable therefor, which said special assessment, with a sum sufficient to cover interest thereon at the said rate, shall be payable in equal annual instalments during the currency of the debentures and for that purpose the respective special annual rates per foot frontage as shown in column numbered seven (7) of the said schedule hereto annexed and marked "A" are hereby imposed upon each lot entered in the said special assessment roll for the said work, according to the assessed frontage thereof, over and above all other rates and taxes, which said special rates shall be collected annually by the Collector of Taxes for the Corporation at the same time and in the same manner as other rates, during the currency of the said debentures.

8. The said debentures may contain any clause providing for the registration thereof, authorized by any statute relating to Municipal debentures in force at the time of the issue thereof.

9. The amount of the loan authorized by this By-law may be consolidated with the amounts of any loans authorized by other local improvement By-laws by including the same with other loans in a consolidating By-law authorizing the borrowing of the aggregate thereof as one loan, and the issue of debentures for such loan in one consecutive issue pursuant to the provision of the statute in that behalf.

10. Pending the sale of the said debentures, or in lieu of selling the same, Council may by resolution authorize the Mayor and the Treasurer to raise money by way of loan on security of such debentures, or upon security of some part of them, and to hypothecate any or all of the said debentures as security for the repayment of the said loan.

11. The Corporation shall have the right, at its option, to redeem all the debentures which mature in the last year on any date prior to maturity at the places where and in the moneys in which the said debentures are expressed to be payable, upon payment of the principal amount thereof together with interest accrued to the date of redemption and upon giving previous notice of said intention to redeem by advertising once in *The Ontario Gazette* and once in a daily newspaper of general provincial circulation, published in the City of Toronto, and once in a local newspaper, such notice to be advertised as aforesaid at least thirty days before the date fixed for redemption. Notice of intention so to redeem shall also be sent by post at least thirty days prior to the date set for such redemption to each person in whose name a debenture so to be redeemed is registered at the address shown in the Debenture Registry Book.

12. This By-Law shall take effect on the date of the final passing thereof.

Given under the Corporate Seal of the Town of Almonte this 14th day of May, 1957.

G. E. Gomme,
Mayor.

(Seal)

R. J. France,
Town Clerk.

Construction By-Law No. 2007
Work Undertaken by Petition

Schedule "A"

To By-Law No. 2010
TOWN OF ALMONTE

1		2	3	4	5	6	7
Owner &	Lot No.	Property Owners' portion of total cost	Assessable frontage	Non-Assessable Frontage	Total amount to be raised annually for payment of owner's portion	Total cost with which each Lot is assessed per Lin. ft. frontage	Annual rate per foot frontage
Construction of a 6" Watermain on Spring Street From 100' N. of Clinton St. to 1100' Southerly							
Owner's Share.....	$4,904.30						
Corporation's Share.....	2,883.19						
Total Cost.....	$7,787.49						
Rosamond Mem. Hosp.....	70			59'-1"			
Clinton Street.....				50'			
Rosamond Mem. Hosp.....	104	$ 152.95	59'-1"		$ 14.71	2.5887	0.24901
" " "	105	152.95	59'-1"		14.71	"	"
Howard Giles.....	139	152.95	59'-1"		14.71	"	"
" "	140	152.95	59-1"		14.71	"	"
St. Paul St.....				50'			

1		2	3	4	5	6	7
Owner &	Lot No.	Property Owners' portion of total cost	Assessable frontage	Non-Assessable Frontage	Total amount to be raised annually for payment of owner's portion	Total cost with which each Lot is assessed per Lin. ft. frontage	Annual rate per foot frontage
Town of Almonte.....	206			118′-3″			
H. A. Elliot.....	1	$ 231.69	89′-5″		$ 22.29	2.5887	0.24901
Albert Gale.....	2	220.04	85′		21.17	"	"
" "	N. pt. 3	64.72	25′		6.22	"	"
Ernest Armstrong.....	S. pt. 3	155.32	60′		14.94	"	"
" "	N. pt. 4	38.83	15′		3.73	"	"
Albert Gale.....	S. pt. 4	181.21	70′		17.43	"	"
" "	5	220.04	85′		21.17	"	"
William Shaver.....	6	220.04	85′		21.17	"	"
Albert Gale.....	7	220.04	85′		21.17	"	"
John Ellis.....	8	245.93	95′		23.66	"	"
Rosamond Mem. Hosp.....	72	152.95	59′-1″		14.71	"	"
Clinton Street.....				50′			
Margaret Gale.....	106	152.95	59′-1″		14.71	"	"

" "	107	152.95	59′-1″		14.71	"	"
Harry Gale	141	152.95	59′-1″		14.71	"	"
" "	142	152.95	59′-1″		14.71	"	"
St. Paul St.				50′			
William Irwin	172	111.96	43′-3″		10.77	"	"
Albert Gale	18	258.87	100′		24.90	"	"
" "	17	207.10	80′		19.92	"	"
Gale St.				66′			
Albert Gale	16	194.15	75′		18.68	"	"
" "	15	194.15	75′		18.68	"	"
" "	14	194.15	75′		18.68	"	"
" "	13	194.15	75′		18.68	"	"
" "	12	194.15	75′		18.68	"	"
" "	11	181.21	70′		17.43		
		$4,904.30			$471.76		

Construction of a 6″ Watermain on Bridge St.
From Country St. to Parkview Blvd.
Total length, 487 feet.

Owners' Share	$ 667.78
Corporation's Share	1,640.92
Total Cost	$2,308.70

1		2	3	4	5	6	7
Owner &	Lot No.	Property Owners' portion of total cost	Assessable frontage	Non-Assessable Frontage	Total amount to be raised annually for payment of owner's portion	Total cost with which each Lot is assessed per Lin. ft. frontage	Annual rate per foot frontage
Country St.				78′-0½″			
Town of Almonte				87′			
" " "	15	$ 155.20	59′-11½″		$ 14.92	2.5887	0.24901
" " "	16	170.86	66′	39′	16.44	"	"
" " "	17	170.86	66′		16.44	"	"
" " "	18	170.86	66′		16.44	"	"
Parkview Blvd.				25′			
Country St.				12′			
Town of Almonte				279′			
" " "	Block "A"			196′			
		$667.78			$64.24		

Construction of a 6″ Watermain on Parkview Blvd.
From Bridge St. to 300′ Easterly.

Owner's Share	$1,241.28
Corporation's Share	572.70
Total Cost	$1,813.98

Bridge St.				20′			
Town of Almonte	18	143.68	55′-6″	75′	13.82	2.5887	0.2490
Steve Curley	19	170.85	66′		16.43	"	"
Gerald Madden	20	170.85	66′	70′-1″	16.43	"	"
Bridge St.				20′			
Dr. O. H. Schulte	25	207.10	80′	27′-11″	19.93	"	"
" " "	24	207.10	80′		19.93	"	"
Harvey Carleton	23	170.85	66′		16.43	"	"
J. Alfred Larose	22	170.85	66′		16.43	"	"
		$1,241.28			$119.40		

1		2	3	4	5	6	7
Owner &	Lot No.	Property Owners' portion of total cost	Assessable frontage	Non-Assessable Frontage	Total amount to be raised annually for payment of owner's portion	Total cost with which each Lot is assessed per Lin. ft. frontage	Annual rate per foot frontage
Construction of an 8" Sanitary Sewer on Spring St. from Clinton St. to 1100' Southerly.							
Owners' Share.....	$5,074.26						
Corporation's Share.....	4,633.17						
Total Cost.....	$9,707.43						
Clinton St.....				50'			
Rosamond Mem. Hosp.....	104	$ 163.34	59'-1"		$ 15.74	2.7646	0.26635
" " "	105	163.34	59'-1"		15.74	"	"
Howard Giles.....	139	163.34	59'-1"		15.74	"	"
" "	140	163.34	59'-4"		15.74	"	"
St. Paul St.....				50'			
Town of Almonte.....	206			118'-3"			
H. A. Elliot.....	1	247.43	89'-5"		23.84	"	"
Albert Gale.....	2	234.99	85'		22.64	"	"

" "	N. pt. 3	69.12	25′		6.65	"	"
Ernest Armstrong	S. pt. 3	165.88	60′		15.98	"	"
" "	N. pt. 4	41.47	15′		3.99	"	"
Albert Gale	S. pt. 4	193.52	70′		18.64	"	"
" "	5	234.99	85′		22.64	"	"
William Shaver	6	234.99	85′		22.64	"	"
Albert Gale	7	234.99	85′		22.64	"	"
John Ellis	8	262.64	95′		25.30	"	"
Clinton St.				50′			
Margaret Gale	106	163.34	59′-1″		15.74	"	"
" "	107	163.34	59′-1″		15.74	"	"
Harry Gale	141	163.34	59′-1″		15.74	"	"
" "	142	163.34	59′-1″		1.574	"	"
St. Paul St.				50′			
William Irwin	172	119.57	43′-3″	75′	11.52	"	"
Albert Gale	18	276.46	100′		26.63	"	"
" "	17	221.17	80′		21.30	"	"

1		2	3	4	5	6	7
Owner &	Lot No.	Property Owners' portion of total cost	Assessable frontage	Non-Assessable frontage	Total amount to be raised annually for payment of owner's portion	Total cost with which each Lot is assessed per Lin. ft. frontage	Annual rate per foot frontage
Gale St.....				66′			
Albert Gale.....	16	$ 207.36	75′		$ 19.98	2.7646	0.26635
" "	15	207.36	75′		19.98	"	"
" "	14	207.36	75′		19.98	"	"
" "	13	207.36	75′		19.98	"	"
" "	12	207.36	75′		19.98	"	"
" "	11	193.52	70′		18.64	"	"
		$5,074.26			$488.87		

Construction of an 8″ Sanitary Sewer on Bridge St. from Country St. to Parkview Blvd.
Total length, 487 lin. ft.

Owners' Share	$ 713.16
Corporation's Share	1,726.22
Total Cost	$2,439.38

Country St.				78′-0½″			
Town of Almonte				87′			
" "	15	$ 165.77	59′-11½″		$ 15.97	"	"
" "	16	182.47	66′	39′	17.58	"	"
" "	17	182.46	66′		17.58	"	"
" "	18	182.46	66′		17.58		
Parkview Blvd.				25′			
Country St.				12′			
Town of Almonte				279′			
" "	Block "A"			196′			
		$713.16			$68.71		

1		2	3	4	5	6	7
Owner &	Lot No.	Property Owners' portion of total cost	Assessable frontage	Non-Assessable frontage	Total amount to be raised annually for payment of owner's portion	Total cost with which each Lot is assessed per Lin. ft. frontage	Annual rate per foot frontage
Construction of an 8" Sanitary Sewer on Parkview Boulevard from Bridge St. to 300' Easterly. Owners' Share..... $1,325.64 Corporation's Share..... 169.47 Total Cost..... $1,495.11							
Bridge St.....				20'			
Town of Almonte.....	18	$ 153.44	55'-6"	75'	$ 14.78	2.7646	0.26635
Steve Curley.....	19	182.47	66'		17.58	"	"
Gerald Madden.....	20	182.47	66'	70'-1"	17.58	"	"
Bridge St.....				20'			
Dr. O. H. Schulte.....	25	221.16	80'	27'-11"	21.31	"	"
" " "	24	221.16	80'		21.31	"	"
Harvey Carleton.....	23	182.47	66'		17.58	"	"
J. Alfred Larose.....	22	182.47	66'		17.58	"	"
		$1,325.64			$127.72		

SUMMARY SHEET

SEWER

Sheet No.	Street	Owners' Share	Corp. Share		Total Cost	
5 & 6	Spring St.	$ 5,074.26	$ 4,633.17		$ 9,707.43	
7	Bridge St.	713.16	1,726.22		2,439.38	
8	Parkview Blvd.	1,325.64	169.47		1,495.11	
	Total Sewers	$ 7,113.06	$ 6,528.86		$13,641.92	

WATER

1 & 2	Spring St.	$ 4,904.30	$ 2,883.19		$ 7,787.49	
3	Bridge St.	667.78	1,640.92		2,308.70	
4	Parkview Blvd.	1,241.28	572.70		1,813.98	
	Total Water	$ 6,813.36	$ 5,096.81		$11,910.17	
	Total Sewers and Water	13,926.42	11,625.67		25,552.09	
	Plus amount to make round figures		47.91	$11,673.58	47.91	$25,600.00

BILL

An Act respecting
the Town of Almonte

1st Reading

February 21st, 1958

2nd Reading

3rd Reading

MR. MCCUE

(*Private Bill*)

1958

No. 37

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Town of Almonte

Mr. McCue

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 37 1958

BILL

An Act respecting the Town of Almonte

WHEREAS The Corporation of the Town of Almonte, herein called the Corporation, by its petition has represented that it has constructed as local improvements certain watermains and sewers, described in the Schedule hereto, that it has constructed certain watermains and sewers on Teskey Street in the Corporation, and that it has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Aseembly of the Province of Ontario, enacts as follows:

1. By-law No. 2010, passed by The Corporation of the Town of Almonte on the 14th day of May, 1957, set forth as the Schedule hereto, authorizing the issue of debentures of the Corporation in the principal sum of $25,600 to pay the cost of constructing certain watermains and sewers is hereby confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof. Debenture by-law confirmed

2.—(1) All of the watermains and sewers on Teskey Street in the Town of Almonte shall be deemed to have been constructed as local improvements under *The Local Improvement Act* and, except where inconsistent with this section, the provisions of *The Local Improvement Act*, except sections 7 to 19, shall apply with respect thereto. Certain works deemed local improvements R.S.O. 1950, c. 215

(2) The council of the Corporation may pass a by-law without obtaining the approval of the Ontario Municipal Board to borrow not more than $5,000 upon debentures payable in not more than fifteen years for expenditures with respect to such works and the by-law when passed shall be legal, valid and binding upon the Corporation and the ratepayers thereof. Authority to pass debenture by-law

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

4. This Act may be cited as *The Town of Almonte Act, 1958*. Short title

SCHEDULE

By-Law No. 2010

A By-Law of The Corporation of the Town of Almonte to provide for borrowing of $25,600.00 upon debentures to pay for the following works as local improvements:

Whereas pursuant to construction By-law numbered 2007 passed on the 12th day of February, 1957, certain water mains and sewers have been constructed on the streets and between the points set out in columns 4, 5 and 6 of Schedule "A" attached hereto, as local improvements under the provisions of *The Local Improvement Act*;

And Whereas the total cost of such work is $25,600.00 of which the Corporation's portion is $11,673.58 and the property owners' portion is $13,926.42;

And Whereas the Ontario Municipal Board has by its order dated the .... day of ....., 1957, approved of the undertaking by the Corporation of the said capital expenditures and of the exercise by the Corporation of its powers to proceed with, authorize or provide moneys for the said undertaking and of the passing of all requisite by-laws for the said purpose, including debenture By-laws;

And Whereas the Department of Health of Ontario has approved of the construction of the said works and such approval has been certified under the hand of the Minister of the said Department;

And Whereas the estimated lifetime of the said work is more than fifteen (15) years;

And Whereas it will be necessary to borrow on the credit of the Corporation at large the sum of $25,600.00 and to issue debentures therefor;

And Whereas it is expedient to provide that the said debentures shall be payable over a period of fifteen (15) years next after their date of issue;

And Whereas it is expedient to provide that the said debentures shall bear interest at the rate of five (5) per centum per annum and to make the principal of the said debt repayable in yearly sums during the said period of fifteen (15) years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be the amount payable for principal and interest in each of the other years, subject to the statutory proviso that each instalment of principal may be for an even $100.00, $500.00 or $1,000.00 or multiple thereof, and that notwithstanding anything herein contained the annual instalments of principal and interest may differ in amount sufficiently to admit thereof;

And Whereas it will be necessary to raise annually by a special rate during the currency of the said debentures a sum sufficient to provide payment of the said yearly instalments of principal and interest as they shall become payable, of which sum the amount set out at the bottom of the column numbered five (5) of the schedule hereto annexed and marked "A" shall be raised annually for the payment of property owners' portion of the said debt and interest thereon;

And Whereas the amount of the whole rateable property of the Town of Almonte according to the last revised assessment roll is $2,353,574.00;

And Whereas the amount of existing debenture debt of the Corporation (exclusive of debt created for local improvement purposes) is $281,856.15; whereof no part is in arrears for either principal or interest.

THEREFORE, the Council of the Corporation of the Town of Almonte enacts as follows:

1. For the purpose of paying for the cost of the works as outlined in Schedule "A" hereto attached, as local improvements, there shall be borrowed on the credit of the Corporation at large the sum of $25,600.00 and debentures shall be issued therefor in sums of not less than $100.00 Canadian currency each and shall be payable both as to principal and interest at such chartered bank or banking corporation in Canada as may be designated thereon, in legal currency of the Dominion of Canada.

2. The said debentures shall bear interest at the rate of five (5) per-centum per annum and have coupons attached thereto for the payment of interest annually upon the 31st day of January in each year, which coupons shall be signed by the Treasurer of the Corporation, whose signature may be written, stamped, lithographed or engraved thereon.

3. The said debentures shall be dated the 31st day of January, 1957, and shall be issued within two years after the date on which this By-law is passed, and the principal sum of the said debentures shall be repaid in annual instalments at the times and in the manner shown in the following schedule, and the respective amounts of principal and interest payable in each year during the currency of the said debentures shall be as follows:

SCHEDULE

Year	Amount of Interest Payable	Amount of Principal Payable	Annual Payment
1.	$ 1,280.00	$ 1,186.35	$ 2,466.35
2.	1,220.65	1,245.70	2,466.35
3.	1,158.38	1,307.97	2,466.35
4.	1,093.00	1,373.35	2,466.35
5.	1,024.32	1,442.03	2,466.35
6.	952.22	1,514.13	2,466.35
7.	876.52	1,589.83	2,466.35
8.	797.00	1,669.35	2,466.35
9.	713.55	1,752.80	2,466.35
10.	625.90	1,840.45	2,466.35
11.	533.90	1,932.45	2,466.35
12.	437.27	2,029.08	2,466.35
13.	335.80	2,130.55	2,466.35
14.	229.30	2,237.05	2,466.35
15.	117.44	2,348.91	2,466.35
	$11,395.25	$25,600.00	$36,995.25

4. The said debentures shall be signed by the Mayor or by some other person authorized by By-law to sign the same and also by the Treasurer and shall be sealed with the seal of the Corporation. The signature of the Mayor may be written, stamped, lithographed or engraved thereon.

5. During the currency of the said debenture there shall be raised annually for the payment of the property owners' portion of the said debt and interest thereon the sum of $1,340.70 as shown at the bottom of the column numbered five (5) of the said schedule hereto annexed and marked "A" and for the payment of the Corporation's portion of the cost thereof there shall be raised annually in the manner hereinafter provided such sum as together with the said sum of $1,340.70 shall be sufficient to provide for the payment of the said yearly instalments of principal and interest as they shall become payable.

6. For the payment of the Corporation's portion of the cost of the said work and the interest thereon there shall be levied and raised annually a special rate sufficient therefor over and above all other rates on all rateable property according to the last revised assessment roll at the same time and in the same manner as other rates.

7. For the payment of the property owners' portion of the cost of the said work and the interest thereon the special assessment set forth in the assessment roll prepared for the said work is hereby imposed on the lands liable therefor, which said special assessment, with a sum sufficient to cover interest thereon at the said rate, shall be payable in equal annual instalments during the currency of the debentures and for that purpose the respective special annual rates per foot frontage as shown in column numbered seven (7) of the said schedule hereto annexed and marked "A" are hereby imposed upon each lot entered in the said special assessment roll for the said work, according to the assessed frontage thereof, over and above all other rates and taxes, which said special rates shall be collected annually by the Collector of Taxes for the Corporation at the same time and in the same manner as other rates, during the currency of the said debentures.

8. The said debentures may contain any clause providing for the registration thereof, authorized by any statute relating to Municipal debentures in force at the time of the issue thereof.

9. The amount of the loan authorized by this By-law may be consolidated with the amounts of any loans authorized by other local improvement By-laws by including the same with other loans in a consolidating By-law authorizing the borrowing of the aggregate thereof as one loan, and the issue of debentures for such loan in one consecutive issue pursuant to the provision of the statute in that behalf.

10. Pending the sale of the said debentures, or in lieu of selling the same, Council may by resolution authorize the Mayor and the Treasurer to raise money by way of loan on security of such debentures, or upon security of some part of them, and to hypothecate any or all of the said debentures as security for the repayment of the said loan.

11. The Corporation shall have the right, at its option, to redeem all the debentures which mature in the last year on any date prior to maturity at the places where and in the moneys in which the said debentures are expressed to be payable, upon payment of the principal amount thereof together with interest accrued to the date of redemption and upon giving previous notice of said intention to redeem by advertising once in *The Ontario Gazette* and once in a daily newspaper of general provincial circulation, published in the City of Toronto, and once in a local newspaper, such notice to be advertised as aforesaid at least thirty days before the date fixed for redemption. Notice of intention so to redeem shall also be sent by post at least thirty days prior to the date set for such redemption to each person in whose name a debenture so to be redeemed is registered at the address shown in the Debenture Registry Book.

12. This By-Law shall take effect on the date of the final passing thereof.

Given under the Corporate Seal of the Town of Almonte this 14th day of May, 1957.

G. E. Gomme,
Mayor.

(Seal)

R. J. France,
Town Clerk.

Construction By-Law No. 2007
Work Undertaken by Petition

Schedule "A"

To By-Law No. 2010
TOWN OF ALMONTE

1		2	3	4	5	6	7
Owner &	Lot No.	Property Owners' portion of total cost	Assessable frontage	Non-Assessable Frontage	Total amount to be raised annually for payment of owner's portion	Total cost with which each Lot is assessed per Lin. ft. frontage	Annual rate per foot frontage
Construction of a 6" Watermain on Spring Street From 100' N. of Clinton St. to 1100' Southerly							
Owners' Share.....	$4,904.30						
Corporation's Share.....	2,883.19						
Total Cost.....	$7,787.49						
Rosamond Mem. Hosp.....	70			59'-1"			
Clinton Street.....				50'			
Rosamond Mem. Hosp.....	104	$ 152.95	59'-1"		$ 14.71	2.5887	0.24901
" " "	105	152.95	59'-1"		14.71	"	"
Howard Giles.....	139	152.95	59'-1"		14.71	"	"
" "	140	152.95	59-1"		14.71	"	"
St. Paul St.....				50'			

1		2	3	4	5	6	7
Owner &	Lot No.	Property Owners' portion of total cost	Assessable frontage	Non-Assessable Frontage	Total amount to be raised annually for payment of owner's portion	Total cost with which each Lot is assessed per Lin. ft. frontage	Annual rate per foot frontage
Town of Almonte.....	206			118′-3″			
H. A. Elliot.....	1	$ 231.69	89′-5″		$ 22.29	2.5887	0.24901
Albert Gale.....	2	220.04	85′		21.17	"	"
" "	N. pt. 3	64.72	25′		6.22	"	"
Ernest Armstrong.....	S. pt. 3	155.32	60′		14.94	"	"
" "	N. pt. 4	38.83	15′		3.73	"	"
Albert Gale.....	S. pt. 4	181.21	70′		17.43	"	"
" "	5	220.04	85′		21.17	"	"
William Shaver.....	6	220.04	85′		21.17	"	"
Albert Gale.....	7	220.04	85′		21.17	"	"
John Ellis.....	8	245.93	95′		23.66	"	"
Rosamond Mem. Hosp.....	72	152.95	59′-1″		14.71	"	"
Clinton Street.....				50′			
Margaret Gale.....	106	152.95	59′-1″		14.71	"	"

" "	107	152.95	59′-1″		14.71	"	"
Harry Gale	141	152.95	59′-1″		14.71	"	"
" "	142	152.95	59′-1″		14.71	"	"
St. Paul St.				50′			
William Irwin	172	111.96	43′-3″		10.77	"	"
Albert Gale	18	258.87	100′		24.90	"	"
" "	17	207.10	80′		19.92	"	"
Gale St.				66′			
Albert Gale	16	194.15	75′		18.68	"	"
" "	15	194.15	75′		18.68	"	"
" "	14	194.15	75′		18.68	"	"
" "	13	194.15	75′		18.68	"	"
" "	12	194.15	75′		18.68	"	"
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Corporation's Share.....	1,640.92						
Total Cost.....	$2,308.70						
Country St.....				78'-0½"			
Town of Almonte.....				87'			
" " "	15	$ 155.20	59'-11½"		$ 14.92	2.5887	0.24901
" " "	16	170.86	66'	39'	16.44	"	"
" " "	17	170.86	66'		16.44	"	"
" " "	18	170.86	66'		16.44	"	"
Parkview Blvd.....				25'			
Country St.....				12'			
Town of Almonte.....				279'			
" " "	Block "A"			196'			
		$667.78			$64.24		

Construction of a 6″ Watermain on Parkview Blvd.
From Bridge St. to 300′ Easterly.

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Corporation's Share	572.70
Total Cost	$1,813.98

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Steve Curley	19	170.85	66′		16.43	"	"
Gerald Madden	20	170.85	66′	70′-1″	16.43	"	"
Bridge St.				20′			
Dr. O. H. Schulte	25	207.10	80′	27′-11″	19.93	"	"
" " "	24	207.10	80′		19.93	"	"
Harvey Carleton	23	170.85	66′		16.43	"	"
J. Alfred Larose	22	170.85	66′		16.43	"	"
		$1,241.28			$119.40		

Construction of an 8″ Sanitary Sewer on Spring St. from Clinton St. to 1100′ Southerly.
Owners' Share..... $5,074.26
Corporation's Share..... 4,633.17

Total Cost..... $9,707.43

1		2	3	4	5	6	7
Owner &	Lot No.	Property Owners' portion of total cost	Assessable frontage	Non-Assessable Frontage	Total amount to be raised annually for payment of owner's portion	Total cost with which each Lot is assessed per Lin. ft. frontage	Annual rate per foot frontage
Clinton St.....				50′			
Rosamond Mem. Hosp.....	104	$ 163.34	59′-1″		$ 15.74	2.7646	0.26635
" " "	105	163.34	59′-1″		15.74	"	"
Howard Giles.....	139	163.34	59′-1″		15.74	"	"
" "	140	163.34	59′-4″		15.74	"	"
St. Paul St.....				50′			
Town of Almonte.....	206			118′-3″			
H. A. Elliot.....	1	247.43	89′-5″		23.84	"	"
Albert Gale.....	2	234.99	85′		22.64	"	"

" "	N. pt. 3	69.12	25′		6.65	"	"
Ernest Armstrong	S. pt. 3	165.88	60′		15.98	"	"
" "	N. pt. 4	41.47	15′		3.99	"	"
Albert Gale	S. pt. 4	193.52	70′		18.64	"	"
" "	5	234.99	85′		22.64	"	"
William Shaver	6	234.99	85′		22.64	"	"
Albert Gale	7	234.99	85′		22.64	"	"
John Ellis	8	262.64	95′		25.30	"	"
Clinton St.				50′			
Margaret Gale	106	163.34	59′-1″		15.74	"	"
" "	107	163.34	59′-1″		15.74	"	"
Harry Gale	141	163.34	59′-1″		15.74	"	"
" "	142	163.34	59′-1″		1.574	"	"
St. Paul St.				50′			
William Irwin	172	119.57	43′-3″	75′	11.52	"	"
Albert Gale	18	276.46	100′		26.63	"	"
" "	17	221.17	80′		21.30	"	"

1		2	3	4	5	6	7
Owner &	Lot No.	Property Owners' portion of total cost	Assessable frontage	Non-Assessable frontage	Total amount to be raised annually for payment of owner's portion	Total cost with which each Lot is assessed per Lin. ft. frontage	Annual rate per foot frontage
Gale St.....				66′			
Albert Gale.....	16	$ 207.36	75′		$ 19.98	2.7646	0.26635
" "	15	207.36	75′		19.98	"	"
" "	14	207.36	75′		19.98	"	"
" "	13	207.36	75′		19.98	"	"
" "	12	207.36	75′		19.98	"	"
" "	11	193.52	70′		18.64	"	"
		$5,074.26			$488.87		

Construction of an 8" Sanitary Sewer on Bridge St. from Country St. to Parkview Blvd.
Total length, 487 lin. ft.

Owners' Share	$ 713.16
Corporation's Share	1,726.22
Total Cost	$2,439.38

Country St.					78'-0½"			
Town of Almonte					87'			
" "	15	$ 165.77	59'-11½"			$ 15.97	"	"
" "	16	182.47	66'		39'	17.58	"	"
" "	17	182.46	66'			17.58	"	"
" "	18	182.46	66'			17.58		
Parkview Blvd.					25'			
Country St.					12'			
Town of Almonte					279'			
" "	Block "A"				196'			
		$713.16				$68.71		

1		2	3	4	5	6	7
Owner &	Lot No.	Property Owners' portion of total cost	Assessable frontage	Non-Assessable frontage	Total amount to be raised annually for payment of owner's portion	Total cost with which each Lot is assessed per Lin. ft. frontage	Annual rate per foot frontage
Construction of an 8" Sanitary Sewer on Parkview Boulevard from Bridge St. to 300' Easterly. Owners' Share..... $1,325.64 Corporation's Share..... 169.47 Total Cost..... $1,495.11							
Bridge St.....				20'			
Town of Almonte.....	18	$ 153.44	55'-6"	75'	$ 14.78	2.7646	0.26635
Steve Curley.....	19	182.47	66'		17.58	"	"
Gerald Madden.....	20	182.47	66'	70'-1"	17.58	"	"
Bridge St.....				20'			
Dr. O. H. Schulte.....	25	221.16	80'	27'-11"	21.31	"	"
" " "	24	221.16	80'		21.31	"	"
Harvey Carleton.....	23	182.47	66'		17.58	"	"
J. Alfred Larose.....	22	182.47	66'		17.58	"	"
		$1,325.64			$127.72		

SUMMARY SHEET

Sewer

Sheet No.	Street	Owners' Share	Corp. Share		Total Cost	
5 & 6	Spring St.	$ 5,074.26	$ 4,633.17		$ 9,707.43	
7	Bridge St.	713.16	1,726.22		2,439.38	
8	Parkview Blvd.	1,325.64	169.47		1,495.11	
	Total Sewers	$ 7,113.06	$ 6,528.86		$13,641.92	

Water

1 & 2	Spring St.	$ 4,904.30	$ 2,883.19		$ 7,787.49	
3	Bridge St.	667.78	1,640.92		2,308.70	
4	Parkview Blvd.	1,241.28	572.70		1,813.98	
	Total Water	$ 6,813.36	$ 5,096.81		$11,910.17	
	Total Sewers and Water	13,926.42	11,625.67		25,552.09	
	Plus amount to make round figures		47.91	$11,673.58	47.91	$25,600.00

An Act respecting the Town of Almonte

1st Reading

February 21st, 1958

2nd Reading

March 17th, 1958

3rd Reading

March 19th, 1958

Mr. McCue

1958

No. 38

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Village of Long Branch

Mr. Rowntree

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 38 1958

BILL

An Act respecting the Village of Long Branch

WHEREAS The Corporation of the Village of Long Branch by its petition has prayed for special legislation to confirm and validate By-law No. 1703 of the Corporation; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 1703 of The Corporation of the Village of Long Branch, set forth as the Schedule hereto, is hereby confirmed and declared to be legal, valid and binding from the date of the passing of such by-law. Local improvement by-law confirmed

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

3. This Act may be cited as *The Village of Long Branch Act, 1958*. Short title

SCHEDULE

THE CORPORATION OF THE VILLAGE OF LONG BRANCH

By-law No. 1703

A By-law to amend By-law No. 1280.

Whereas it is deemed desirable to amend said By-law No. 1280 to provide for the assumption by the Corporation of a larger share of the cost of the work;

Therefore the Council of the Corporation of the Village of Long Branch at a special meeting by a vote of three-fourths of all the members thereof enacts as follows:

1. That said By-law No. 1280 being a By-law to authorize the construction of a paved road on Meaford Avenue, enacted the 13th day of June, 1951, be and the same is hereby amended by adding thereto the following as Section 7 thereof:—

"7. The Corporation shall pay with respect to the cost of the work provided for herein as a local improvement that portion of the debenture debt remaining unpaid under By-law No. 1280 relating thereto at a rate of 34.5 cents per foot on the remaining nine (9) instalments otherwise chargeable against the abutting property owners".

2. This By-law shall not come into force and take effect until confirmed by an Act of the Legislative Assembly of the Province of Ontario.

Passed this 30th day of January, 1958.

Marie Curtis,

Reeve.

George F. Gage,

Clerk.

An Act respecting the Village of Long Branch

1st Reading

2nd Reading

3rd Reading

MR. ROWNTREE

(*Private Bill*)

1958

No. 38

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Village of Long Branch

Mr. Rowntree

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 38 1958

BILL

An Act respecting the Village of Long Branch

WHEREAS The Corporation of the Village of Long Branch by its petition has prayed for special legislation to confirm and validate By-law No. 1703 of the Corporation; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 1703 of The Corporation of the Village of Long Branch, set forth as the Schedule hereto, is hereby confirmed and declared to be legal, valid and binding from the date of the passing of such by-law. Local improvement by-law confirmed

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

3. This Act may be cited as *The Village of Long Branch Act, 1958*. Short title

SCHEDULE

THE CORPORATION OF THE VILLAGE OF LONG BRANCH

By-law No. 1703

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1. That said By-law No. 1280 being a By-law to authorize the construction of a paved road on Meaford Avenue, enacted the 13th day of June, 1951, be and the same is hereby amended by adding thereto the following as Section 7 thereof:—

"7. The Corporation shall pay with respect to the cost of the work provided for herein as a local improvement that portion of the debenture debt remaining unpaid under By-law No. 1280 relating thereto at a rate of 34.5 cents per foot on the remaining nine (9) instalments otherwise chargeable against the abutting property owners".

2. This By-law shall not come into force and take effect until confirmed by an Act of the Legislative Assembly of the Province of Ontario.

Passed this 30th day of January, 1958.

Marie Curtis,

Reeve.

George F. Gage,

Clerk.

BILL

An Act respecting
the Village of Long Branch

1st Reading

February 20th, 1958

2nd Reading

March 4th, 1958

3rd Reading

March 6th, 1958

MR. ROWNTREE

1958

No. 39

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of Ottawa

Mr. Morrow

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 39 1958

BILL

An Act respecting the City of Ottawa

WHEREAS The Corporation of the City of Ottawa by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 4 of *The City of Ottawa Superannuation Fund Act, 1939* is repealed and the following substituted therefor: 1939, c. 66, s. 4, re-enacted

4.—(1) The City of Ottawa Superannuation Fund Board may, with the approval of the Superintendent of Insurance, pass such by-laws, including by-laws amending, revising or consolidating the by-laws of the Fund, as may be necessary for the proper administration of the Fund and for the readjustment of rates of contribution into the Fund or pensions or benefits out of the Fund and such amendments shall be binding upon The Corporation of the City of Ottawa and upon the members of the Fund and upon their legal representatives and upon all persons deriving any legal rights from any member or beneficiary notwithstanding anything contained in the by-laws of the Fund before such amendments. Ottawa Superannuation Fund Board powers

(2) No amendment shall be made to the by-law of the Fund affecting rates of contribution into the Fund or pensions or benefits out of the Fund unless the actuary of the Fund has certified that the amendment will not require any increased rate of contribution to the Fund by The Corporation of the City of Ottawa or unless the council of the Corporation has consented thereto. Amendments to rates

Amendments to by-law validated

(2) All amendments to the by-laws of The City of Ottawa Superannuation Fund, enacted by The City of Ottawa Superannuation Fund Board and approved by the actuary of the Fund and the Superintendent of Insurance prior to the coming into force of this Act, shall be deemed to have been validly enacted.

1952, c. 130, s. 5, subs 1 (1957, c. 150, s. 2), amended

2. Subsection 1 of section 5 of *The City of Ottawa Act, 1952*, as re-enacted by section 2 of *The City of Ottawa Act, 1957*, is amended by inserting after "*1955*" in the ninth line "or the land acquired or to be acquired for the controlled-access highway known as the Queensway referred to in an agreement in writing dated the 19th day of March, 1957, between the Government of Canada, the Government of the Province of Ontario, Federal District Commission and The Corporation of the City of Ottawa", so that the subsection shall read as follows:

Erection and alteration of buildings facing park, etc., of Federal District Commission

(1) The council of the Corporation may pass by-laws prohibiting the erection or alteration of any building or structure any part of which faces a park, parkway or driveway of the Federal District Commission or a highway having a width of at least eighty feet or a highway specially designated on an official plan heretofore or hereafter lodged in the office of the Minister of Planning and Development under *The Planning Act, 1955* or the land acquired or to be acquired for the controlled-access highway known as the Queensway referred to in an agreement in writing dated the 19th day of March, 1957, between the Government of Canada, the Government of the Province of Ontario, Federal District Commission and The Corporation of the City of Ottawa or any similar property or highway unless a certificate of approval of the plans and specifications of the exterior design thereof has first been issued by an official or officials or by a committee or board appointed by the council.

1955, c. 61

Ottawa Transportation Commission, fixing tolls, etc.

1920, c. 132

3. Notwithstanding anything contained in sections 6 and 7 of *The Ottawa City Transportation Act*, being chapter 132 of the Statutes of Ontario, 1920, Ottawa Transportation Commission shall not be obligated during 1958 to regulate and fix tolls, tariffs of tolls and fares of the transportation system of the Commission in accordance with the said sections.

Fluoridation authorized

4. The Corporation of the City of Ottawa shall have authority to establish, operate and maintain a system comprising equipment and materials for the addition of a chemical compound to release fluoride ions into its municipal water

supply whether the water is supplied to inhabitants of the City of Ottawa only or to the inhabitants of other municipalities also and whether the water is supplied directly or through the corporations of the other municipalities.

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

6. This Act may be cited as *The City of Ottawa Act, 1958.* Short title

An Act respecting
the City of Ottawa

1st Reading

2nd Reading

3rd Reading

MR. MORROW

(*Private Bill*)

1958

No. 39

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of Ottawa

Mr. Morrow

(Reprinted as amended by the Committee on Private Bills)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 39 1958

BILL

An Act respecting the City of Ottawa

WHEREAS The Corporation of the City of Ottawa by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 4 of *The City of Ottawa Superannuation Fund Act, 1939* is repealed and the following substituted therefor: 1939, c. 66, s. 4, re-enacted

4.—(1) The City of Ottawa Superannuation Fund Board may, with the approval of the Superintendent of Insurance, pass such by-laws, including by-laws amending, revising or consolidating the by-laws of the Fund, as may be necessary for the proper administration of the Fund and for the readjustment of rates of contribution into the Fund or pensions or benefits out of the Fund and such amendments shall be binding upon The Corporation of the City of Ottawa and upon the members of the Fund and upon their legal representatives and upon all persons deriving any legal rights from any member or beneficiary notwithstanding anything contained in the by-laws of the Fund before such amendments. Ottawa Superannuation Fund Board powers

(2) No amendment shall be made to the by-law of the Fund affecting rates of contribution into the Fund or pensions or benefits out of the Fund unless the actuary of the Fund has certified that the amendment will not require any increased rate of contribution to the Fund by The Corporation of the City of Ottawa or unless the council of the Corporation has consented thereto. Amendments to rates

Amendments to by-law validated

(2) All amendments to the by-laws of The City of Ottawa Superannuation Fund, enacted by The City of Ottawa Superannuation Fund Board and approved by the actuary of the Fund and the Superintendent of Insurance prior to the coming into force of this Act, shall be deemed to have been validly enacted.

1952, c. 130, s. 5, subs 1 (1957, c. 150, s. 2), amended

2. Subsection 1 of section 5 of *The City of Ottawa Act, 1952*, as re-enacted by section 2 of *The City of Ottawa Act, 1957*, is amended by inserting after "*1955*" in the ninth line "or the land acquired or to be acquired for the controlled-access highway known as the Queensway referred to in an agreement in writing dated the 19th day of March, 1957, between the Government of Canada, the Government of the Province of Ontario, Federal District Commission and The Corporation of the City of Ottawa", so that the subsection shall read as follows:

Erection and alteration of buildings facing park, etc., of Federal District Commission

(1) The council of the Corporation may pass by-laws prohibiting the erection or alteration of any building or structure any part of which faces a park, parkway or driveway of the Federal District Commission or a highway having a width of at least eighty feet or a highway specially designated on an official plan heretofore or hereafter lodged in the office of the Minister of Planning and Development under *The Planning Act, 1955* or the land acquired or to be acquired for the controlled-access highway known as the Queensway referred to in an agreement in writing dated the 19th day of March, 1957, between the Government of Canada, the Government of the Province of Ontario, Federal District Commission and The Corporation of the City of Ottawa or any similar property or highway unless a certificate of approval of the plans and specifications of the exterior design thereof has first been issued by an official or officials or by a committee or board appointed by the council.

1955, c. 61

Ottawa Transportation Commission, fixing tolls, etc.

1920, c. 132

3. Notwithstanding anything contained in sections 6 and 7 of *The Ottawa City Transportation Act*, being chapter 132 of the Statutes of Ontario, 1920, Ottawa Transportation Commission shall not be obligated during 1958 to regulate and fix tolls, tariffs of tolls and fares of the transportation system of the Commission in accordance with the said sections.

Commencement

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

Short title

5. This Act may be cited as *The City of Ottawa Act, 1958*.

An Act respecting
the City of Ottawa

1st Reading

February 20th, 1958

2nd Reading

3rd Reading

MR. MORROW

(*Reprinted as amended by the Committee on Private Bills*)

1958

No. 39

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of Ottawa

Mr. Morrow

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 39 1958

BILL

An Act respecting the City of Ottawa

WHEREAS The Corporation of the City of Ottawa by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 4 of *The City of Ottawa Superannuation Fund Act, 1939* is repealed and the following substituted therefor: 1939, c. 66, s. 4, re-enacted

4.—(1) The City of Ottawa Superannuation Fund Board may, with the approval of the Superintendent of Insurance, pass such by-laws, including by-laws amending, revising or consolidating the by-laws of the Fund, as may be necessary for the proper administration of the Fund and for the readjustment of rates of contribution into the Fund or pensions or benefits out of the Fund and such amendments shall be binding upon The Corporation of the City of Ottawa and upon the members of the Fund and upon their legal representatives and upon all persons deriving any legal rights from any member or beneficiary notwithstanding anything contained in the by-laws of the Fund before such amendments. Ottawa Superannuation Fund Board powers

(2) No amendment shall be made to the by-law of the Fund affecting rates of contribution into the Fund or pensions or benefits out of the Fund unless the actuary of the Fund has certified that the amendment will not require any increased rate of contribution to the Fund by The Corporation of the City of Ottawa or unless the council of the Corporation has consented thereto. Amendments to rates

Amendments to by-law validated

(2) All amendments to the by-laws of The City of Ottawa Superannuation Fund, enacted by The City of Ottawa Superannuation Fund Board and approved by the actuary of the Fund and the Superintendent of Insurance prior to the coming into force of this Act, shall be deemed to have been validly enacted.

1952, c. 130, s. 5, subs 1 (1957, c. 150, s. 2), amended

2. Subsection 1 of section 5 of *The City of Ottawa Act, 1952*, as re-enacted by section 2 of *The City of Ottawa Act, 1957*, is amended by inserting after "*1955*" in the ninth line "or the land acquired or to be acquired for the controlled-access highway known as the Queensway referred to in an agreement in writing dated the 19th day of March, 1957, between the Government of Canada, the Government of the Province of Ontario, Federal District Commission and The Corporation of the City of Ottawa", so that the subsection shall read as follows:

Erection and alteration of buildings facing park, etc., of Federal District Commission

(1) The council of the Corporation may pass by-laws prohibiting the erection or alteration of any building or structure any part of which faces a park, parkway or driveway of the Federal District Commission or a highway having a width of at least eighty feet or a highway specially designated on an official plan heretofore or hereafter lodged in the office of the Minister of Planning and Development under *The Planning Act, 1955* or the land acquired or to be acquired for the controlled-access highway known as the Queensway referred to in an agreement in writing dated the 19th day of March, 1957, between the Government of Canada, the Government of the Province of Ontario, Federal District Commission and The Corporation of the City of Ottawa or any similar property or highway unless a certificate of approval of the plans and specifications of the exterior design thereof has first been issued by an official or officials or by a committee or board appointed by the council.

1955, c. 61

Ottawa Transportation Commission, fixing tolls, etc.

1920, c. 132

3. Notwithstanding anything contained in sections 6 and 7 of *The Ottawa City Transportation Act*, being chapter 132 of the Statutes of Ontario, 1920, Ottawa Transportation Commission shall not be obligated during 1958 to regulate and fix tolls, tariffs of tolls and fares of the transportation system of the Commission in accordance with the said sections.

Commencement

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

Short title

5. This Act may be cited as *The City of Ottawa Act, 1958*.

An Act respecting the City of Ottawa

1st Reading

February 20th, 1958

2nd Reading

March 11th, 1958

3rd Reading

March 14th, 1958

Mr. Morrow

1958

No. 40

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of Fort William

Mr. Wardrope

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 40 1958

BILL

An Act respecting the City of Fort William

Preamble

WHEREAS The Corporation of the City of Fort William by its petition has represented that it has by By-law No. 3915 provided pensions for full-time employees of the Corporation, which by-law was passed pursuant to the provisions of *The Municipal Act* which permit only the providing of such pensions by contract either with Her Majesty in accordance with the *Government Annuities Act* (Canada) or with an insurer licensed under *The Insurance Act*, or with both Her Majesty and an insurer, and that it considers that in order to provide greater benefits for such employees it is desirable that additional power be conferred upon the council of the Corporation; and whereas the petitioner has prayed for special legislation with respect to such matter; and whereas it is expedient to grant the prayer of the petition;

R.S.O. 1950, c. 243

R.S.C. 1952, c. 132; R.S.O. 1950, c. 183

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Pensions

1.—(1) In addition to its powers under paragraph 48 of section 386 of *The Municipal Act*, the council of The Corporation of the City of Fort William may pass by-laws with the approval of the Department of Municipal Affairs for providing pensions for employees of the Corporation or any local board thereof, or any class of employees and their wives and children.

Application of R.S.O. 1950, c. 243

(2) Subsection 1 of section 300 of *The Municipal Act* shall not apply to any by-law passed under this section or to any debt incurred thereby.

Commencement

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

Short title

3. This Act may be cited as *The City of Fort William Act, 1958*.

An Act respecting
the City of Fort William

1st Reading

2nd Reading

3rd Reading

MR. WARDROPE

(*Private Bill*)

1958

No. 40

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of Fort William

Mr. Wardrope

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 40 1958

BILL

An Act respecting the City of Fort William

Preamble

WHEREAS The Corporation of the City of Fort William by its petition has represented that it has by By-law No. 3915 provided pensions for full-time employees of the Corporation, which by-law was passed pursuant to the provisions of *The Municipal Act* which permit only the providing of such pensions by contract either with Her Majesty in accordance with the *Government Annuities Act* (Canada) or with an insurer licensed under *The Insurance Act*, or with both Her Majesty and an insurer, and that it considers that in order to provide greater benefits for such employees it is desirable that additional power be conferred upon the council of the Corporation; and whereas the petitioner has prayed for special legislation with respect to such matter; and whereas it is expedient to grant the prayer of the petition;

R.S.O. 1950, c. 243

R.S.C. 1952, c. 132; R.S.O. 1950, c. 183

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Pensions

1.—(1) In addition to its powers under paragraph 48 of section 386 of *The Municipal Act*, the council of The Corporation of the City of Fort William may pass by-laws with the approval of the Department of Municipal Affairs for providing pensions for employees of the Corporation or any local board thereof, or any class of employees and their wives and children.

Application of R.S.O. 1950, c. 243

(2) Subsection 1 of section 300 of *The Municipal Act* shall not apply to any by-law passed under this section or to any debt incurred thereby.

Commencement

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

Short title

3. This Act may be cited as *The City of Fort William Act, 1958*.

An Act respecting the City of Fort William

1st Reading

February 20th, 1958

2nd Reading

March 5th, 1958

3rd Reading

March 11th, 1958

MR. WARDROPE

1958

No. 41

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the City of Hamilton

MR. CHILD

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 41 1958

BILL

An Act respecting the City of Hamilton

WHEREAS The Corporation of the City of Hamilton by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient of grant the prayer of the petition; Preamble

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, Interpretation

(*a*) "Corporation" means The Corporation of the City of Hamilton;

(*b*) "Council" means the Council of the Corporation;

(*c*) "motor vehicle" means automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular power;

(*d*) "Parking Authority" means The Parking Authority of the City of Hamilton;

(*e*) "Treasurer" means Treasurer of the Corporation.

(2) The Council may pass by-laws,

(*a*) to authorize the Parking Authority to lease from any person lands, buildings or structures or any part thereof for the purpose of providing facilities where vehicles may be parked and any purpose incidental thereto; Parking Authority, by-laws re

(*b*) to authorize the Parking Authority to lease to any person,

(i) lands, buildings or structures or any part thereof under its control for the purpose of parking vehicles and any purpose incidental thereto, and

(ii) for commercial use, buildings or structures or any part thereof under its control;

(*c*) to authorize the Parking Authority,

(i) to sell gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, lights, spark plugs and batteries for vehicles,

(ii) to make minor repairs or running repairs essential to the actual operation of vehicles, and

(iii) to wash and clean vehicles,

in, on or under lands, buildings or structures or any part thereof under its control or leased by it to any person;

(*d*) to authorize the Parking Authority to grant to any person the right,

(i) to sell gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, lights, spark plugs and batteries for vehicles,

(ii) to make minor repairs or running repairs essential to the actual operation of vehicles, and

(iii) to wash and clean vehicles,

in, on or under lands, buildings or structures or any part thereof under its control or leased by it to any person;

(*e*) to provide,

R.S.O. 1950, c. 243

(i) that the three persons qualified under *The Municipal Act* to be appointed to the Parking Authority are to serve at the pleasure of the Council for periods of three years, four years and five years respectively, and

(ii) that persons to be appointed by the Council to the Parking Authority are to be appointed upon a recommendation of the Board of Control and upon a two-thirds affirmative vote of all the members of the Council present and voting; and

(*f*) to empower the Parking Authority,

(i) to do all things necessary to operate, control, manage and maintain lands, buildings or structures under its control,

(ii) to pass regulations for the regulation, government and supervision of lands, buildings or structures under its control and for prohibiting the use of any such lands, buildings or structures for any purpose, but the power, right, authority and privileges of the Council under clause *b* of paragraph 52 of section 386 of *The Municipal Act* shall not be transferred to the Parking Authority, and R.S.O. 1950, c. 243

(iii) to employ such technical and clerical assistants as are necessary for the operation, management, control and maintenance of the lands, buildings or structures under its control and to extend to such clerical and technical staff such fringe benefits as may be extended by a by-law of the Council passed under *The Municipal Act*.

(3) The Parking Authority, Estimates and expenditures

(*a*) shall submit to the Council its current estimates of revenues and expenditures for the year at the time and in the form prescribed by the Council; and

(*b*) may requisition the Council,

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(ii) to raise moneys on behalf of the Parking Authority by the issuance of debentures or otherwise for the acquisition of lands and the construction of parking facilities, but the power, right and authority of the Council to acquire lands and to take the conveyance of lands in the name of the Corporation for parking facilities shall not be transferred to the Parking Authority,

and when the moneys are so provided by the Council, the Treasurer shall pay out such moneys to the Parking Authority.

Approval

R.S.O. 1950, c. 243

(4) The moneys deposited in the Reserve Fund established under clause *d* of paragraph 52 of section 386 of *The Municipal Act* shall be allocated by the Council for the purposes described in subclause ii of clause *e* of paragraph 52 of section 386 of *The Municipal Act* only upon obtaining the approval of the Parking Authority.

Regulations enforceable

(5) Where regulations are passed by the Parking Authority, the provisions thereof are enforceable by the Parking Authority in the same manner as a by-law passed by the Council under *The Municipal Act* and clause *c* of paragraph 52 of section 386 and section 492 of *The Municipal Act* apply *mutatis mutandis* thereto.

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(6) This section shall not be deemed to repeal or exclude the application of paragraphs 52 and 52*a* of section 386 of *The Municipal Act* to the Corporation or to the Parking Authority, but, where the provisions of this Act are inconsistent with the provisions of *The Municipal Act*, the provisions of this Act shall be deemed to prevail.

Interpretation

2.—(1) In this section, "external design" includes the cost, colour, type of construction and materials, height, bulk, massing, location, size, floor area, spacing, distance from street lines, character, scale and proportion, fenestration and use of, and landscaping of lands around, buildings, structures, signs or other appendages or appurtenances.

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unless a certificate of approval of the plans and specifications of the external design has first been issued by the committee appointed by the Council; and

(*c*) appointing a committee to be called the Architectural Review Committee to which committee the Council may delegate such powers as it considers necessary for the administration, implementation and enforcement of by-laws passed under clause *a* or *b*, or both.

Power to refuse certificate of approval

(3) The Architectural Review Committee may, with the approval of the Council, refuse to issue a certificate of approval under a by-law passed under clause *a* of subsection 2 on any ground relating to the external design of the building, structure, sign, appendage or appurtenance whether or not a by-law has been passed under clause *b* of subsection 2.

Certificate of approval necessary for permit

R.S.O. 1950, c. 243

(4) No permit to erect any building, structure, sign, appendage or appurtenance referred to in subsection 2 shall be issued under any by-law heretofore or hereafter passed by the Council of the Corporation under *The Municipal Act* unless the applicant for such permit has first obtained a certificate of approval from the Architectural Review Committee as required by this section, but that committee may refuse a certificate only upon receiving the approval of the Council to such refusal.

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(5) A by-law passed under this section shall be enforceable in the same manner as a by-law passed under *The Municipal Act*.

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(6) An appeal shall lie to the Ontario Municipal Board from a decision of the Council where notice thereof is served upon the Ontario Municipal Board and the clerk of the Corporation within ten days of receiving notice of the decision of the Council, and the decision of the Ontario Municipal Board is final.

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(*q*) for prohibiting,

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(2) The said section 1 is amended by adding thereto the following subsection: 1951, c. 103, s. 1, amended

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7. This Act may be cited as *The City of Hamilton Act, 1958*. Short title

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1st Reading

February 21st, 1958

2nd Reading

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MR. CHILD

(*Private Bill*)

1958

No. 41

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

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(*Reprinted as amended by the Committee on Private Bills*)

TORONTO
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(*c*) "motor vehicle" means automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular power;

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An Act respecting
the City of Hamilton

1st Reading

February 21st, 1958

2nd Reading

March 17th, 1958

3rd Reading

March 19th, 1958

MR. CHILD

1958

No. 42

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Town of Eastview

Mr. Lavergne

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 42 1958

BILL

An Act respecting the Town of Eastview

WHEREAS The Corporation of the Town of Eastview, herein called the Corporation, by its petition has represented that it has incurred a floating debt of $402,838.40 which has arisen by the inability, neglect or refusal of owners of lands in the Town of Eastview to pay the taxes due thereon and, while the Corporation proposes to endeavour to reduce its annual expenditure so that the same may conform to its annual receipts, that to pay off such indebtedness forthwith, in addition to meeting the current annual expenses, would be unduly burdensome on the ratepayers of the Town of Eastview, and has prayed that the floating debt may be consolidated and that the Corporation may be authorized to borrow money by the issue of debentures to pay off the floating debt; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The floating debt of the Corporation is consolidated at the sum of $402,838.40 and the Corporation may borrow by a special issue of debentures a sum not exceeding $320,000 for the purpose of paying a part of the floating debt, and shall provide the sum of $82,838.40 in the 1958 tax levy, which sum shall be used for the purpose of paying the balance of the floating debt. Floating debt, debentures

2. The debentures shall be in sums of not less than $100 each and shall be made payable in not more than ten years from the date of issue thereof and shall bear interest at a rate not exceeding 5½ per cent per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the Corporation may deem expedient. Debentures

3. The debentures shall be payable in equal annual instalments of principal and interest in such manner and in such amounts that the amount payable for principal and interest Idem

in any year shall be equal as nearly as may be to the amount which is payable for principal and interest during each of the other years of the period within which the floating debt is to be discharged.

Annual levy

4. The Corporation shall levy in each year during the period within which the floating debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due on the debentures.

Application

5. The debentures and all moneys arising from the sale thereof shall be applied in payment of the floating debt and for no other purpose.

Assent of electors not required

R.S.O. 1950, c. 243

6. It shall not be necessary to obtain the assent of the electors to any by-law passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act.*

Irregularities not to invalidate

7. No irregularity in the form of the debentures or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal or be allowed as a defence to any action brought against the Corporation for the recovery of the debentures or interest or any part thereof, and the purchaser or holder thereof shall not be bound to inquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Commencement

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

Short title

9. This Act may be cited as *The Town of Eastview Act, 1958.*

An Act respecting the Town of Eastview

1st Reading

2nd Reading

3rd Reading

MR. LAVERGNE

(*Private Bill*)

1958

No. 42

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the Town of Eastview

MR. LAVERGNE

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 42 1958

BILL

An Act respecting the Town of Eastview

WHEREAS The Corporation of the Town of Eastview, herein called the Corporation, by its petition has represented that it has incurred a floating debt of $565,497 which has arisen by the accumulation of deficits over the last five years and, while the Corporation proposes to endeavour to reduce its annual expenditure so that the same may conform to its annual receipts, that to pay off such indebtedness forthwith, in addition to meeting the current annual expenses, would be unduly burdensome on the ratepayers of the Town of Eastview, and has prayed that the floating debt may be consolidated and that the Corporation may be authorized to borrow money by the issue of debentures to pay off the floating debt; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The floating debt of the Corporation is consolidated at the sum of $485,000 and the Corporation may borrow by a special issue of debentures a sum not exceeding $485,000 for the purpose of paying a part of the floating debt, and shall provide the sum of $80,497 in the 1958 tax levy, which sum shall be used for the purpose of paying the balance of the floating debt. Floating debt, debentures

2. The debentures shall be in sums of not less than $100 each and shall be made payable in not more than ten years from the date of issue thereof and shall bear interest at a rate not exceeding 5½ per cent per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the Corporation may deem expedient. Debentures

3. The debentures shall be payable in equal annual instalments of principal and interest in such manner and in such amounts that the amount payable for principal and interest Idem

in any year shall be equal as nearly as may be to the amount which is payable for principal and interest during each of the other years of the period within which the floating debt is to be discharged.

Annual levy

4. The Corporation shall levy in each year during the period within which the floating debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due on the debentures.

Application

5. The debentures and all moneys arising from the sale thereof shall be applied in payment of the floating debt and for no other purpose.

Assent of electors not required

R.S.O. 1950, c. 243

6. It shall not be necessary to obtain the assent of the electors to any by-law passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act.*

Application of R.S.O. 1950, c. 262, ss. 61, 67, 68

7. Sections 61, 67 and 68 of *The Ontario Municipal Board Act* shall not apply in respect of debentures issued under a by-law passed under this Act.

Approval of Department

8. No by-law providing for the issue of debentures under the authority of this Act shall be passed without the approval of the Department of Municipal Affairs.

Irregularities not to invalidate

9. No irregularity in the form of the debentures or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal or be allowed as a defence to any action brought against the Corporation for the recovery of the debentures or interest or any part thereof, and the purchaser or holder thereof shall not be bound to inquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Commencement

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

Short title

11. This Act may be cited as *The Town of Eastview Act, 1958.*

An Act respecting the Town of Eastview

1st Reading

February 20th, 1958

2nd Reading

3rd Reading

MR. LAVERGNE

(*Reprinted as amended by the Committee on Private Bills*)

1958

No. 42

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the Town of Eastview

Mr. Lavergne

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 42 1958

BILL

An Act respecting the Town of Eastview

WHEREAS The Corporation of the Town of Eastview, herein called the Corporation, by its petition has represented that it has incurred a floating debt of $565,497 which has arisen by the accumulation of deficits over the last five years and, while the Corporation proposes to endeavour to reduce its annual expenditure so that the same may conform to its annual receipts, that to pay off such indebtedness forthwith, in addition to meeting the current annual expenses, would be unduly burdensome on the ratepayers of the Town of Eastview, and has prayed that the floating debt may be consolidated and that the Corporation may be authorized to borrow money by the issue of debentures to pay off the floating debt; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The floating debt of the Corporation is consolidated at the sum of $485,000 and the Corporation may borrow by a special issue of debentures a sum not exceeding $485,000 for the purpose of paying a part of the floating debt, and shall provide the sum of $80,497 in the 1958 tax levy, which sum shall be used for the purpose of paying the balance of the floating debt. Floating debt, debentures

2. The debentures shall be in sums of not less than $100 each and shall be made payable in not more than ten years from the date of issue thereof and shall bear interest at a rate not exceeding 5½ per cent per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the Corporation may deem expedient. Debentures

3. The debentures shall be payable in equal annual instalments of principal and interest in such manner and in such amounts that the amount payable for principal and interest Idem

in any year shall be equal as nearly as may be to the amount which is payable for principal and interest during each of the other years of the period within which the floating debt is to be discharged.

Annual levy

4. The Corporation shall levy in each year during the period within which the floating debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due on the debentures.

Application

5. The debentures and all moneys arising from the sale thereof shall be applied in payment of the floating debt and for no other purpose.

Assent of electors not required

R.S.O. 1950, c. 243

6. It shall not be necessary to obtain the assent of the electors to any by-law passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act.*

Application of R.S.O. 1950, c. 262, ss. 61, 67, 68

7. Sections 61, 67 and 68 of *The Ontario Municipal Board Act* shall not apply in respect of debentures issued under a by-law passed under this Act.

Approval of Department

8. No by-law providing for the issue of debentures under the authority of this Act shall be passed without the approval of the Department of Municipal Affairs.

Irregularities not to invalidate

9. No irregularity in the form of the debentures or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal or be allowed as a defence to any action brought against the Corporation for the recovery of the debentures or interest or any part thereof, and the purchaser or holder thereof shall not be bound to inquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Commencement

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

Short title

11. This Act may be cited as *The Town of Eastview Act, 1958.*

An Act respecting the Town of Eastview

1st Reading

February 20th, 1958

2nd Reading

March 25th, 1958

3rd Reading

March 27th, 1958

MR. LAVERGNE

1958

No. 43

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of Niagara Falls

Mr. Jolley

(Private Bill)

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 43 1958

BILL

An Act respecting the City of Niagara Falls

WHEREAS The Corporation of the City of Niagara Falls, herein called the Corporation, by its petition has prayed for special legislation in order to provide greater pension benefits for its employees than are authorized by *The Municipal Act*; and whereas it is expedient to grant the prayer of the petition; Preamble R.S.O. 1950, c. 243

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 addition to its powers under paragraph 48 of section 386 of *The Municipal Act*, the council of the Corporation may pass by-laws with the approval of the Department of Municipal Affairs for providing pensions for employees of the Corporation or any local board thereof, or any class of employees and their wives and children. Pensions

(2) For the purposes of this section, "employee" has the same meaning as in subclause i of clause *a* of paragraph 48 of section 386 of *The Municipal Act*. Employee

2. Subsection 1 of section 300 of *The Municipal Act* shall not apply to any by-law passed under section 1 or to any debt incurred thereby. R.S.O. 1950, c. 243, s. 300, subs. 1, not applicable

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

4. This Act may be cited as *The City of Niagara Falls Act, 1958*. Short title

BILL

An Act respecting
the City of Niagara Falls

1st Reading

2nd Reading

3rd Reading

MR. JOLLEY

(*Private Bill*)

1958

No. 43

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of Niagara Falls

Mr. Jolley

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 43 1958

BILL

An Act respecting the City of Niagara Falls

WHEREAS The Corporation of the City of Niagara Falls, herein called the Corporation, by its petition has prayed for special legislation in order to provide greater pension benefits for its employees than are authorized by *The Municipal Act*; and whereas it is expedient to grant the prayer of the petition; Preamble R.S.O. 1950, c. 243

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 addition to its powers under paragraph 48 of section 386 of *The Municipal Act*, the council of the Corporation may pass by-laws with the approval of the Department of Municipal Affairs for providing pensions for employees of the Corporation or any local board thereof, or any class of employees and their wives and children. Pensions

(2) For the purposes of this section, "employee" has the same meaning as in subclause i of clause *a* of paragraph 48 of section 386 of *The Municipal Act*. Employee

2. Subsection 1 of section 300 of *The Municipal Act* shall not apply to any by-law passed under section 1 or to any debt incurred thereby. R.S.O. 1950, c. 243, s. 300, subs. 1, not applicable

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

4. This Act may be cited as *The City of Niagara Falls Act, 1958*. Short title

An Act respecting
the City of Niagara Falls

1st Reading

February 21st, 1958

2nd Reading

March 11th, 1958

3rd Reading

March 14th, 1958

MR. JOLLEY

1958

No. 44

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act respecting the City of Sault Ste. Marie

MR. LYONS

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 44 1958

BILL

An Act respecting the City of Sault Ste. Marie

WHEREAS The Corporation of the City of Sault Ste. Marie by its petition has represented that it is desirable to extend to December 31, 1959, the term of office of the elective members of The Public Utilities Commission and the Memorial Gardens Commission of the City of Sault Ste. Marie whose term would otherwise expire on December 31, 1958, and to provide for the election of all the elective members of the Public Utilities Commission and the Memorial Gardens Commission for a term of two years at the time of and in the same manner as the election of the mayor and members of the council of the City of Sault Ste. Marie at the biennial municipal elections commencing in the year 1959 and subsequent municipal elections, and has prayed for special legislation in respect thereof; and whereas it is deemed expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The terms of office of the elective members of The Public Utilities Commission and of the Memorial Gardens Commission of the City of Sault Ste. Marie whose terms would otherwise expire on December 31, 1958, are hereby extended and continued to December 31, 1959. Term of office extended

2. In the year 1959 and in every second year thereafter, all the elective members of the Public Utilities Commission and of the Memorial Gardens Commission shall be elected at the same time as the mayor and members of the council of the City of Sault Ste. Marie and shall hold office for two years. Biennial elections

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

4. This Act may be cited as *The City of Sault Ste. Marie Act, 1958.* Short title

BILL

An Act respecting
the City of Sault Ste. Marie

1st Reading

2nd Reading

3rd Reading

MR. LYONS

(*Private Bill*)

1958

No. 44

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act respecting the City of Sault Ste. Marie

Mr. Lyons

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 44 1958

BILL

An Act respecting the City of Sault Ste. Marie

WHEREAS The Corporation of the City of Sault Ste. Marie by its petition has represented that it is desirable to extend to December 31, 1959, the term of office of the elective members of The Public Utilities Commission and the Memorial Gardens Commission of the City of Sault Ste. Marie whose term would otherwise expire on December 31, 1958, and to provide for the election of all the elective members of the Public Utilities Commission and the Memorial Gardens Commission for a term of two years at the time of and in the same manner as the election of the mayor and members of the council of the City of Sault Ste. Marie at the biennial municipal elections commencing in the year 1959 and subsequent municipal elections, and has prayed for special legislation in respect thereof; and whereas it is deemed expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The terms of office of the elective members of The Public Utilities Commission and of the Memorial Gardens Commission of the City of Sault Ste. Marie whose terms would otherwise expire on December 31, 1958, are hereby extended and continued to December 31, 1959. Term of office extended

2. In the year 1959 and in every second year thereafter, all the elective members of the Public Utilities Commission and of the Memorial Gardens Commission shall be elected at the same time as the mayor and members of the council of the City of Sault Ste. Marie and shall hold office for two years. Biennial elections

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

4. This Act may be cited as *The City of Sault Ste. Marie Act, 1958.* Short title

An Act respecting the City of Sault Ste. Marie

1st Reading

February 20th, 1958

2nd Reading

March 11th, 1958

3rd Reading

March 14th, 1958

Mr. Lyons

1958

No. 45

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Hospital Services Commission Act, 1957

Mr. Phillips

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

Explanatory Note

The purpose of this amendment is to bring the Act into line with the corresponding Federal legislation, thus facilitating the establishment in Ontario of a plan of hospital care insurance.

No. 45 1958

BILL

An Act to amend The Hospital Services Commission Act, 1957

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

1. Clause *a* of section 15 of *The Hospital Services Commission Act, 1957* is amended by striking out "in accordance with the agreement mentioned in section 13" in the first, second and third lines, so that the clause shall read as follows: 1957, c. 46, s. 15, cl. *a*, amended

(*a*) establishing a plan of hospital care insurance.

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

3. This Act may be cited as *The Hospital Services Commission Amendment Act, 1958.* Short title

An Act to amend
The Hospital Services
Commission Act, 1957

1st Reading

February 3rd, 1958

2nd Reading

3rd Reading

MR. PHILLIPS

1958

No. 45

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The Hospital Services Commission Act, 1957

MR. PHILLIPS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 45 1958

BILL

An Act to amend The Hospital Services Commission Act, 1957

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

1. Clause *a* of section 15 of *The Hospital Services Commission Act, 1957* is amended by striking out "in accordance with the agreement mentioned in section 13" in the first, second and third lines, so that the clause shall read as follows: 1957, c. 46, s. 15, cl. *a*, amended

(*a*) establishing a plan of hospital care insurance.

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

3. This Act may be cited as *The Hospital Services Commission Amendment Act, 1958.* Short title

An Act to amend
The Hospital Services
Commission Act, 1957

1st Reading

February 3rd, 1958

2nd Reading

February 6th, 1958

3rd Reading

February 19th, 1958

MR. PHILLIPS

1958

No. 46

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Schools Administration Act, 1954

Mr. Dunlop

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

Explanatory Notes

Section 1. Self explanatory.

Section 2. The amendments are to clarify the responsibility of school boards with respect to the payment of salaries of itinerant teachers when absent due to illness.

No. 46 1958

BILL

An Act to amend The Schools Administration Act, 1954

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

1. Section 1 of *The Schools Administration Act, 1954* is amended by adding thereto the following clause: 1954, c. 86, s. 1, amended

(*dd*) "itinerant teacher" means a teacher employed on a part-time basis by one board or more to teach one subject and who is normally required to travel from one school to another in the performance of his duties.

2.—(1) Subsection 4 of section 17 of *The Schools Administration Act, 1954* is amended by adding at the commencement thereof "Subject to subsection 4*a*", so that the subsection shall read as follows: 1954, c. 86, s. 17, subs. 4, amended

(4) Subject to subsection 4*a*, a teacher shall be entitled to his salary notwithstanding his absence from duty, on account of sickness certified to by a physician or on account of acute inflammatory condition of the teeth or gums certified to by a licentiate of dental surgery, for a total of twenty school days in any one school year; but a board may in its discretion pay the teacher his salary for more than twenty days absence from duty on account of sickness or such tooth or gum condition. Payment for absence due to illness or dental condition

(2) The said section 17 is amended by adding thereto the following subsection: 1954, c. 86, s. 17, amended

(4*a*) An itinerant teacher shall be entitled to his salary notwithstanding his absence from duty, on account of sickness certified to by a physician or on account of acute inflammatory condition of the teeth or gums certified to by a licentiate of dental surgery, for 10 per cent of the periods of instruction and Itinerant teacher

supervision specified in the agreement for his employment in any one school year; but a board may in its discretion pay the itinerant teacher his salary for more than 10 per cent of the periods of instruction and supervision notwithstanding his absence from duty on account of sickness or such tooth or gum condition.

1954, c. 86, s. 32, amended

3. Section 32 of *The Schools Administration Act, 1954*, as amended by section 1 of *The Schools Administration Amendment Act, 1957*, is further amended by adding thereto the following clause:

(*i*) appoint for each school that it operates a principal and an adequate number of teachers all of whom shall be qualified according to the Acts and regulations administered by the Minister.

1954, c. 86, s. 33, cl. *p*, re-enacted

4. Clause *p* of section 33 of *The Schools Administration Act, 1954* is repealed and the following substituted therefor:

(*p*) appoint a supervisory officer for a position that is provided for in any Act or regulation administered by the Minister and the appointee shall hold the qualifications and perform the duties required in the Act or regulations.

1954, c. 86, amended

5. *The Schools Administration Act, 1954* is amended by adding thereto the following section:

Inspection of books and accounts

41*a*. Any person may, at all reasonable hours, inspect the minute book, the audited annual financial report and the current accounts of a board, and the secretary, upon the written request of any person and upon the payment to the board at the rate of 25 cents for every 100 words or at such lower rate as the board may fix, shall furnish copies of them or extracts therefrom certified under his hand.

1954, c. 86, amended

6. *The Schools Administration Act, 1954* is amended by adding thereto the following section:

Biennial elections

46*a*.—(1) Notwithstanding any other Act, where the council of a municipality is required to conduct the election of trustees for a board and biennial elections have been provided for members of council, the trustees shall be elected biennially in the same year as the members of council and shall hold office for two years.

SECTION 3. The new clause will require a board to appoint a principal and teachers who are qualified.

SECTION 4. The amendment provides authority for the appointment of qualified supervisory officers.

SECTION 5. The new section provides that the minute book, financial report and current accounts of the board shall be open to public inspection.

SECTION 6. The new section provides that trustees of school boards shall be elected biennially in municipalities in which the members of a council are elected biennially.

SECTION 7. The amendment is to clarify the use of land that may be acquired for a school site.

SECTION 8. The new section 83*b* provides for a payment of a fee for school purposes by the owners of trailers located in a school section in territory without municipal organization.

(2) All elected trustees in office in the year in which the nomination meeting is to be held in respect of the first biennial election of trustees shall cease to hold office at the end of that year. Trustees in office before first biennial election

(3) Where a board has jurisdiction in more than one municipality and the election of members of council of the municipality which is responsible for conducting the nominations and elections of trustees has annual elections and one or more of the other municipalities has biennial elections for members of council, each municipality having biennial elections shall make provision for the nomination and election of trustees in the municipality for the year in which elections are not held for members of council of that municipality. Where a responsible municipality has annual elections and another municipality in same school section has biennial elections

7. Clause *d* of section 54 of *The Schools Administration Act, 1954* is repealed and the following substituted therefor: 1954, c. 86, s. 54, cl. *d*, re-enacted

(*d*) "school site" means the land necessary for a schoolhouse, school playground, school garden, teachers' residence, caretaker's residence, drill hall, gymnasium, offices, parking areas and other land required for school purposes or for the offices of a board.

8. *The Schools Administration Act, 1954* is amended by adding thereto the following section: 1954, c. 86, amended

83*b*.—(1) Except as provided in subsection 2, the owner, lessee or person having possession of a trailer that is located in territory without municipal organization in a public school section shall pay to the public school board, on or before the first day of each month, a fee of $3 in respect of such trailer for each month or part thereof, except July and August, that the trailer is so located. Trailer fee in public school section in unorganized territory

(2) Where the occupant of a trailer that is located in territory without municipal organization is a Roman Catholic and signifies in writing to the separate school board and if the trailer is located in a public school section to the secretary of the public school board that he is a Roman Catholic and wishes to be a supporter of the separate school that is within three miles of the trailer, the owner or lessee of the trailer shall pay to the separate school board, on or before the first day of each month, a fee of $3 in respect of such trailer for each month or part thereof, except July and August, that the trailer is so located. Trailer fee re separate school in unorganized territory

Trailer fee in secondary school district in unorganized territory

(3) The owner, lessee or person having possession of a trailer that is located in territory without municipal organization in a secondary school district shall pay to the secondary school board, on or before the first day of each month, a fee of $2 in respect of such trailer for each month or part thereof, except July and August, that the trailer is so located.

Notice

(4) No person is required to pay a fee under this section until he has been notified in writing by the secretary of the board concerned or the tax collector that he is liable to pay such fee and upon receipt of such notice the person shall forthwith pay all fees for which he has been made liable under this section before receipt of the notice and shall thereafter pay fees in accordance with subsections 1 to 3.

Content of notice

(5) Every notice under this section shall make reference to this section and shall specify,

(*a*) the amount of fees for which the person is liable on receipt of the notice;

(*b*) the amount of the monthly fee to be paid thereafter;

(*c*) the date by which payment is required to be made;

(*d*) the place at which payment may be made; and

(*e*) the penalty provided under this section.

Offence and fine

(6) Every owner or lessee or person having possession of a trailer who permits the trailer to be located in any part of territory without municipal organization in which he is liable for any fee under this section without paying the fee as required under this section is guilty of an offence and on summary conviction is liable to a fine of not less than $10 and not more than $50 and each day that this subsection is contravened shall be deemed to constitute a separate offence.

1954, c. 86, amended

9. *The Schools Administration Act, 1954* is amended by adding thereto the following section:

Arbitrators to send copy of award to board, etc.

R.S.O. 1950, cc. 316, 356; 1954, c. 87

83*c*.—(1) Arbitrators acting under *The Public Schools Act*, *The Separate Schools Act*, *The Secondary Schools and Boards of Education Act*, *1954* or this Act shall

SECTION 9. The new section 83*c* transfers the provisions respecting arbitrators from *The Public Schools Act* and will henceforth apply to arbitrators for all school purposes. The allowance to arbitrators is increased from $4 per day, in the case of a judge, to $15 for each sitting of a half-day and, in the case of an arbitrator other than a school inspector, judge or member of the Ontario Municipal Board, to $10 for each sitting of a half-day.

send a copy of their award forthwith after the making thereof to the secretary of the school board and to the clerk of each municipality affected.

(2) Such arbitrators shall determine the liabilities of the parties concerned for the cost of the arbitration and such determination shall be final and conclusive. Liability of parties for costs

(3) Each arbitrator, except an arbitrator under Part VI, shall be paid a fee, Fees

(*a*) in the case of the Ontario Municipal Board, as determined by the Board;

(*b*) in the case of a judge, at the rate of $15 for each sitting of a half-day or fraction thereof;

(*c*) in the case of an arbitrator other than a school inspector, judge or member of the Ontario Municipal Board, at the rate of $10 for each sitting of a half-day or fraction thereof.

(4) This section does not apply to a Board of Reference or the members thereof. Application

10.—(1) This Act, except section 8, comes into force on the day it receives Royal Assent. Commencement

(2) Section 8 comes into force on the 1st day of September, 1958. Idem

11. This Act may be cited as *The Schools Administration Amendment Act, 1958*. Short title

An Act to amend
The Schools Administration Act, 1954

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. DUNLOP

1958

No. 46

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Schools Administration Act, 1954

Mr. Dunlop

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 46 1958

BILL

An Act to amend The Schools Administration Act, 1954

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

1. Section 1 of *The Schools Administration Act, 1954* is amended by adding thereto the following clause: 1954, c. 86, s. 1, amended

(*dd*) "itinerant teacher" means a teacher employed on a part-time basis by one board or more to teach one subject and who is normally required to travel from one school to another in the performance of his duties.

2.—(1) Subsection 4 of section 17 of *The Schools Administration Act, 1954* is amended by adding at the commencement thereof "Subject to subsection 4*a*", so that the subsection shall read as follows: 1954, c. 86, s. 17, subs. 4, amended

(4) Subject to subsection 4*a*, a teacher shall be entitled to his salary notwithstanding his absence from duty, on account of sickness certified to by a physician or on account of acute inflammatory condition of the teeth or gums certified to by a licentiate of dental surgery, for a total of twenty school days in any one school year; but a board may in its discretion pay the teacher his salary for more than twenty days absence from duty on account of sickness or such tooth or gum condition. Payment for absence due to illness or dental condition

(2) The said section 17 is amended by adding thereto the following subsection: 1954, c. 86, s. 17, amended

(4*a*) An itinerant teacher shall be entitled to his salary notwithstanding his absence from duty, on account of sickness certified to by a physician or on account of acute inflammatory condition of the teeth or gums certified to by a licentiate of dental surgery, for 10 per cent of the periods of instruction and Itinerant teacher

supervision specified in the agreement for his employment in any one school year; but a board may in its discretion pay the itinerant teacher his salary for more than 10 per cent of the periods of instruction and supervision notwithstanding his absence from duty on account of sickness or such tooth or gum condition.

1954, c. 86, s. 32, amended

3. Section 32 of *The Schools Administration Act, 1954*, as amended by section 1 of *The Schools Administration Amendment Act, 1957*, is further amended by adding thereto the following clause:

(*i*) appoint for each school that it operates a principal and an adequate number of teachers all of whom shall be qualified according to the Acts and regulations administered by the Minister.

1954, c. 86, s. 33, cl. *p*, re-enacted

4. Clause *p* of section 33 of *The Schools Administration Act, 1954* is repealed and the following substituted therefor:

(*p*) appoint a supervisory officer for a position that is provided for in any Act or regulation administered by the Minister and the appointee shall hold the qualifications and perform the duties required in the Act or regulations.

1954, c. 86, amended

5. *The Schools Administration Act, 1954* is amended by adding thereto the following section:

Inspection of books and accounts

41*a*. Any person may, at all reasonable hours, inspect the minute book, the audited annual financial report and the current accounts of a board, and the secretary, upon the written request of any person and upon the payment to the board at the rate of 25 cents for every 100 words or at such lower rate as the board may fix, shall furnish copies of them or extracts therefrom certified under his hand.

1954, c. 86, amended

6. *The Schools Administration Act, 1954* is amended by adding thereto the following section:

Biennial elections

46*a*.—(1) Notwithstanding any other Act, where the council of a municipality is required to conduct the election of trustees for a board and biennial elections have been provided for members of council, the trustees shall be elected biennially in the same year as the members of council and shall hold office for two years.

(2) All elected trustees in office in the year in which the nomination meeting is to be held in respect of the first biennial election of trustees shall cease to hold office at the end of that year. Trustees in office before first biennial election

(3) Where a board has jurisdiction in more than one municipality and the election of members of council of the municipality which is responsible for conducting the nominations and elections of trustees has annual elections and one or more of the other municipalities has biennial elections for members of council, each municipality having biennial elections shall make provision for the nomination and election of trustees in the municipality for the year in which elections are not held for members of council of that municipality. Where a responsible municipality has annual elections and another municipality in same school section has biennial elections

7. Clause *d* of section 54 of *The Schools Administration Act, 1954* is repealed and the following substituted therefor: 1954, c. 86, s. 54, cl. *d*, re-enacted

(*d*) "school site" means the land necessary for a schoolhouse, school playground, school garden, teachers' residence, caretaker's residence, drill hall, gymnasium, offices, parking areas and other land required for school purposes or for the offices of a board.

8. *The Schools Administration Act, 1954* is amended by adding thereto the following section: 1954, c. 86, amended

83*b*.—(1) Except as provided in subsection 2, the owner, lessee or person having possession of a trailer that is located in territory without municipal organization in a public school section shall pay to the public school board, on or before the first day of each month, a fee of $3 in respect of such trailer for each month or part thereof, except July and August, that the trailer is so located. Trailer fee in public school section in unorganized territory

(2) Where the occupant of a trailer that is located in territory without municipal organization is a Roman Catholic and signifies in writing to the separate school board and if the trailer is located in a public school section to the secretary of the public school board that he is a Roman Catholic and wishes to be a supporter of the separate school that is within three miles of the trailer, the owner or lessee of the trailer shall pay to the separate school board, on or before the first day of each month, a fee of $3 in respect of such trailer for each month or part thereof, except July and August, that the trailer is so located. Trailer fee re separate school in unorganized territory

Trailer fee in secondary school district in unorganized territory

(3) The owner, lessee or person having possession of a trailer that is located in territory without municipal organization in a secondary school district shall pay to the secondary school board, on or before the first day of each month, a fee of $2 in respect of such trailer for each month or part thereof, except July and August, that the trailer is so located.

Notice

(4) No person is required to pay a fee under this section until he has been notified in writing by the secretary of the board concerned or the tax collector that he is liable to pay such fee and upon receipt of such notice the person shall forthwith pay all fees for which he has been made liable under this section before receipt of the notice and shall thereafter pay fees in accordance with subsections 1 to 3.

Content of notice

(5) Every notice under this section shall make reference to this section and shall specify,

(*a*) the amount of fees for which the person is liable on receipt of the notice;

(*b*) the amount of the monthly fee to be paid thereafter;

(*c*) the date by which payment is required to be made;

(*d*) the place at which payment may be made; and

(*e*) the penalty provided under this section.

Offence and fine

(6) Every owner or lessee or person having possession of a trailer who permits the trailer to be located in any part of territory without municipal organization in which he is liable for any fee under this section without paying the fee as required under this section is guilty of an offence and on summary conviction is liable to a fine of not less than $10 and not more than $50 and each day that this subsection is contravened shall be deemed to constitute a separate offence.

1954, c. 86, amended

9. *The Schools Administration Act, 1954* is amended by adding thereto the following section:

Arbitrators to send copy of award to board, etc.

R.S.O. 1950, cc. 316, 356; 1954, c. 87

83*c*.—(1) Arbitrators acting under *The Public Schools Act*, *The Separate Schools Act*, *The Secondary Schools and Boards of Education Act*, *1954* or this Act shall

send a copy of their award forthwith after the making thereof to the secretary of the school board and to the clerk of each municipality affected.

(2) Such arbitrators shall determine the liabilities of the parties concerned for the cost of the arbitration and such determination shall be final and conclusive. Liability of parties for costs

(3) Each arbitrator, except an arbitrator under Part VI, shall be paid a fee, Fees

(*a*) in the case of the Ontario Municipal Board, as determined by the Board;

(*b*) in the case of a judge, at the rate of $15 for each sitting of a half-day or fraction thereof;

(*c*) in the case of an arbitrator other than a school inspector, judge or member of the Ontario Municipal Board, at the rate of $10 for each sitting of a half-day or fraction thereof.

(4) This section does not apply to a Board of Reference or the members thereof. Application

10.—(1) This Act, except section 8, comes into force on the day it receives Royal Assent. Commencement

(2) Section 8 comes into force on the 1st day of September, 1958. Idem

11. This Act may be cited as *The Schools Administration Amendment Act, 1958*. Short title

An Act to amend
The Schools Administration Act, 1954

1st Reading

February 5th, 1958

2nd Reading

February 11th, 1958

3rd Reading

March 11th, 1958

MR. DUNLOP

1958

No. 47

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Ontario School Trustees' Council Act, 1953

Mr. Dunlop

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

Explanatory Note

Provision is made for a member association to appoint a third representative when one representative is vice-chairman, chairman, or past-chairman of the Council.

No. 47 1958

BILL

An Act to amend The Ontario School Trustees' Council Act, 1953

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

1.—(1) Subsection 1 of section 3 of *The Ontario School Trustees' Council Act, 1953* is amended by adding at the commencement thereof "Except as provided in subsection 7", so that the subsection, exclusive of the clauses, shall read as follows: 1953, c. 77, s. 3, subs. 1, amended

(1) Except as provided in subsection 7, the Council shall be composed of two representatives appointed to it by each of the following associations, which shall be member associations: Composition of Council

. . . . .

(2) The said section 3, as amended by section 1 of *The Ontario School Trustees' Council Amendment Act, 1954*, is further amended by adding thereto the following subsection: 1953, c. 77, s. 3, amended

(7) When a representative from a member association is vice-chairman, chairman or past-chairman of the Council in any year, such association may appoint a third representative to council for that year and shall designate the two representatives who shall have the right to vote at meetings of the council when the three representatives of the association are present. Third representative

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

3. This Act may be cited as *The Ontario School Trustees' Council Amendment Act, 1958.* Short title

An Act to amend
The Ontario School Trustees'
Council Act, 1953

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. DUNLOP

1958

No. 47

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Ontario School Trustees' Council Act, 1953

Mr. Dunlop

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 47 1958

BILL

An Act to amend The Ontario School Trustees' Council Act, 1953

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

1.—(1) Subsection 1 of section 3 of *The Ontario School Trustees' Council Act, 1953* is amended by adding at the commencement thereof "Except as provided in subsection 7", so that the subsection, exclusive of the clauses, shall read as follows: 1953, c. 77, s. 3, subs. 1, amended

(1) Except as provided in subsection 7, the Council shall be composed of two representatives appointed to it by each of the following associations, which shall be member associations: Composition of Council

. . . . .

(2) The said section 3, as amended by section 1 of *The Ontario School Trustees' Council Amendment Act, 1954*, is further amended by adding thereto the following subsection: 1953, c. 77, s. 3, amended

(7) When a representative from a member association is vice-chairman, chairman or past-chairman of the Council in any year, such association may appoint a third representative to council for that year and shall designate the two representatives who shall have the right to vote at meetings of the council when the three representatives of the association are present. Third representative

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

3. This Act may be cited as *The Ontario School Trustees' Council Amendment Act, 1958.* Short title

An Act to amend The Ontario School Trustees' Council Act, 1953

1st Reading

February 5th, 1958

2nd Reading

February 10th, 1958

3rd Reading

March 4th, 1958

MR. DUNLOP

1958

No. 48

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Department of Education Act, 1954

Mr. Dunlop

TORONTO
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Explanatory Note

Section 1. The new clause authorizes the Minister to provide for the establishment and operation of a Provincial Student-Aid Loan Fund.

No. 48 1958

BILL

An Act to amend The Department of Education Act, 1954

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

1. Subsection 1 of section 12 of *The Department of Education Act, 1954* is amended by adding thereto the following clause: 1954, c. 20, s. 12, subs. 1, amended

(*ff*) for the establishment of the Provincial Student-Aid Loan Fund to be maintained by donations received for that purpose and by moneys appropriated by the Legislature for that purpose, for prescribing the terms and conditions of the loans and the persons eligible therefor, for defining the types, classes and subclasses of loans, for fixing the maximum loans and terms of repayment, for authorizing the Minister to determine the amount to be loaned to an applicant not exceeding the maximum provided in the regulations, and for providing the method of repayment of loans.

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

3. This Act may be cited as *The Department of Education Amendment Act, 1958.* Short title

An Act to amend
The Department of Education Act, 1954

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. DUNLOP

1958

No. 48

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Department of Education Act, 1954

Mr. Dunlop

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 48 1958

BILL

An Act to amend The Department of Education Act, 1954

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

1. Subsection 1 of section 12 of *The Department of Education Act, 1954* is amended by adding thereto the following clause: 1954, c. 20, s. 12, subs. 1, amended

(*ff*) for the establishment of the Provincial Student-Aid Loan Fund to be maintained by donations received for that purpose and by moneys appropriated by the Legislature for that purpose, for prescribing the terms and conditions of the loans and the persons eligible therefor, for defining the types, classes and subclasses of loans, for fixing the maximum loans and terms of repayment, for authorizing the Minister to determine the amount to be loaned to an applicant not exceeding the maximum provided in the regulations, and for providing the method of repayment of loans.

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

3. This Act may be cited as *The Department of Education Amendment Act, 1958.* Short title

An Act to amend The Department of Education Act, 1954

1st Reading

February 5th, 1958

2nd Reading

February 10th, 1958

3rd Reading

March 4th, 1958

MR. DUNLOP

1958

No. 49

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The Farm Products Marketing Act

MR. MACDONALD

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
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Explanatory Note

This bill will permit The Farm Products Marketing Board to recommend the adoption of a scheme for the marketing or regulating of a farm product based on a prescribed percentage of those actually voting. At present a prescribed percentage of all those eligible to vote, whether actually voting or not, is required.

No. 49 1958

BILL

An Act to amend The Farm Products Marketing Act

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

1. Subsection 1*a* of section 4 of *The Farm Products Marketing Act*, as enacted by subsection 2 of section 3 of *The Farm Products Marketing Amendment Act, 1954*, is amended by striking out "the persons voting" in the fourth line and inserting in lieu thereof "votes required by the regulations is" and by striking out all the words after "scheme" in the fifth line, so that the subsection shall read as follows: R.S.O. 1950, c. 131, s. 4, subs. 1*a* (1954, c. 29, s. 3, subs. 2), amended

(1*a*) Where the question of the approval of a scheme is submitted to a vote, the Board may recommend the adoption of the scheme if the percentage of votes required by the regulations is in favour of the establishment of the scheme. Submission of question of approval of scheme to vote

2. This Act may be cited as *The Farm Products Marketing Amendment Act, 1958*. Short title

An Act to amend
The Farm Products Marketing Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. MACDONALD

1958

No. 50

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The Anatomy Act

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

Explanatory Note

The provision repealed exempts institutions under *The Mental Hospitals Act* from the operation of the Act.

No. 50 1958

BILL

An Act to amend The Anatomy Act

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

1. Subsection 4 of section 3 of *The Anatomy Act* is repealed. R.S.O. 1950, c. 16, s. 3, subs. 4, repealed

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

3. This Act may be cited as *The Anatomy Amendment Act, 1958.* Short title

An Act to amend
The Anatomy Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 50

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The Anatomy Act

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
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No. 50 1958

BILL

An Act to amend The Anatomy Act

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

R.S.O. 1950, c. 16, s. 3, subs. 4, repealed

1. Subsection 4 of section 3 of *The Anatomy Act* is repealed.

Commencement

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

Short title

3. This Act may be cited as *The Anatomy Amendment Act, 1958.*

An Act to amend
The Anatomy Act

1st Reading

February 5th, 1958

2nd Reading

February 10th, 1958

3rd Reading

March 4th, 1958

MR. ROBERTS

1958

No. 51

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to repeal The Beaches and River Beds Act

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

Explanatory Note

This Act, which was passed in 1912, was used on only one occasion in 1913. The Act is obsolete; it is therefore repealed.

The removal of sand from lake shores, river banks, etc., is now regulated by the Department of Mines under the authority of *The Beach Protection Act.*

No. 51 1958

BILL

An Act to repeal The Beaches and River Beds Act

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

1. *The Beaches and River Beds Act* is repealed. R.S.O. 1950, c. 33, repealed

2. This Act may be cited as *The Beaches and River Beds Repeal Act, 1958.* Short title

An Act to repeal
The Beaches and River Beds Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 51

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to repeal The Beaches and River Beds Act

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 51 1958

BILL

An Act to repeal The Beaches and River Beds Act

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

1. *The Beaches and River Beds Act* is repealed. R.S.O. 1950, c. 33, repealed

2. This Act may be cited as *The Beaches and River Beds Repeal Act, 1958.* Short title

An Act to repeal
The Beaches and River Beds Act

1st Reading

February 5th, 1958

2nd Reading

February 10th, 1958

3rd Reading

March 4th, 1958

MR. ROBERTS

1958

No. 52

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Conditional Sales Act

Mr. Roberts

TORONTO
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Explanatory Note

The persons who may make a verifying affidavit or sign a notice or renewal statement for a corporation are extended from certain designated officers to any officer, employee or agent. The persons who may now sign are those recommended by the Conference of Commissions on Uniformity of Legislation in Canada.

No. 52 1958

BILL

An Act to amend The Conditional Sales Act

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

1. Section 14 of *The Conditional Sales Act* is repealed and the following substituted therefor: R.S.O. 1950, c. 61, s. 14, re-enacted

14.—(1) Where a seller or lender or his assignee, personal representative or agent is a corporation, any officer, employee or agent of the corporation may make any verifying affidavit or sign any notice or renewal statement under this Act on behalf of the corporation. Affidavits, notice or statements in case of a corporation

(2) Where a verifying affidavit is made on behalf of a corporation, it shall state that the deponent has personal knowledge of the facts therein deposed to. Contents of affidavit by a corporation

2. This Act may be cited as *The Conditional Sales Amendment Act, 1958.* Short title

An Act to amend
The Conditional Sales Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 52

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Conditional Sales Act

Mr. Roberts

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 52 1958

BILL

An Act to amend The Conditional Sales Act

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

1. Section 14 of *The Conditional Sales Act* is repealed and the following substituted therefor: R.S.O. 1950, c. 61, s. 14, re-enacted

14.—(1) Where a seller or lender or his assignee, personal representative or agent is a corporation, any officer, employee or agent of the corporation may make any verifying affidavit or sign any notice or renewal statement under this Act on behalf of the corporation. Affidavits, notice or statements in case of a corporation

(2) Where a verifying affidavit is made on behalf of a corporation, it shall state that the deponent has personal knowledge of the facts therein deposed to. Contents of affidavit by a corporation

2. This Act may be cited as *The Conditional Sales Amendment Act, 1958.* Short title

An Act to amend
The Conditional Sales Act

1st Reading

February 5th, 1958

2nd Reading

February 10th, 1958

3rd Reading

March 4th, 1958

MR. ROBERTS

1958

No. 53

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The County Courts Act

Mr. Roberts

TORONTO
Printed and Published by Baptist Johnston
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Explanatory Note

The effect of this amendment will be that the sittings of the county court in the County of Waterloo, with or without a jury, will commence in accordance with the general rule of the Act on the first Monday in June and December instead of under one of the exceptions, that is, the first Monday in June and the third Monday in November.

This change is designed to expedite the administration of justice in County Court District No. 3 which is made up of the Counties of Wellington, Huron, Perth and Waterloo.

A corresponding change is being made in *The General Sessions Act*; see Bill No. 54.

No. 53 1958

BILL

An Act to amend The County Courts Act

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

1. Subsection 2 of section 12 of *The County Courts Act*, as re-enacted by section 1 of *The County Courts Amendment Act, 1955*, is amended by striking out "Waterloo" in the third line, so that the subsection shall read as follows: R.S.O. 1950, c. 75, s. 12 (1955, c. 11, s. 1), subs. 2, amended

(2) In each year the sittings of the county courts of the counties of Frontenac, Grey, Hastings, Kent, Ontario, Peterborough and Welland for the trial of issues of fact and assessments of damages shall commence with or without a jury on the first Monday in June and the third Monday in November and without a jury on the first Monday in April and October. Frontenac, Grey, Hastings, Kent, Ontario, Peterborough, Welland

2. This Act may be cited as *The County Courts Amendment Act, 1958*. Short title

An Act to amend
The County Courts Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 53

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The County Courts Act

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 53 1958

BILL

An Act to amend The County Courts Act

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

1. Subsection 2 of section 12 of *The County Courts Act*, as re-enacted by section 1 of *The County Courts Amendment Act, 1955*, is amended by striking out "Waterloo" in the third line, so that the subsection shall read as follows: R.S.O. 1950, c. 75, s. 12 (1955, c. 11, s. 1), subs. 2, amended

(2) In each year the sittings of the county courts of the counties of Frontenac, Grey, Hastings, Kent, Ontario, Peterborough and Welland for the trial of issues of fact and assessments of damages shall commence with or without a jury on the first Monday in June and the third Monday in November and without a jury on the first Monday in April and October. Frontenac, Grey, Hastings, Kent, Ontario, Peterborough, Welland

2. This Act may be cited as *The County Courts Amendment Act, 1958*. Short title

BILL

An Act to amend
The County Courts Act

1st Reading

February 5th, 1958

2nd Reading

February 10th, 1958

3rd Reading

March 10th, 1958

MR. ROBERTS

1958

No. 54

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The General Sessions Act

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

Explanatory Note

The effect of this amendment will be that the sittings of the court of general sessions of the peace in the County of Waterloo will commence in accordance with the general rule of the Act, that is, on the first Monday in June and December instead of under one of the exceptions, that is, on the first Monday in June and the third Monday in November.

This change is designed to expedite the administration of justice in County Court District No. 3 which is made up of the Counties of Wellington, Huron, Perth and Waterloo.

A corresponding change is made in *The County Courts Act*; see Bill No. 53.

No. 54 1958

BILL

An Act to amend The General Sessions Act

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

1. Subsection 1*a* of section 3 of *The General Sessions Act*, as enacted by subsection 1 of section 1 of *The General Sessions Amendment Act, 1952*, is amended by striking out "Waterloo" in the second line, so that the subsection shall read as follows: R.S.O. 1950, c. 158, s. 3, subs. 1*a* (1952, c. 34, s. 1, subs. 1), amended

(1*a*) In the county of Frontenac, Grey, Hastings, Kent, Ontario, Peterborough and Welland the sittings of the court in each year shall commence on the first Monday in June and the third Monday in November. Frontenac, Grey, Hastings, Kent, Ontario, Peterborough, Welland

2. This Act may be cited as *The General Sessions Amendment Act, 1958*. Short title

An Act to amend
The General Sessions Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 54

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The General Sessions Act

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 54 1958

BILL

An Act to amend The General Sessions Act

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

1. Subsection 1*a* of section 3 of *The General Sessions Act*, as enacted by subsection 1 of section 1 of *The General Sessions Amendment Act, 1952*, is amended by striking out "Waterloo" in the second line, so that the subsection shall read as follows: R.S.O. 1950, c. 158, s. 3, subs. 1*a* (1952, c. 34, s. 1, subs. 1), amended

(1*a*) In the county of Frontenac, Grey, Hastings, Kent, Ontario, Peterborough and Welland the sittings of the court in each year shall commence on the first Monday in June and the third Monday in November. Frontenac, Grey, Hastings, Kent, Ontario, Peterborough, Welland

2. This Act may be cited as *The General Sessions Amendment Act, 1958*. Short title

BILL

An Act to amend
The General Sessions Act

1st Reading

February 5th, 1958

2nd Reading

February 10th, 1958

3rd Reading

March 4th, 1958

MR. ROBERTS

1958

No. 55

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Deserted Wives' and Children's Maintenance Act

Mr. Roberts

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

Explanatory Note

This amendment will make available garnishee proceedings as a further method of collecting moneys due under orders that are made under this Act and that are filed in a division court.

No. 55 1958

BILL

An Act to amend The Deserted Wives' and Children's Maintenance Act

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

1. Section 10 of *The Deserted Wives' and Children's Maintenance Act* is amended by inserting after "enforced" in the second line "by garnishee proceedings", so that the section shall read as follows: R.S.O. 1950, c. 102, s. 10, amended

10. Any order for payment of money may also be filed with the clerk of any division court and enforced by garnishee proceedings, by execution, and by judgment summons, as in the case of a judgment in the division court. Enforcement of order in division court

2. This Act may be cited as *The Deserted Wives' and Children's Maintenance Amendment Act, 1958.* Short title

BILL

An Act to amend
The Deserted Wives' and Children's
Maintenance Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 55

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The Deserted Wives' and Children's Maintenance Act

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 55 1958

BILL

An Act to amend The Deserted Wives' and Children's Maintenance Act

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

1. Section 10 of *The Deserted Wives' and Children's Maintenance Act* is amended by inserting after "enforced" in the second line "by garnishee proceedings", so that the section shall read as follows: R.S.O. 1950, c. 102, s. 10, amended

10. Any order for payment of money may also be filed with the clerk of any division court and enforced by garnishee proceedings, by execution, and by judgment summons, as in the case of a judgment in the division court. Enforcement of order in division court

2. This Act may be cited as *The Deserted Wives' and Children's Maintenance Amendment Act, 1958.* Short title

An Act to amend
The Deserted Wives' and Children's
Maintenance Act

1st Reading

February 5th, 1958

2nd Reading

February 10th, 1958

3rd Reading

March 4th, 1958

MR. ROBERTS

1958

No. 56

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Interpretation Act

Mr. Roberts

TORONTO
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Printer to the Queen's Most Excellent Majesty

Explanatory Note

The clause is brought up to date and in accord with the present Royal Style and Titles. See Statutes of Canada, 1952-53, chapter 9.

No. 56 1958

BILL

An Act to amend The Interpretation Act

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

1. Clause *j* of section 31 of *The Interpretation Act* is repealed and the following substituted therefor: R.S.O. 1950, c. 184, s. 31, cl. *j*, re-enacted

(*j*) "Her Majesty", "His Majesty", "the Queen", "the King" or "the Crown" means the Sovereign of the United Kingdom, Canada and Her other Realms and Territories, and Head of the Commonwealth.

2. This Act may be cited as *The Interpretation Amendment Act, 1958.* Short title

BILL

An Act to amend
The Interpretation Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 56

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Interpretation Act

Mr. Roberts

TORONTO
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No. 56 1958

BILL

An Act to amend The Interpretation Act

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

1. Clause *j* of section 31 of *The Interpretation Act* is repealed and the following substituted therefor: R.S.O. 1950, c. 184, s. 31, cl. *j*, re-enacted

(*j*) "Her Majesty", "His Majesty", "the Queen", "the King" or "the Crown" means the Sovereign of the United Kingdom, Canada and Her other Realms and Territories, and Head of the Commonwealth.

2. This Act may be cited as *The Interpretation Amendment Act, 1958*. Short title

An Act to amend
The Interpretation Act

1st Reading

February 5th, 1958

2nd Reading

February 10th, 1958

3rd Reading

March 4th, 1958

MR. ROBERTS

1958

No. 57

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Judicature Act

Mr. Roberts

TORONTO
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Explanatory Note

The local registrars of the Supreme Court appointed before April, 1953, on salary, were entitled to retain the fees on the examinations and references mentioned. Since then all such appointees have not been entitled to retain fees of any kind.

This amendment brings the Act into line with practice.

No. 57 1958

BILL

An Act to amend The Judicature Act

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

1. Clause *a* of subsection 2 of section 84 of *The Judicature Act* is amended by inserting after "registrar" in the first line "appointed before the 1st day of April, 1953", so that the clause shall read as follows: R.S.O. 1950, c. 190, s. 84, subs. 2, cl. *a*, amended

(*a*) a local registrar appointed before the 1st day of April, 1953, on an examination had before him as a special examiner or on a reference made to him as an official referee.

2. This Act may be cited as *The Judicature Amendment Act, 1958.* Short title

BILL

An Act to amend
The Judicature Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 57

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The Judicature Act

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 57 1958

BILL

An Act to amend The Judicature Act

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

1. Clause *a* of subsection 2 of section 84 of *The Judicature Act* is amended by inserting after "registrar" in the first line "appointed before the 1st day of April, 1953", so that the clause shall read as follows: R.S.O. 1950, c. 190, s. 84, subs. 2, cl. *a*, amended

(*a*) a local registrar appointed before the 1st day of April, 1953, on an examination had before him as a special examiner or on a reference made to him as an official referee.

2. This Act may be cited as *The Judicature Amendment Act, 1958.* Short title

An Act to amend
The Judicature Act

1st Reading

February 5th, 1958

2nd Reading

February 10th, 1958

3rd Reading

March 4th, 1958

MR. ROBERTS

1958

No. 58

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Magistrates Act, 1952

Mr. Roberts

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

Explanatory Note

The clause is widened to include regulation of the destruction of any records of a magistrate.

No. 58 1958

BILL

An Act to amend The Magistrates Act, 1952

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

1. Clause *c* of subsection 1 of section 21 of *The Magistrates Act, 1952* is repealed and the following substituted therefor: 1952, c. 53, s. 21, subs. 1, cl. *c*, re-enacted

(*c*) providing for the safe-keeping, inspection and destruction of books, documents and papers of magistrates.

2. This Act may be cited as *The Magistrates Amendment Act, 1958.* Short title

BILL

An Act to amend
The Magistrates Act, 1952

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 58

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The Magistrates Act, 1952

MR. ROBERTS

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No. 58 1958

BILL

An Act to amend The Magistrates Act, 1952

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

1. Clause *c* of subsection 1 of section 21 of *The Magistrates Act, 1952* is repealed and the following substituted therefor: 1952, c. 53, s. 21, subs. 1, cl. *c*, re-enacted

(*c*) providing for the safe-keeping, inspection and destruction of books, documents and papers of magistrates.

2. This Act may be cited as *The Magistrates Amendment Act, 1958.* Short title

An Act to amend The Magistrates Act, 1952

1st Reading

February 5th, 1958

2nd Reading

February 10th, 1958

3rd Reading

March 4th, 1958

Mr. Roberts

1958

No. 59

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The County Judges Act

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

Explanatory Note

Under the present section the oath of office must be taken before a person appointed for the purpose by the Lieutenant-Governor.

The section is re-enacted in order to avoid the need of an Order in Council.

A similar amendment is being made with respect to the swearing in of surrogate court judges. See Bill No. 60.

No. 59 1958

BILL

An Act to amend The County Judges Act

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

1. Section 14 of *The County Judges Act*, as re-enacted by section 2 of *The County Judges Amendment Act, 1955*, is repealed and the following substituted therefor: R.S.O. 1950, c. 76, s. 14 (1955, c. 12, s. 2), re-enacted

14. The judge or a junior judge of the county or district court of a county or district forming a court district or a part thereof, before entering upon the duties of his office, shall take and subscribe the following oath before the judge who, in point of time, is senior in appointment to office in the court district, or, where such judge is unable to officiate because of illness or otherwise, before a judge designated for the purpose by the Lieutenant-Governor in Council: Oath of office

> I, ..., do swear that I will, truly and faithfully, according to my skill and knowledge, execute the several duties, powers and trusts of judge of the.....Court of the.....of.....
> So help me God.

2. This Act may be cited as *The County Judges Amendment Act, 1958*. Short title

BILL

An Act to amend
The County Judges Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 59

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The County Judges Act

MR. ROBERTS

TORONTO
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No. 59 1958

BILL

An Act to amend The County Judges Act

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

1. Section 14 of *The County Judges Act*, as re-enacted by section 2 of *The County Judges Amendment Act, 1955*, is repealed and the following substituted therefor: R.S.O. 1950, c. 76, s. 14 (1955, c. 12, s. 2), re-enacted

14. The judge or a junior judge of the county or district court of a county or district forming a court district or a part thereof, before entering upon the duties of his office, shall take and subscribe the following oath before the judge who, in point of time, is senior in appointment to office in the court district, or, where such judge is unable to officiate because of illness or otherwise, before a judge designated for the purpose by the Lieutenant-Governor in Council: Oath of office

> I, ..., do swear that I will, truly and faithfully, according to my skill and knowledge, execute the several duties, powers and trusts of judge of the.....Court of the.....of.....
> So help me God.

2. This Act may be cited as *The County Judges Amendment Act, 1958*. Short title

BILL

An Act to amend The County Judges Act

1st Reading

February 5th, 1958

2nd Reading

February 17th, 1958

3rd Reading

March 4th, 1958

MR. ROBERTS

1958

No. 60

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The Surrogate Courts Act

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

Explanatory Notes

Section 1. Under the present section 10 the oath of office must be taken before a person appointed for the purpose by the Lieutenant-Governor.

The section is re-enacted in order to avoid the need of an Order-in-Council.

A similar amendment is being made with respect to the swearing in of county court judges. See Bill No. 59.

Section 2. Section 11 of the Act is amended to provide for the case of one county being set up as a court district under section 20 of *The County Judges Act.*

No. 60 1958

BILL

An Act to amend The Surrogate Courts Act

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

1. Section 10 of *The Surrogate Courts Act* is repealed and the following substituted therefor: R.S.O. 1950, c. 380, s. 10, re-enacted

10. The judge of the surrogate court of a county forming a county court district or a part thereof, before entering upon the duties of his office, shall take and subscribe the following oath before the judge who, in point of time, is senior in appointment to office in the county court district, or, where such judge is unable to officiate because of illness or otherwise, before a judge designated for the purpose by the Lieutenant-Governor in Council: Oath of office

> I, ..., do swear that I will, truly and faithfully, according to my skill and knowledge, execute the several duties, powers and trusts of judge of the Surrogate Court of the.....of.....
> So help me God.

2. Section 11 of *The Surrogate Courts Act* is amended by striking out "part of a county court district" in the second line and inserting in lieu thereof "a county court district or a part thereof", so that the section shall read as follows: R.S.O. 1950, c. 380, s. 11, amended

11. The judge of the surrogate court of a county forming a county court district or a part thereof may exercise and perform in any part of such district any power or duty assigned to the judge of a surrogate court by any statute of Ontario. Powers and duties in court district

3. This Act may be cited as *The Surrogate Courts Amendment Act, 1958.* Short title

BILL

An Act to amend
The Surrogate Courts Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 60

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The Surrogate Courts Act

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 60 1958

BILL

An Act to amend The Surrogate Courts Act

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

1. Section 10 of *The Surrogate Courts Act* is repealed and the following substituted therefor: R.S.O. 1950, c. 380, s. 10, re-enacted

10. The judge of the surrogate court of a county forming a county court district or a part thereof, before entering upon the duties of his office, shall take and subscribe the following oath before the judge who, in point of time, is senior in appointment to office in the county court district, or, where such judge is unable to officiate because of illness or otherwise, before a judge designated for the purpose by the Lieutenant-Governor in Council: Oath of office

> I, ..., do swear that I will, truly and faithfully, according to my skill and knowledge, execute the several duties, powers and trusts of judge of the Surrogate Court of the.....of.....
> So help me God.

2. Section 11 of *The Surrogate Courts Act* is amended by striking out "part of a county court district" in the second line and inserting in lieu thereof "a county court district or a part thereof", so that the section shall read as follows: R.S.O. 1950, c. 380, s. 11, amended

11. The judge of the surrogate court of a county forming a county court district or a part thereof may exercise and perform in any part of such district any power or duty assigned to the judge of a surrogate court by any statute of Ontario. Powers and duties in court district

3. This Act may be cited as *The Surrogate Courts Amendment Act, 1958.* Short title

BILL

An Act to amend
The Surrogate Courts Act

1st Reading

February 5th, 1958

2nd Reading

February 10th, 1958

3rd Reading

March 4th, 1958

MR. ROBERTS

1958

No. 61

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Mortgages Act

Mr. Roberts

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

Explanatory Note

Subsection 1 provides that where a mortgagee has obtained judgment in a foreclosure action, the owner or a subsequent encumbrancer may stay proceedings by paying costs and the arrears of payments only, notwithstanding an acceleration clause in the mortgage. This privilege is subject to the condition that the mortgagee has not taken possession of the property under the judgment. Under the present procedure the first notice that subsequent encumbrancers receive of the action is when they are added as parties in the master's office after the judgment and before the final order of foreclosure. If the mortgagee takes possession of the property immediately after obtaining judgment, subsequent encumbrancers have no opportunity to take the benefit of subsection 1.

The purpose of the new subsection is to assure the benefit of subsection 1 to subsequent encumbrancers.

No. 61 1958

BILL

An Act to amend The Mortgages Act

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

1. Section 19*a* of *The Mortgages Act*, as enacted by subsection 1 of section 1 of *The Mortgages Amendment Act, 1953*, is amended by adding thereto the following subsection: R.S.O. 1950, c. 239, s. 19*a* (1953, c. 66, s. 1, subs. 1), amended

(3) For the purpose of subclause ii of clause *b* of subsection 1, where judgment has been recovered and recovery of possession of the land has taken place, the recovery of possession shall be deemed not to have taken place as against a person having a subsequent lien, charge or encumbrance until ten days after service of notice of the judgment has been made upon him. No possession as against subsequent encumbrancer without notice

2. This Act may be cited as *The Mortgages Amendment Act, 1958*. Short title

An Act to amend
The Mortgages Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 61

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The Mortgages Act

MR. ROBERTS

(Reprinted as amended by the Committee on Legal Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

Explanatory Note

Subsection 1 of section 19*a* of *The Mortgages Act* provides that, where a mortgagee has obtained judgment in a foreclosure action, the owner or a subsequent encumbrancer may stay proceedings by paying costs and the arrears of payments only, notwithstanding an acceleration clause in the mortgage. This privilege is subject to the condition that the mortgagee has not taken possession of the property under the judgment. Under the present procedure, the first notice that subsequent encumbrancers receive of the action is when they are added as parties in the master's office after the judgment and before the final order of foreclosure. If the mortgagee takes possession of the property immediately after obtaining judgment, subsequent encumbrancers have no opportunity to take the benefit of subsection 1.

The purpose of the new subsections is to assure the benefit of subsection 1 to subsequent encumbrancers.

No. 61 1958

BILL

An Act to amend The Mortgages Act

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

1. Subsection 2 of section 19*a* of *The Mortgages Act*, as enacted by subsection 1 of section 1 of *The Mortgages Amendment Act, 1953*, is repealed and the following substituted therefor: R.S.O. 1950, c. 239, s. 19*a* (1953, c. 66, s. 1, subs. 1), subs. 2, re-enacted

(2) Notwithstanding subclause ii of clause *b* of subsection 1, where judgment has been recovered and recovery of possession of the land has taken place, the court may stay proceedings in the action upon the application of a person having a subsequent lien, charge or encumbrance, made under subsection 1 within ten days after service of notice of the judgment has been made upon him. Stay of proceedings on application of subsequent encumbrancer

(3) Where proceedings have been stayed under subclause ii of clause *b* of subsection 1 or under subsection 2 and default again occurs under the mortgage, the court upon application may remove the stay. Subsequent default

2. This Act may be cited as *The Mortgages Amendment Act, 1958*. Short title

BILL

An Act to amend
The Mortgages Act

1st Reading

February 5th, 1958

2nd Reading

February 10th, 1958

3rd Reading

MR. ROBERTS

(Reprinted as amended by the Committee on Legal Bills)

1958

No. 61

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Mortgages Act

Mr. Roberts

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 61 1958

BILL

An Act to amend The Mortgages Act

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

1. Subsection 2 of section 19*a* of *The Mortgages Act*, as enacted by subsection 1 of section 1 of *The Mortgages Amendment Act, 1953*, is repealed and the following substituted therefor: R.S.O. 1950, c. 239, s. 19*a* (1953, c. 66, s. 1, subs. 1), subs. 2, re-enacted

(2) Notwithstanding subclause ii of clause *b* of subsection 1, where judgment has been recovered and recovery of possession of the land has taken place, the court may stay proceedings in the action upon the application of a person having a subsequent lien, charge or encumbrance, made under subsection 1 within ten days after service of notice of the judgment has been made upon him. Stay of proceedings on application of subsequent encumbrancer

(3) Where proceedings have been stayed under subclause ii of clause *b* of subsection 1 or under subsection 2 and default again occurs under the mortgage, the court upon application may remove the stay. Subsequent default

2. This Act may be cited as *The Mortgages Amendment Act, 1958*. Short title

BILL

An Act to amend
The Mortgages Act

1st Reading

February 5th, 1958

2nd Reading

February 10th, 1958

3rd Reading

March 27th, 1958

MR. ROBERTS

1958

No. 62

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Public Trustee Act

Mr. Roberts

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

Explanatory Note

These amendments provide for a second deputy public trustee.

No. 62 1958

BILL

An Act to amend The Public Trustee Act

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

R.S.O. 1950, c. 319, s. 3, subss. 1, 2, re-enacted; subs. 3, repealed

1. Subsections 1, 2 and 3 of section 3 of *The Public Trustee Act* are repealed and the following substituted therefor:

Deputy or deputies

(1) The Lieutenant-Governor in Council may appoint one or two persons to act as the deputy or the deputies, as the case may be, of the Public Trustee during his absence or illness, and while so acting each such deputy has all the powers and may perform any of the duties of the Public Trustee.

Acting Public Trustee

(2) In the case of the death of the Public Trustee, the deputy who in point of time is senior in appointment to office shall act as Public Trustee until a Public Trustee is appointed.

Commencement

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

Short title

3. This Act may be cited as *The Public Trustee Amendment Act, 1958.*

BILL

An Act to amend
The Public Trustee Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 62

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Public Trustee Act

Mr. Roberts

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

No. 62 1958

BILL

An Act to amend The Public Trustee Act

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

R.S.O. 1950, c. 319, s. 3, subss. 1, 2, re-enacted; subs. 3, repealed

1. Subsections 1, 2 and 3 of section 3 of *The Public Trustee Act* are repealed and the following substituted therefor:

Deputy or deputies

(1) The Lieutenant-Governor in Council may appoint one or two persons to act as the deputy or the deputies, as the case may be, of the Public Trustee during his absence or illness, and while so acting each such deputy has all the powers and may perform any of the duties of the Public Trustee.

Acting Public Trustee

(2) In the case of the death of the Public Trustee, the deputy who in point of time is senior in appointment to office shall act as Public Trustee until a Public Trustee is appointed.

Commencement

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

Short title

3. This Act may be cited as *The Public Trustee Amendment Act, 1958.*

BILL

An Act to amend
The Public Trustee Act

1st Reading

February 5th, 1958

2nd Reading

February 17th, 1958

3rd Reading

March 4th, 1958

MR. ROBERTS

1958

No. 63

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The Summary Convictions Act

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

Explanatory Note

The change extends the application to any police station.

No. 63 1958

BILL

An Act to amend The Summary Convictions Act

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

1. Subsection 1 of section 10 of *The Summary Convictions Act* is amended by striking out "in a city or town" in the fifth line and by striking out "in the city or town" in the ninth and tenth lines, so that the subsection shall read as follows: R.S.O. 1950, c. 379, s. 10, subs. 1, amended

(1) Where a person charged with an offence against any statute of Ontario, or against any by-law passed under the authority of any such statute, is taken into custody either with or without the warrant of a justice of the peace and is brought into a police station at any time during the day or night, the police officer in charge of the station, if he thinks the case a proper one, may take bail without fee from such person by recognizance conditioned for his appearance within two days before the magistrate or other justice at the time and place therein mentioned. When officers in charge of police station may take bail

2. This Act may be cited as *The Summary Convictions Amendment Act, 1958.* Short title

BILL

An Act to amend
The Summary Convictions Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 63

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The Summary Convictions Act

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

No. 63 1958

BILL

An Act to amend The Summary Convictions Act

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

1. Subsection 1 of section 10 of *The Summary Convictions Act* is amended by striking out "in a city or town" in the fifth line and by striking out "in the city or town" in the ninth and tenth lines, so that the subsection shall read as follows: R.S.O. 1950, c. 379, s. 10, subs. 1, amended

(1) Where a person charged with an offence against any statute of Ontario, or against any by-law passed under the authority of any such statute, is taken into custody either with or without the warrant of a justice of the peace and is brought into a police station at any time during the day or night, the police officer in charge of the station, if he thinks the case a proper one, may take bail without fee from such person by recognizance conditioned for his appearance within two days before the magistrate or other justice at the time and place therein mentioned. When officers in charge of police station may take bail

2. This Act may be cited as *The Summary Convictions Amendment Act, 1958*. Short title

BILL

An Act to amend
The Summary Convictions Act

1st Reading

February 5th, 1958

2nd Reading

February 17th, 1958

3rd Reading

March 4th, 1958

MR. ROBERTS

1958

No. 64

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Mechanics' Lien Act

Mr. Roberts

TORONTO
Printed and Published by Baptist Johnston
Printer to the Queen's Most Excellent Majesty

Explanatory Notes

Section 1. Notice sent by registered letter sometimes fails to reach the addressee. It is therefore an inappropriate method in the circumstances of the subsection.

After this, notices must be served personally on the land owner or his agent.

Section 2. The $15,000 figure was fixed in 1910. It is now raised to $25,000 to be more in keeping with the value of the present-day dollar.

Section 3. This subsection has proved to be of no use in practice.

Section 4. The deletion is necessary due to the repeal of section 21, subsection 5, by section 3 of the Bill.

No. 64 1958

BILL

An Act to amend The Mechanics' Lien Act

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

1. Subsection 1 of section 7 of *The Mechanics' Lien Act* is amended by striking out "registered letter or" in the fourth line, so that the subsection shall read as follows: R.S.O. 1950, c. 227, s. 7, subs. 1, amended

(1) Where the estate or interest upon which the lien attaches is leasehold, the fee simple shall also be subject to the lien, provided the person doing the work or supplying the material gives notice in writing, by personal service, referring to the section, to the owner or his agent of the work to be done or material to be furnished, unless the owner or his agent within ten days thereafter gives notice to such person that he will not be responsible therefor. Where estate charged is leasehold

2. Subsection 2 of section 11 of *The Mechanics' Lien Act* is amended by striking out "$15,000" in the second line and inserting in lieu thereof "$25,000", so that the subsection shall read as follows: R.S.O. 1950, c. 227, s. 11, subs. 2, amended

(2) Where the contract price or actual value exceeds $25,000 the amount to be retained shall be 15 per cent instead of 20 per cent. Where contract price exceeds $25,000

3. Subsection 5 of section 21 of *The Mechanics' Lien Act* is repealed. R.S.O. 1950, c. 227, s. 21, subs. 5, repealed

4. Section 23 of *The Mechanics' Lien Act*, as amended by section 7 of *The Mechanics' Lien Amendment Act, 1952*, is further amended by striking out "or in the cases provided for by subsection 5 of section 21, on the expiration of thirty-seven days from the registration of the claim" in the sixth, seventh and eighth lines and in the amendment of 1952, so that the section shall read as follows: R.S.O. 1950, c. 227, s. 23, amended

When lien to cease if registered and not proceeded upon

23. Every lien for which a claim has been registered shall absolutely cease to exist on the expiration of ninety days after the work or service has been completed or materials have been furnished or placed, or after the expiry of the period of credit, where such period is mentioned in the claim for lien registered, unless in the meantime an action is commenced to realize the claim or in which the claim may be realized under this Act, and a certificate is registered as provided by section 22.

R.S.O. 1950, c. 227, s. 25, subs. 1, re-enacted

5.—(1) Subsection 1 of section 25 of *The Mechanics' Lien Act* is repealed and the following substituted therefor:

Discharge of lien

(1) A lien may be discharged by the registration of a receipt acknowledging payment,

(*a*) where made by a claimant other than a corporation, signed by the claimant or his agent duly authorized in writing and verified by affidavit;

(*b*) where made by a corporation, bearing its corporate seal.

R.S.O. 1950, c. 227, s. 25, subs. 4, re-enacted

(2) Subsection 4 of the said section 25 is repealed and the following substituted therefor:

Security or payment into court and vacating lien and certificate of action

(4) Upon application, the judge or officer having jurisdiction to try an action to realize a lien may,

(*a*) allow security for or payment into court of the amount of the claim and such costs as the judge or officer may fix, and thereupon order that the registration of the lien and registration of the certificate of action, if any, be vacated; or

(*b*) order that the registration of the lien and the registration of the certificate of action, if any, be vacated upon any other proper ground.

Effect of order under subs. 4, cl. *a*

(4*a*) Notwithstanding sections 22 and 23, where an order to vacate the registration of a lien is made under clause *a* of subsection 4, the lien shall not cease to exist for the reason that no certificate of action is registered.

R.S.O. 1950, c. 227, s. 29, subs. 1, amended

6. Subsection 1 of section 29 of *The Mechanics' Lien Act*, as amended by section 1 of *The Mechanics' Lien Amendment*

SECTION 5—Subsection 1. The subsection is re-enacted to provide for the manner of execution by a corporation and to dispense with an affidavit of verification in the case of a corporation.

Subsection 2. Subsection 4 is re-enacted to provide authority to vacate a certificate of action and for the order to be made in the same application as that for vacating a lien claim.

Subsection 4*a* is new and dispenses with the registration of a certificate of action under sections 22 and 23 where the registration of a claim is vacated for the reason that the claim is otherwise secured.

SECTION 6. There is less need for requiring a statement of claim in a lien action to be verified by affidavit than any other type of action because in the former the claim for lien itself is verified by affidavit. This requirement, peculiar to lien actions, is therefore removed.

SECTION 7. The $100 figure was fixed in 1896. It is now raised to $200 to be more in keeping with the value of the present-day dollar.

SECTION 8. As sale proceedings are always subject to the approval of the court, it is unnecessary for the court to make a report in effect to itself. This requirement is therefore deleted.

SECTION 9—Subsection 1. A right to appeal a claim is given where the amount of the claim is not more than $200 instead of the present $100 for the aggregate of all claims in the action. This is consistent with the lessened value of the present-day dollar.

Act, 1953, is further amended by striking out "verified by affidavit (Form 5), which affidavit may be made by any of the persons named in subsection 2 of section 16" in the fourth, fifth and sixth lines, so that the subsection shall read as follows:

Mode of realizing lien

(1) A lien shall be enforced in the Supreme Court in an action to be commenced by filing in the office of the local registrar of the Supreme Court in the county or district in which the land or part thereof is situate a statement of claim.

R.S.O. 1950, c. 227, s. 35, subs. 8, amended

7. Subsection 8 of section 35 of *The Mechanics' Lien Act* is amended by striking out "$100" in the first line and inserting in lieu thereof "$200", so that the subsection shall read as follows:

Right of lienholders to representation

(8) Every lienholder for an amount not exceeding $200 may be represented by an agent who is not a solicitor.

R.S.O. 1950, c. 227, s. 36, subs. 1, amended

8. Subsection 1 of section 36 of *The Mechanics' Lien Act* is amended by striking out "make a report on the sale and therein" in the third line, so that the subsection shall read as follows:

Disposition of sale moneys

(1) Where a sale is had, the moneys arising therefrom shall be paid into court to the credit of the action and the judge or officer shall direct to whom the moneys in court shall be paid and may add to the claim of the person conducting the action his fees and actual disbursements incurred in connection with the sale, and where sufficient to satisfy the judgment and costs is not realized from the sale he shall certify the amount of the deficiency and the names of the persons who are entitled to recover the same, showing the amount which each is entitled to recover and the persons adjudged to pay the same, giving credit for payments made, if any, under subsection 4 of section 35, and the persons so entitled may enforce payment of the amounts so found to be due by execution or otherwise.

R.S.O. 1950, c. 227, s. 40, subs. 1, re-enacted

9.—(1) Subsection 1 of section 40 of *The Mechanics' Lien Act* is repealed and the following substituted therefor:

Judgment to be final

(1) A judgment in respect of a claim or counterclaim for an amount not exceeding $200 shall be final and without appeal.

R.S.O. 1950, c. 227, s. 40, subs. 2, amended

(2) Subsection 2 of the said section 40 is amended by striking out "a division court appeal when the amount involved is not more than $200, and upon the scale allowed in" in the sixth, seventh and eighth lines and by striking out "over $200 and" in the ninth line, so that the subsection shall read as follows:

Appeal in other cases

(2) In all other cases an appeal shall lie and may be had in like manner and to the same extent as from the decision of a judge trying an action in the Supreme Court without a jury, and the costs of the appeal shall not be governed by section 42 or 43, but subject to any order of the court shall be upon the scale of costs allowed in county court appeals when the amount involved is not more than $500, and upon the Supreme Court scale when the amount involved is over $500.

R.S.O. 1950, c. 227, s. 41, re-enacted

10. Section 41 of *The Mechanics' Lien Act* is repealed and the following substituted therefor:

Fees

41. The fee payable in any action to realize a lien under this Act is,

(*a*) $5 on a claim or counterclaim not exceeding $500;

(*b*) $10 on a claim or counterclaim exceeding $500 but not exceeding $1,000;

(*c*) $10 on a claim or counterclaim exceeding $1,000 plus $1 for every $1,000 or a fraction thereof in excess of $1,000;

but no fee is payable on a claim for wages only, and in no case shall the fee on a claim exceed $75 or on a counterclaim exceed $25.

R.S.O. 1950, c. 227, Form 5, repealed

11. Form 5 of *The Mechanics' Lien Act* is repealed.

Short title

12. This Act may be cited as *The Mechanics' Lien Amendment Act, 1958.*

Subsection 2. The change is to eliminate the provision for costs in appeals of claims for less than the minimum in subsection 1.

SECTION 10. The section as re-enacted brings the fee structure into line with the present-day dollar and establishes maximum fees.

SECTION 11. This Form is entitled "Affidavit Verifying Claim on Commencing an Action". As the need for such a form is abolished by section 6 of this bill, the form itself is repealed.

BILL

An Act to amend
The Mechanics' Lien Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 64

4th Session, 25th Legislature, Ontario
6-7 Elizabeth II, 1958

BILL

An Act to amend The Mechanics' Lien Act

Mr. Roberts

TORONTO
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No. 64 1958

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An Act to amend The Mechanics' Lien Act

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2. Subsection 2 of section 11 of *The Mechanics' Lien Act* is amended by striking out "$15,000" in the second line and inserting in lieu thereof "$25,000", so that the subsection shall read as follows: R.S.O. 1950, c. 227, s. 11, subs. 2, amended

(2) Where the contract price or actual value exceeds $25,000 the amount to be retained shall be 15 per cent instead of 20 per cent. Where contract price exceeds $25,000

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4. Section 23 of *The Mechanics' Lien Act*, as amended by section 7 of *The Mechanics' Lien Amendment Act, 1952*, is further amended by striking out "or in the cases provided for by subsection 5 of section 21, on the expiration of thirty-seven days from the registration of the claim" in the sixth, seventh and eighth lines and in the amendment of 1952, so that the section shall read as follows: R.S.O. 1950, c. 227, s. 23, amended

When lien to cease if registered and not proceeded upon

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R.S.O. 1950, c. 227, s. 25, subs. 1, re-enacted

5.—(1) Subsection 1 of section 25 of *The Mechanics' Lien Act* is repealed and the following substituted therefor:

Discharge of lien

(1) A lien may be discharged by the registration of a receipt acknowledging payment,

(*a*) where made by a claimant other than a corporation, signed by the claimant or his agent duly authorized in writing and verified by affidavit;

(*b*) where made by a corporation, bearing its corporate seal.

R.S.O. 1950, c. 227, s. 25, subs. 4, re-enacted

(2) Subsection 4 of the said section 25 is repealed and the following substituted therefor:

Security or payment into court and vacating lien and certificate of action

(4) Upon application, the judge or officer having jurisdiction to try an action to realize a lien may,

(*a*) allow security for or payment into court of the amount of the claim and such costs as the judge or officer may fix, and thereupon order that the registration of the lien and registration of the certificate of action, if any, be vacated; or

(*b*) order that the registration of the lien and the registration of the certificate of action, if any, be vacated upon any other proper ground.

Effect of order under subs. 4, cl. *a*

(4*a*) Notwithstanding sections 22 and 23, where an order to vacate the registration of a lien is made under clause *a* of subsection 4, the lien shall not cease to exist for the reason that no certificate of action is registered.

R.S.O. 1950, c. 227, s. 29, subs. 1, amended

6. Subsection 1 of section 29 of *The Mechanics' Lien Act*, as amended by section 1 of *The Mechanics' Lien Amendment*

Act, 1953, is further amended by striking out "verified by affidavit (Form 5), which affidavit may be made by any of the persons named in subsection 2 of section 16" in the fourth, fifth and sixth lines, so that the subsection shall read as follows:

(1) A lien shall be enforced in the Supreme Court in an action to be commenced by filing in the office of the local registrar of the Supreme Court in the county or district in which the land or part thereof is situate a statement of claim. Mode of realizing lien

7. Subsection 8 of section 35 of *The Mechanics' Lien Act* is amended by striking out "$100" in the first line and inserting in lieu thereof "$200", so that the subsection shall read as follows: R.S.O. 1950, c. 227, s. 35, subs. 8, amended

(8) Every lienholder for an amount not exceeding $200 may be represented by an agent who is not a solicitor. Right of lienholders to representation

8. Subsection 1 of section 36 of *The Mechanics' Lien Act* is amended by striking out "make a report on the sale and therein" in the third line, so that the subsection shall read as follows: R.S.O. 1950, c. 227, s. 36, subs. 1, amended

(1) Where a sale is had, the moneys arising therefrom shall be paid into court to the credit of the action and the judge or officer shall direct to whom the moneys in court shall be paid and may add to the claim of the person conducting the action his fees and actual disbursements incurred in connection with the sale, and where sufficient to satisfy the judgment and costs is not realized from the sale he shall certify the amount of the deficiency and the names of the persons who are entitled to recover the same, showing the amount which each is entitled to recover and the persons adjudged to pay the same, giving credit for payments made, if any, under subsection 4 of section 35, and the persons so entitled may enforce payment of the amounts so found to be due by execution or otherwise. Disposition of sale moneys

9.—(1) Subsection 1 of section 40 of *The Mechanics' Lien Act* is repealed and the following substituted therefor: R.S.O. 1950, c. 227, s. 40, subs. 1, re-enacted

(1) A judgment in respect of a claim or counterclaim for an amount not exceeding $200 shall be final and without appeal. Judgment to be final

R.S.O. 1950, c. 227, s. 40, subs. 2, amended

(2) Subsection 2 of the said section 40 is amended by striking out "a division court appeal when the amount involved is not more than $200, and upon the scale allowed in" in the sixth, seventh and eighth lines and by striking out "over $200 and" in the ninth line, so that the subsection shall read as follows:

Appeal in other cases

(2) In all other cases an appeal shall lie and may be had in like manner and to the same extent as from the decision of a judge trying an action in the Supreme Court without a jury, and the costs of the appeal shall not be governed by section 42 or 43, but subject to any order of the court shall be upon the scale of costs allowed in county court appeals when the amount involved is not more than $500, and upon the Supreme Court scale when the amount involved is over $500.

R.S.O. 1950, c. 227, s. 41, re-enacted

10. Section 41 of *The Mechanics' Lien Act* is repealed and the following substituted therefor:

Fees

41. The fee payable in any action to realize a lien under this Act is,

(*a*) $5 on a claim or counterclaim not exceeding $500;

(*b*) $10 on a claim or counterclaim exceeding $500 but not exceeding $1,000;

(*c*) $10 on a claim or counterclaim exceeding $1,000 plus $1 for every $1,000 or a fraction thereof in excess of $1,000;

but no fee is payable on a claim for wages only, and in no case shall the fee on a claim exceed $75 or on a counterclaim exceed $25.

R.S.O. 1950, c. 227, Form 5, repealed

11. Form 5 of *The Mechanics' Lien Act* is repealed.

Short title

12. This Act may be cited as *The Mechanics' Lien Amendment Act, 1958.*

BILL

An Act to amend
The Mechanics' Lien Act

1st Reading

February 5th, 1958

2nd Reading

February 17th, 1958

3rd Reading

March 4th, 1958

MR. ROBERTS

1958

No. 65

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The Land Titles Act

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

Explanatory Notes

Section 1. Self-explanatory.

Section 2. Self-explanatory.

Section 3. The subsection is re-enacted in order to clarify its intent, the principle being that an absolute title cannot be defeated in any circumstances by adverse possession.

No. 65 1958

BILL

An Act to amend The Land Titles Act

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

1. Section 4*a* of *The Land Titles Act*, as enacted by section 2 of *The Land Titles Amendment Act, 1956*, is amended by adding thereto the following subsection: R.S.O. 1950, c. 197, s. 4*a* (1956, c. 38, s. 2), amended

(4) The Lieutenant-Governor in Council may appoint one or more assistant deputy directors of titles for the purposes of this Act. Assistant deputy directors of titles

2. *The Land Titles Act* is amended by adding thereto the following section: R.S.O. 1950, c. 197, amended

4*b*.—(1) The Lieutenant-Governor in Council may appoint an Ontario land surveyor of not less than five years standing to be the examiner of surveys who shall perform such duties in connection with plans, surveys and descriptions of land under this Act or any other Act as the director of titles may require. Examiner of surveys

(2) The Lieutenant-Governor in Council may appoint one or more Ontario land surveyors of not less than three years standing to be assistant examiners of surveys who shall assist the examiner of surveys in the performance of his duties. Assistant examiners of surveys

(3) The assistant examiner of surveys who is senior in appointment to office may, in the event of the illness or absence from office of the examiner of surveys or if the office of examiner of surveys is vacant, perform all the duties of the examiner of surveys. Absence, etc., of examiner of surveys

3. Subsection 1 of section 28 of *The Land Titles Act*, as amended by section 1 of *The Land Titles Amendment Act, 1952*, is repealed and the following substituted therefor: R.S.O. 1950, c. 197, s. 28, subs. 1, re-enacted

No title by adverse possession

R.S.O. 1950, c. 207

(1) Notwithstanding any provision of this Act, *The Limitations Act* or any other Act, no title to and no right or interest in registered land that is adverse to or in derogation of the title of the registered owner shall be acquired or be deemed to have been acquired by any length of possession.

R.S.O. 1950, c. 197, amended

4. *The Land Titles Act* is amended by adding thereto the following section:

Transfer to uses

45*a*. A transfer expressed to be given to such uses as the transferee appoints by transfer or by will and in default of appointment to the transferee absolutely may be registered, and for the purposes of this Act the wife of the transferee is not entitled to dower in the land except in default of appointment.

R.S.O. 1950, c. 197, s. 64, amended

5. Section 64 of *The Land Titles Act* is amended by adding thereto the following subsection:

Writ not binding unless name of owner identical

(6*a*) Where a notice under subsection 6 has been given, a writ of execution or renewal thereof does not bind the lands of a registered owner unless the name of the execution debtor appearing in the writ or renewal thereof is identical in all respects with the name of the registered owner as it appears in the records of the land titles office.

R.S.O. 1950, c. 197, s. 107, re-enacted

6. Section 107 of *The Land Titles Act*, as amended by section 3 of *The Land Titles Amendment Act, 1957*, is repealed and the following substituted therefor:

Interpretation

107.—(1) In this section and in sections 107*a*, 107*b*, 107*c*, 108, 109, 110, 111, 112, 113 and 114,

(*a*) "duplicate plan" means a true copy of a plan that is prepared in accordance with the regulations;

(*b*) "lot" includes a block, reserve and other delineation of land on a plan;

(*c*) "mounted duplicate plan" means a true copy of a plan that is prepared and mounted in accordance with the regulations;

(*d*) "plan" means a plan that is drawn in accordance with the regulations;

(*e*) "regulations" means the code of standards and procedure laid down by the rules made under this Act.

SECTION 4. This new section will enable transfers to uses to be registered in the land titles office as is now the practice by deed under *The Registry Act.*

SECTION 5. This new subsection will assist in the proper administration of the Act by removing all doubt as to when writs of execution attach.

SECTION 6. The section as re-enacted is not changed in principle. It is simplified by the deletion of administrative and procedural details which will be dealt with in the regulations. The effect will be to improve the standard of the plans registered or deposited under the land titles system.

(2) Every plan submitted for registration or for deposit shall be prepared in accordance with the regulations. Plans to conform to regulations

(3) Where land is being subdivided for the purpose of being sold or conveyed in lots, the person making the subdivision shall register in the proper land titles office a plan of the land prepared by an Ontario land surveyor and certified by him in the prescribed form. Subdivision plans to be registered

(4) The person by whom or on whose behalf a plan is registered shall sign the plan, but no seal shall be affixed thereto. Signature to be affixed to plan

(5) A duplicate plan and a mounted duplicate plan shall be deposited at the time of the registration of the plan. Duplicate, etc.

(6) Upon the registration of a plan, the proper master of titles shall endorse on the duplicate plan and on the mounted duplicate plan a certificate showing the number of the plan and the date of its registration and he shall deliver without fee the duplicate plan to the clerk of the local municipality in which the land is situate. Duplicate plan to be delivered to municipality

(7) Upon the registration of a plan, the mounted duplicate plan thereof has all the force and effect of the plan. Mounted duplicate same as plan

(8) The proper master of titles before accepting a plan for registration may require evidence to be given him explaining any seeming discrepancy between the measurements on the plan and the description of the land in the register, or he may require evidence to be given him respecting any other matter of which he requires explanation. Additional information

(9) No plan shall be registered or deposited in a land titles office unless it has been approved by the examiner of surveys or by such other person as may be designated by the director of titles. Approval of plans by examiner of surveys

(10) Before a plan is registered or deposited in a land titles office, the director of titles may require a survey thereof to be verified on the ground by the examiner of surveys or by such other person as may be designated by the director of titles. Verification of survey

True copy of plan

(11) The director of titles may direct that a true copy of a plan or a part of a plan registered or deposited in a land titles office be made under the direction of the examiner of surveys who shall certify thereon that it is a true copy of the plan or of a part of a plan, as the case may be, and the copy so made and certified has all the force and effect of the plan or of that part of the plan of which it is a copy.

Correction of plans

(12) Upon the filing of evidence satisfactory to the proper master of titles and upon his giving such notice to interested persons as he may deem appropriate, he may correct any erroneous measurements upon, or any error, defect or omission in, any plan registered or deposited and he shall substitute the corrected plan for the original plan and thereafter the plan shall be deemed for all purposes to have been so corrected from the time of its registration or deposit, as the case may be.

R.S.O. 1950, c. 197, s. 107*a* (1957, c. 58, s. 4), subs. 3, amended

7. Subsection 3 of section 107*a* of *The Land Titles Act*, as re-enacted by section 4 of *The Land Titles Amendment Act, 1957*, is amended by inserting after "surveyor" in the eighth line "from an actual survey and having regard to the records in the land titles office", so that the subsection shall read as follows:

Draft plan of subdivision

(3) Upon a direction being issued and entered under subsection 1, the director of titles, on behalf of the Attorney General, shall apply *ex parte* to a judge of the county or district court of the county or district in which the subdivision plan area is situate for an order that a draft plan of subdivision of the subdivision plan area be prepared by an Ontario land surveyor from an actual survey and having regard to the records in the land titles office and the judge may make such order.

R.S.O. 1950, c. 197, s. 109, subs. 1, re-enacted; subs. 2, repealed

8.—(1) Subsections 1 and 2 of section 109 of *The Land Titles Act* are repealed and the following substituted therefor:

Master may require plan to be deposited in certain cases

(1) In cases not otherwise provided for by this Act, the proper master of titles may require a person applying for registration of a transfer of land to deposit a plan of the land with the several measurements marked thereon and certified by an Ontario land surveyor in the prescribed form and signed by the owner.

SECTION 7. The amendment is designed to ensure that a surveyor in preparing a draft plan of a subdivision of a subdivision plan area will have regard, among other things, to the records in the land titles office.

SECTION 8. See note to section 6. These re-enactments effect the same purpose.

SECTION 9. These new subsections make applicable the judge's plan procedures in cases of applications by municipalities to bring land under the land titles system.

SECTION 10. Self-explanatory.

(2) Subsection 4 of the said section 109 is repealed and the following substituted therefor: R.S.O. 1950, c. 197, s. 109, subs. 4, re-enacted

(4) A subsequent severance from land shown on a plan deposited under subsection 1 may be delineated upon a duplicate of the plan so deposited, and the plan so prepared shall be certified by an Ontario land surveyor and signed by the owner. Subsequent severance

9. Section 150 of *The Land Titles Act*, as amended by section 6 of *The Land Titles Amendment Act, 1957*, is further amended by adding thereto the following subsections: R.S.O. 1950, c. 197, s. 150, amended

(9) When an application under subsection 6 is made, the director of titles may by direction designate the lands mentioned in the application as a subdivision plan area and thereupon the procedures prescribed by subsections 2 to 7 of section 107*a* apply *mutatis mutandis*. Judge's plan procedure may be applied

(10) A direction under subsection 9 does not prevent the registration of further dealings with the lands until notice has been served in accordance with subsection 4 of section 107*a*. Registration not affected

10. Section 158*a* of *The Land Titles Act*, as enacted by section 16 of *The Land Titles Amendment Act, 1956*, is amended by adding thereto the following subsection: R.S.O. 1950, c. 197, s. 158*a* (1956, c. 38, s. 16), amended

(3) The director of titles shall have a seal of office in such form as the Lieutenant-Governor in Council may approve. Seal

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

12. This Act may be cited as *The Land Titles Amendment Act, 1958*. Short title

BILL

An Act to amend The Land Titles Act

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 65

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The Land Titles Act

MR. ROBERTS

(Reprinted as amended by the Committee on Legal Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

Explanatory Notes

Section 1. Self-explanatory.

Section 2. Self-explanatory.

Section 3. The subsection is re-enacted in order to clarify its intent, the principle being that an absolute title cannot be defeated in any circumstances by adverse possession.

No. 65 1958

BILL

An Act to amend The Land Titles Act

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

1. Section 4*a* of *The Land Titles Act*, as enacted by section 2 of *The Land Titles Amendment Act, 1956*, is amended by adding thereto the following subsection: R.S.O. 1950, c. 197, s. 4*a* (1956, c. 38, s. 2), amended

(4) The Lieutenant-Governor in Council may appoint one or more assistant deputy directors of titles for the purposes of this Act. Assistant deputy directors of titles

2. *The Land Titles Act* is amended by adding thereto the following section: R.S.O. 1950, c. 197, amended

4*b*.—(1) The Lieutenant-Governor in Council may appoint an Ontario land surveyor of not less than five years standing to be the examiner of surveys who shall perform such duties as the director of titles may require in connection with plans, surveys and descriptions of land under this or any other Act administered by the director of titles. Examiner of surveys

(2) The Lieutenant-Governor in Council may appoint one or more Ontario land surveyors of not less than three years standing to be assistant examiners of surveys who shall assist the examiner of surveys in the performance of his duties. Assistant examiners of surveys

(3) The assistant examiner of surveys who is senior in appointment to office may, in the event of the illness or absence from office of the examiner of surveys or if the office of examiner of surveys is vacant, perform all the duties of the examiner of surveys. Absence, etc., of examiner of surveys

3. Subsection 1 of section 28 of *The Land Titles Act*, as amended by section 1 of *The Land Titles Amendment Act, 1952*, is repealed and the following substituted therefor: R.S.O. 1950, c. 197, s. 28, subs. 1, re-enacted

No title by adverse possession R.S.O. 1950, c. 207

(1) Notwithstanding any provision of this Act, *The Limitations Act* or any other Act, no title to and no right or interest in land registered under this Act that is adverse to or in derogation of the title of the registered owner shall be acquired hereafter or be deemed to have been acquired heretofore by any length of possession.

R.S.O. 1950, c. 197, amended

4. *The Land Titles Act* is amended by adding thereto the following section:

Transfer to uses

45*a*. A transfer expressed to be given to such uses as the transferee appoints by transfer or by charge or by will and in default of appointment to the transferee absolutely may be registered, and for the purposes of this Act the wife of the transferee is not entitled to dower in the land except in default of appointment.

R.S.O. 1950, c. 197, s. 64, amended

5. Section 64 of *The Land Titles Act* is amended by adding thereto the following subsection:

Where writ not binding

(6*a*) Where land is being transferred or charged and where a notice under subsection 6 has not been given, a writ of execution or renewal thereof does not bind the lands being transferred or charged as against the transferee or chargee, if the proper master of titles decides that the name of the execution debtor appearing in the writ or renewal thereof and the name of the registered owner as it appears in the records of the land titles office do not represent the same person, and he issues a certificate accordingly.

R.S.O. 1950, c. 197, s. 107, re-enacted

6. Section 107 of *The Land Titles Act*, as amended by section 3 of *The Land Titles Amendment Act, 1957*, is repealed and the following substituted therefor:

Interpretation

107.—(1) In this section and in sections 107*a*, 107*b*, 107*c*, 108, 109, 110, 111, 112, 113 and 114,

(*a*) "duplicate plan" means a true copy of a plan that is prepared in accordance with the regulations;

(*b*) "lot" includes a block, reserve and other delineation of land on a plan;

(*c*) "mounted duplicate plan" means a true copy of a plan that is prepared and mounted in accordance with the regulations;

(*d*) "plan" means a plan that is drawn in accordance with the regulations;

SECTION 4. This new section will enable transfers to uses to be registered in the land titles office as is now the practice by deed under *The Registry Act.*

SECTION 5. This new subsection will assist in the proper administration of the Act by removing all doubt as to when writs of execution attach.

SECTION 6. The section as re-enacted is not changed in principle. It is simplified by the deletion of administrative and procedural details which will be dealt with in the regulations. The effect will be to improve the standard of the plans registered or deposited under the land titles system.

(*e*) "regulations" means the code of standards and procedure laid down by the rules made under this Act.

(2) Every plan submitted for registration or for deposit shall be prepared in accordance with the regulations. **Plans to conform to regulations**

(3) Where land is being subdivided for the purpose of being sold or conveyed in lots, the person making the subdivision shall register in the proper land titles office a plan of the land prepared by an Ontario land surveyor and certified by him in the prescribed form. **Subdivision plans to be registered**

(4) The person by whom or on whose behalf a plan is registered shall sign the plan, but no seal shall be affixed thereto. **Signature to be affixed to plan**

(5) A duplicate plan and a mounted duplicate plan shall be deposited at the time of the registration of the plan. **Duplicate, etc.**

(6) Upon the registration of a plan, the proper master of titles shall endorse on the duplicate plan and on the mounted duplicate plan a certificate showing the number of the plan and the date of its registration and he shall deliver without fee the duplicate plan to the clerk of the local municipality in which the land is situate. **Duplicate plan to be delivered to municipality**

(7) Upon the registration of a plan, the mounted duplicate plan thereof has all the force and effect of the plan. **Mounted duplicate same as plan**

(8) The proper master of titles before accepting a plan for registration may require evidence to be given him explaining any seeming discrepancy between the measurements on the plan and the description of the land in the register, or he may require evidence to be given him respecting any other matter of which he requires explanation. **Additional information**

(9) No plan, other than a plan of public lands prepared under *The Public Lands Act*, shall be registered or deposited in a land titles office unless it has been approved by the examiner of surveys or by such other person as may be designated by the director of titles. **Approval of plans by examiner of surveys** **R.S.O. 1950, c. 309**

Verification of survey
R.S.O. 1950, c. 309

(10) Before a plan, other than a plan of public lands prepared under *The Public Lands Act*, is registered or deposited in a land titles office, the director of titles may require a survey thereof to be verified on the ground by the examiner of surveys or by such other person as may be designated by the director of titles.

True copy of plan

(11) The director of titles may direct that a true copy of a plan or a part of a plan registered or deposited in a land titles office be made under the direction of the examiner of surveys who shall certify thereon that it is a true copy of the plan or of a part of a plan, as the case may be, and the copy so made and certified has all the force and effect of the plan or of that part of the plan of which it is a copy.

Correction of plans

(12) Upon the filing of evidence satisfactory to the proper master of titles and upon his giving such notice to interested persons as he may deem appropriate, he may correct any erroneous measurements upon, or any error, defect or omission in, any plan registered or deposited and he shall substitute the corrected plan for the original plan and thereafter the plan shall be deemed for all purposes to have been so corrected from the time of its registration or deposit, as the case may be.

R.S.O. 1950, c. 197, s. 107*a* (1957, c. 58, s. 4), subs. 3, amended

7. Subsection 3 of section 107*a* of *The Land Titles Act*, as re-enacted by section 4 of *The Land Titles Amendment Act, 1957*, is amended by inserting after "surveyor" in the eighth line "from an actual survey and having regard to the records in the land titles office", so that the subsection shall read as follows:

Draft plan of sub-division

(3) Upon a direction being issued and entered under subsection 1, the director of titles, on behalf of the Attorney General, shall apply *ex parte* to a judge of the county or district court of the county or district in which the subdivision plan area is situate for an order that a draft plan of subdivision of the subdivision plan area be prepared by an Ontario land surveyor from an actual survey and having regard to the records in the land titles office and the judge may make such order.

R.S.O. 1950, c. 197, s. 109, subs. 1, re-enacted; subs. 2, repealed

8.—(1) Subsections 1 and 2 of section 109 of *The Land Titles Act* are repealed and the following substituted therefor:

SECTION 7. The amendment is designed to ensure that a surveyor in preparing a draft plan of a subdivision of a subdivision plan area will have regard, among other things, to the records in the land titles office.

SECTION 8. See note to section 6. These re-enactments effect the same purpose.

SECTION 9. These new subsections make applicable the judge's plan procedures in cases of applications by municipalities to bring land under the land titles system.

SECTION 10. Self-explanatory.

(1) In cases not otherwise provided for by this Act, the proper master of titles may require a person applying for registration of a transfer of land to deposit a plan of the land with the several measurements marked thereon and certified by an Ontario land surveyor in the prescribed form and signed by the owner. Master may require plan to be deposited in certain cases

(2) Subsection 4 of the said section 109 is repealed and the following substituted therefor: R.S.O. 1950, c. 197, s. 109, subs. 4, re-enacted

(4) A subsequent severance from land shown on a plan deposited under subsection 1 may be delineated upon a duplicate of the plan so deposited, and the plan so prepared shall be certified by an Ontario land surveyor and signed by the owner. Subsequent severance

9. Section 150 of *The Land Titles Act*, as amended by section 6 of *The Land Titles Amendment Act, 1957*, is further amended by adding thereto the following subsections: R.S.O. 1950, c. 197, s. 150, amended

(9) When an application under subsection 6 is made, the director of titles may by direction designate the lands mentioned in the application as a subdivision plan area and thereupon the procedures prescribed by subsections 2 to 7 of section 107*a* apply *mutatis mutandis*. Judge's plan procedure may be applied

(10) A direction under subsection 9 does not prevent the registration of further dealings with the lands until notice has been served in accordance with subsection 4 of section 107*a*. Registration not affected

10. Section 158*a* of *The Land Titles Act*, as enacted by section 16 of *The Land Titles Amendment Act, 1956*, is amended by adding thereto the following subsection: R.S.O. 1950, c. 197, s. 158*a* (1956, c. 38, s. 16), amended

(3) The director of titles shall have a seal of office in such form as the Lieutenant-Governor in Council may approve. Seal

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

12. This Act may be cited as *The Land Titles Amendment Act, 1958*. Short title

BILL

An Act to amend
The Land Titles Act

1st Reading

February 5th, 1958

2nd Reading

February 11th, 1958

3rd Reading

MR. ROBERTS

(*Reprinted as amended by the Committee on Legal Bills*)

1958

No. 65

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to amend The Land Titles Act

MR. ROBERTS

TORONTO
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No. 65 1958

BILL

An Act to amend The Land Titles Act

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

1. Section 4*a* of *The Land Titles Act*, as enacted by section 2 of *The Land Titles Amendment Act, 1956*, is amended by adding thereto the following subsection: R.S.O. 1950, c. 197, s. 4*a* (1956, c. 38, s. 2), amended

(4) The Lieutenant-Governor in Council may appoint one or more assistant deputy directors of titles for the purposes of this Act. Assistant deputy directors of titles

2. *The Land Titles Act* is amended by adding thereto the following section: R.S.O. 1950, c. 197, amended

4*b*.—(1) The Lieutenant-Governor in Council may appoint an Ontario land surveyor of not less than five years standing to be the examiner of surveys who shall perform such duties as the director of titles may require in connection with plans, surveys and descriptions of land under this or any other Act administered by the director of titles. Examiner of surveys

(2) The Lieutenant-Governor in Council may appoint one or more Ontario land surveyors of not less than three years standing to be assistant examiners of surveys who shall assist the examiner of surveys in the performance of his duties. Assistant examiners of surveys

(3) The assistant examiner of surveys who is senior in appointment to office may, in the event of the illness or absence from office of the examiner of surveys or if the office of examiner of surveys is vacant, perform all the duties of the examiner of surveys. Absence, etc., of examiner of surveys

3. Subsection 1 of section 28 of *The Land Titles Act*, as amended by section 1 of *The Land Titles Amendment Act, 1952*, is repealed and the following substituted therefor: R.S.O. 1950, c. 197, s. 28, subs. 1, re-enacted

No title by adverse possession R.S.O. 1950, c. 207

(1) Notwithstanding any provision of this Act, *The Limitations Act* or any other Act, no title to and no right or interest in land registered under this Act that is adverse to or in derogation of the title of the registered owner shall be acquired hereafter or be deemed to have been acquired heretofore by any length of possession.

R.S.O. 1950, c. 197, amended

4. *The Land Titles Act* is amended by adding thereto the following section:

Transfer to uses

45*a*. A transfer expressed to be given to such uses as the transferee appoints by transfer or by charge or by will and in default of appointment to the transferee absolutely may be registered, and for the purposes of this Act the wife of the transferee is not entitled to dower in the land except in default of appointment.

R.S.O. 1950, c. 197, s. 64, amended

5. Section 64 of *The Land Titles Act* is amended by adding thereto the following subsection:

Where writ not binding

(6*a*) Where land is being transferred or charged and where a notice under subsection 6 has not been given, a writ of execution or renewal thereof does not bind the lands being transferred or charged as against the transferee or chargee, if the proper master of titles decides that the name of the execution debtor appearing in the writ or renewal thereof and the name of the registered owner as it appears in the records of the land titles office do not represent the same person, and he issues a certificate accordingly.

R.S.O. 1950, c. 197, s. 107, re-enacted

6. Section 107 of *The Land Titles Act*, as amended by section 3 of *The Land Titles Amendment Act, 1957*, is repealed and the following substituted therefor:

Interpretation

107.—(1) In this section and in sections 107*a*, 107*b*, 107*c*, 108, 109, 110, 111, 112, 113 and 114,

(*a*) "duplicate plan" means a true copy of a plan that is prepared in accordance with the regulations;

(*b*) "lot" includes a block, reserve and other delineation of land on a plan;

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(*e*) "regulations" means the code of standards and procedure laid down by the rules made under this Act.

(2) Every plan submitted for registration or for deposit shall be prepared in accordance with the regulations. **Plans to conform to regulations**

(3) Where land is being subdivided for the purpose of being sold or conveyed in lots, the person making the subdivision shall register in the proper land titles office a plan of the land prepared by an Ontario land surveyor and certified by him in the prescribed form. **Subdivision plans to be registered**

(4) The person by whom or on whose behalf a plan is registered shall sign the plan, but no seal shall be affixed thereto. **Signature to be affixed to plan**

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(6) Upon the registration of a plan, the proper master of titles shall endorse on the duplicate plan and on the mounted duplicate plan a certificate showing the number of the plan and the date of its registration and he shall deliver without fee the duplicate plan to the clerk of the local municipality in which the land is situate. **Duplicate plan to be delivered to municipality**

(7) Upon the registration of a plan, the mounted duplicate plan thereof has all the force and effect of the plan. **Mounted duplicate same as plan**

(8) The proper master of titles before accepting a plan for registration may require evidence to be given him explaining any seeming discrepancy between the measurements on the plan and the description of the land in the register, or he may require evidence to be given him respecting any other matter of which he requires explanation. **Additional information**

(9) No plan, other than a plan of public lands prepared under *The Public Lands Act*, shall be registered or deposited in a land titles office unless it has been approved by the examiner of surveys or by such other person as may be designated by the director of titles. **Approval of plans by examiner of surveys R.S.O. 1950, c. 309**

Verification of survey R.S.O. 1950, c. 309

(10) Before a plan, other than a plan of public lands prepared under *The Public Lands Act*, is registered or deposited in a land titles office, the director of titles may require a survey thereof to be verified on the ground by the examiner of surveys or by such other person as may be designated by the director of titles.

True copy of plan

(11) The director of titles may direct that a true copy of a plan or a part of a plan registered or deposited in a land titles office be made under the direction of the examiner of surveys who shall certify thereon that it is a true copy of the plan or of a part of a plan, as the case may be, and the copy so made and certified has all the force and effect of the plan or of that part of the plan of which it is a copy.

Correction of plans

(12) Upon the filing of evidence satisfactory to the proper master of titles and upon his giving such notice to interested persons as he may deem appropriate, he may correct any erroneous measurements upon, or any error, defect or omission in, any plan registered or deposited and he shall substitute the corrected plan for the original plan and thereafter the plan shall be deemed for all purposes to have been so corrected from the time of its registration or deposit, as the case may be.

R.S.O. 1950, c. 197, s. 107*a* (1957, c. 58, s. 4), subs. 3, amended

7. Subsection 3 of section 107*a* of *The Land Titles Act*, as re-enacted by section 4 of *The Land Titles Amendment Act, 1957*, is amended by inserting after "surveyor" in the eighth line "from an actual survey and having regard to the records in the land titles office", so that the subsection shall read as follows:

Draft plan of subdivision

(3) Upon a direction being issued and entered under subsection 1, the director of titles, on behalf of the Attorney General, shall apply *ex parte* to a judge of the county or district court of the county or district in which the subdivision plan area is situate for an order that a draft plan of subdivision of the subdivision plan area be prepared by an Ontario land surveyor from an actual survey and having regard to the records in the land titles office and the judge may make such order.

R.S.O. 1950, c. 197, s. 109, subs. 1, re-enacted; subs. 2, repealed

8.—(1) Subsections 1 and 2 of section 109 of *The Land Titles Act* are repealed and the following substituted therefor:

(1) In cases not otherwise provided for by this Act, the proper master of titles may require a person applying for registration of a transfer of land to deposit a plan of the land with the several measurements marked thereon and certified by an Ontario land surveyor in the prescribed form and signed by the owner. Master may require plan to be deposited in certain cases

(2) Subsection 4 of the said section 109 is repealed and the following substituted therefor: R.S.O. 1950, c. 197, s. 109, subs. 4, re-enacted

(4) A subsequent severance from land shown on a plan deposited under subsection 1 may be delineated upon a duplicate of the plan so deposited, and the plan so prepared shall be certified by an Ontario land surveyor and signed by the owner. Subsequent severance

9. Section 150 of *The Land Titles Act*, as amended by section 6 of *The Land Titles Amendment Act, 1957*, is further amended by adding thereto the following subsections: R.S.O. 1950, c. 197, s. 150, amended

(9) When an application under subsection 6 is made, the director of titles may by direction designate the lands mentioned in the application as a subdivision plan area and thereupon the procedures prescribed by subsections 2 to 7 of section 107*a* apply *mutatis mutandis*. Judge's plan procedure may be applied

(10) A direction under subsection 9 does not prevent the registration of further dealings with the lands until notice has been served in accordance with subsection 4 of section 107*a*. Registration not affected

10. Section 158*a* of *The Land Titles Act*, as enacted by section 16 of *The Land Titles Amendment Act, 1956*, is amended by adding thereto the following subsection: R.S.O. 1950, c. 197, s. 158*a* (1956, c. 38, s. 16), amended

(3) The director of titles shall have a seal of office in such form as the Lieutenant-Governor in Council may approve. Seal

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

12. This Act may be cited as *The Land Titles Amendment Act, 1958*. Short title

BILL

An Act to amend
The Land Titles Act

1st Reading

February 5th, 1958

2nd Reading

February 11th, 1958

3rd Reading

March 27th, 1958

MR. ROBERTS

1958

No. 66

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to provide for the Certification of Titles of Lands

MR. ROBERTS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

Explanatory Note

This Act replaces *The Certification of Plans of Subdivision Act, 1957.*

The new Act has a broader scope in that any private landowner may have his title certified whether or not he proposes to register a plan of subdivision.

The former Act provided for the establishment of a new and separate administrative force. This Act provides for it to be administered by the director of titles now functioning under *The Land Titles Act,* thus making use of present personnel and facilities.

In all other respects the principles of this Act are similar to those of the former Act.

No. 66 1958

BILL

An Act to provide for the Certification of Titles of Lands

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

1.—(1) This Act shall be administered by the director of titles appointed under *The Land Titles Act*. Administration R.S.O. 1950, c. 197

(2) In the administration of this Act, the deputy director of titles appointed under *The Land Titles Act* shall act under the supervision of the director of titles. Idem

(3) In the absence of the director of titles or if the office of director of titles is vacant, the deputy director of titles shall act as director of titles for the purposes of this Act and while so acting he shall have and may exercise and perform all or any of the powers and duties of the director of titles under this Act. 1957, c. 8, s. 1, *amended*. Idem

2. The Lieutenant-Governor in Council may appoint one or more assistant deputy directors of titles and one or more title examiners for the purposes of this Act. *New*. Assistants and examiners

3. The director of titles has and may exercise in connection with his functions under this Act all of the powers that may be conferred upon a commissioner under *The Public Inquiries Act*. 1957, c. 8, s. 3, *amended*. Powers of director R.S.O. 1950, c. 308

4. The director of titles shall have a seal of office in such form as the Lieutenant-Governor in Council may approve. 1957, c. 8, s. 2, *amended*. Seal

5. This Act does not apply to land registered under *The Land Titles Act*. 1957, c. 8, s. 4. Where Act not to apply

6.—(1) An owner of an estate in fee simple in land to which this Act applies, whether or not the land is encumbered, may apply to the director of titles to have the title to the Application for certification

land investigated and certified under this Act. 1957, c. 8, s. 6 (1), *amended.*

Supporting material

(2) An application under subsection 1 shall be accompanied by the prescribed deposit and shall be supported by,

(*a*) a statement under oath of the applicant,

(i) that to the best of his knowledge and belief he is the owner of the estate or interest claimed subject only to the encumbrances, easements and encroachments set forth in the application or that there are no encumbrances, easements or encroachments affecting the land, as the case may be, and that he is not aware of the existence of any other claim adverse to or inconsistent with his own to any part of the land or to any interest therein or that he is aware of such an adverse claim, in which case he shall set forth every such adverse claim and the particulars thereof,

(ii) where a person other than the applicant is in possession of the land, setting forth under what claim, right or title such person is in possession, and

(iii) setting forth such other facts as in his opinion may be of assistance to the director of titles in ascertaining the validity of his title;

(*b*) a plan of survey of the land prepared by an Ontario land surveyor;

(*c*) a statement under oath by the Ontario land surveyor who prepared the plan of survey, verifying the description of the land, identifying it with the plan of survey, stating the names of the persons in actual occupation of the land or any part thereof, describing the nature of the buildings on the land, and stating the nature and identifying any easements or encroachments apparent on his examination of the surface of the land or of which he has knowledge;

(*d*) the title documents, if any, of the land and any other evidences of title available to the applicant;

(*e*) an abstract of the title to the land, certified by the registrar of the registry division in which the land is situate, showing a good and sufficient forty-year

chain of title immediately preceding the date of the application;

(*f*) a typewritten abstract of the title to the land prepared in accordance with good conveyancing practice by a solicitor together with the certificate of such solicitor that he has investigated the title and believes the applicant to be the owner of the estate that he claims in the land subject only to any encumbrance set forth in the application and that he has conferred with the applicant on the matters set forth in the statement mentioned in clause *a* and that he believes the statement to be true;

(*g*) a certificate of the sheriff of the county or district in which the land is situate showing that there are no writs of execution or extent or liens in his hands against any person having an interest in the land as ascertained by the applicant from the registrar's abstract and the investigation of the title and showing that he has not sold any land under any writ against such person within the six months next preceding the date of the certificate;

(*h*) a certificate of the treasurer of the municipality in which the land is situate that all municipal taxes for which the land is liable, except those for the then current year, have been paid in full;

(*i*) a certificate of the Registrar in Bankruptcy of the Supreme Court of Ontario that the name of the applicant does not appear in the index book kept pursuant to section 167 of the *Bankruptcy Act* (Canada); R.S.C. 1952, c. 14

(*j*) a statement of the Treasurer of Ontario that he does not claim a lien for taxes payable under *The Corporations Tax Act, 1957* or any predecessor thereof by any corporation that appears to have had any interest in the land before the date of the filing of the application; 1957, c. 17

(*k*) evidence of the consent of the Treasurer of Ontario to the transfer of an interest in land consequent upon the death of a person on or after the 1st day of January, 1930, where such person appears from the solicitor's abstract mentioned in clause *f* to have had an interest in the land. 1957, c. 8, s. 6 (2), *amended*.

Further material

(3) The director of titles may at any time require an applicant to furnish such additional or other information or material as he may specify. *New.*

Notice of application

7. Upon the filing of an application, the director of titles shall cause such notice thereof as he deems proper,

(*a*) to be registered in the registry office of the registry division in which the land is situate;

(*b*) to be published in a newspaper having general circulation in the locality in which the land is situate; and

(*c*) to be posted in a conspicuous place on the land and in such other places as he deems proper. 1957, c. 8, s. 7, *amended.*

Adverse claim

8.—(1) Any person having an adverse claim or a claim inconsistent with the claim set out in an application may file a statement under oath of his claim with the director of titles at any time before the certificate of title is executed.

Idem

(2) Where a claim adverse to or inconsistent with the claim set out in the application is filed, the director of titles may dispose of the issue or he may refer the matter to a judge of the Supreme Court who shall hear and determine the matter on the evidence before him or may direct the trial of an issue. 1957, c. 8, s. 8, *amended.*

Findings to be set out in writing

9.—(1) When the director of titles has completed his investigation and any issue referred to a judge is finally dispose of, the director of titles shall set out his findings in writing. 1957, c. 8, s. 9 (1, 2), *amended.*

Copies to be sent to interested parties

(2) A copy of the written findings of the director of titles shall be sent by registered mail by the director of titles to the applicant and to every person who has filed a claim adverse to or inconsistent with the claim set out in the application.

Appeal

(3) Any person aggrieved by the written findings of the director of titles may within fifteen days after the date of the mailing of the copies under subsection 2 appeal to a judge of the Supreme Court who may decide the matter on the evidence before him or he may direct the trial of an issue.

Disposition of application

(4) When the period of fifteen days mentioned in subsection 3 has elapsed and no appeal has been taken or, if taken, has been disposed of, the director of titles may make a certificate of title or dismiss the application, as the case may be. 1957, c. 8, s. 9 (3-5), *amended.*

(5) A certificate of title shall bear the signature and seal of the director of titles. 1957, c. 8, s. 11, *part, amended.* Signature and seal

10. Where the director of titles is able to give a certificate of title to part only of the land mentioned in the application, the application may be amended accordingly. 1957, c. 8, s. 10, *amended.* Certificate to part of land

11. The director of titles may order an applicant or any person who has filed a claim adverse to or inconsistent with the claim set out in the application to pay the costs or part of the costs of any proceedings before him or investigations by him and may direct that the same be taxed by the taxing officer of the Supreme Court having jurisdiction where the land is situate. 1957, c. 8, s. 20, *amended.* Director may make order as to costs

12. A certificate of title shall be registered by the director of titles in the registry office of the registry division in which the land is situate. 1957, c. 8, s. 11, *part, amended.* Registration of certificate

13. Upon registration under section 12, a certificate of title is conclusive as of the day, hour and minute named therein that the title of the land described therein is absolute and indefeasible as regards the Crown and all persons whomsoever, subject only to the qualifications mentioned therein, and is conclusive that every application, notice, publication, proceeding and act which ought to have been made, given and done before the making of the certificate has been made, given and done in accordance with this Act. 1957, c. 8, s. 13, *amended.* Effect of certificate of title

14.—(1) No plan of subdivision of land to which this Act applies and which is in a certification area shall be registered unless the title of the land has been certified under this Act. 1957, c. 8, s. 5 (2), *amended.* Conditions precedent to registration of plan

(2) Subsection 1 does not apply to a plan of subdivision, Where subsection 1 not to apply

(*a*) where the land shown thereon is owned by the Crown or by any agency of the Crown;

(*b*) where the land shown thereon is owned by The Hydro-Electric Power Commission of Ontario;

(*c*) where the land shown thereon is owned by a municipality or by any local board as defined in *The Department of Municipal Affairs Act*; R.S.O. 1950, c. 96

(*d*) where the land shown thereon is owned by a board of harbour commissioners;

R.S.O. 1950, c. 336

(*e*) prepared under *The Registry Act* and commonly known as a "judge's plan";

(*f*) which is a subdivision of a plan that was registered before the area in which the land is situate was designated as a certification area and in which no land has been sold, or, whether or not land has been sold, the changes to be effected by the re-subdivision are, in the opinion of the director of titles, of a minor nature. *New.*

Assurance fund

15.—(1) An assurance fund shall be formed to compensate persons who may be wrongfully deprived of land or some estate or interest therein by reason of the title to land being certified under this Act.

Constitution of fund

(2) In order to constitute such a fund, every applicant shall pay on the making of a certificate of title under this Act, in addition to all other fees, an amount of money equal to one-tenth of 1 per cent of the value of the land described in the certificate.

Buildings

(3) Where there are buildings on the land, the value of the land shall include the value of the buildings.

Maximum payment

(4) Where the amount calculated under subsection 2 exceeds $300, the amount payable is $300.

Valuation of land

(5) The value of the land shall be ascertained as of the date of the application by the oath of the applicant.

Proof of value

(6) If the director of titles is not satisfied as to the correctness of the value stated by the oath of an applicant he may require the affidavit in that behalf of a valuator and such affidavit is conclusive.

Applicant may be required to indemnify fund

(7) The director of titles may require an applicant to indemnify the assurance fund against loss by a bond or covenant to Her Majesty either with or without sureties or by such other security as he considers proper.

Money to be paid into court

1958, c....

(8) The moneys payable under this section shall be paid into the Supreme Court with the privity of the accountant of the court and shall be placed to the credit of an account entitled "Assurance Fund under *The Certification of Titles Act, 1958*" and, subject to subsection 9, shall be invested from time to time under the direction of the Finance Committee of the Supreme Court and such of the interest and income derived therefrom shall be credited to the same account as the Finance Committee of the Supreme Court from time to time determines.

(9) The moneys in court at the credit of the assurance fund shall on his demand be paid to the Treasurer of Ontario. 1957, c. 8, s. 14, *amended.* Payment out of fund

16.—(1) If a person is wrongfully deprived of an estate or interest in land by reason of its title having been certified under this Act and he satisfies the Inspector of Legal Offices that he is unable to recover just compensation, he is entitled to have the same paid out of the assurance fund so far as the assurance fund is sufficient for that purpose having regard to any other charges thereon if he makes a claim therefor to the Inspector of Legal Offices within six years from the time of his having been so deprived or, in the case of a person under the disability of infancy, mental incompetency or unsoundness of mind, within six years from the date at which the disability ceased. 1957, c. 8, s. 15 (1), *amended.* Assurance fund to compensate person wrongfully deprived

(2) Where a claim is made under subsection 1 in respect of land patented as mining land or in respect of land whose chief value is the ores, mines or minerals therein and it appears that the claimant is entitled to compensation, the value of the land shall not be taken at a greater amount than 800 times the amount paid into the assurance fund in respect of the land under section 15. *New.* Mining lands

(3) The liability of the assurance fund for compensation and the amount of compensation shall, subject to appeal to a judge of the Supreme Court, be determined by the Inspector of Legal Offices. How compensation to be determined

(4) The Inspector of Legal Offices shall certify to the Treasurer of Ontario any amount found to be payable under this section, and upon receipt of the certificate the Treasurer shall pay the amount to the person entitled thereto. Payment

(5) The costs of the proceedings under this section shall be in the discretion of the Inspector of Legal Offices or the court, as the case may be. 1957, c. 8, s. 15 (2-4), *amended.* Cost of application

17. Proceedings under this Act shall not abate or be suspended by any death or change of interest, but in any such event the director of titles may require notice to be given to persons becoming interested, or may make an order for discontinuing, suspending or carrying on the proceedings or otherwise as he deems proper. 1957, c. 8, s. 19, *amended.* Where death or change of interest occurs

18. The Lieutenant-Governor in Council may make regulations, Regulations

(*a*) prescribing the deposit to be made on applications;

(*b*) requiring the payment of fees upon the performance of any official function under this Act and prescribing the amounts thereof;

(*c*) prescribing forms and providing for the use thereof;

(*d*) designating certification areas for the purposes of subsection 1 of section 14;

(*e*) prescribing the powers and duties of title examiners under this Act;

(*f*) prescribing a code of standards and procedures for surveys made for the purpose of this Act;

(*g*) prescribing administrative procedures for the purpose of this Act;

(*h*) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. 1957, c. 8, s. 21, *amended.*

1957, c. 8, repealed

19. *The Certification of Plans of Subdivision Act, 1957* is repealed.

Commencement

20. This Act comes into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short title

21. This Act may be cited as *The Certification of Titles Act, 1958.*

BILL

An Act to provide
for the Certification of Titles of Lands

1st Reading

February 5th, 1958

2nd Reading

3rd Reading

MR. ROBERTS

1958

No. 66

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to provide for the Certification of Titles of Lands

MR. ROBERTS

(Reprinted as amended by the Committee on Legal Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

Explanatory Note

This Act replaces *The Certification of Plans of Subdivision Act, 1957.*

The new Act has a broader scope in that any private landowner may have his title certified whether or not he proposes to register a plan of subdivision.

The former Act provided for the establishment of a new and separate administrative force. This Act provides for it to be administered by the director of titles now functioning under *The Land Titles Act*, thus making use of present personnel and facilities.

In all other respects the principles of this Act are similar to those of the former Act.

No. 66 1958

BILL

An Act to provide for the Certification of Titles of Lands

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

1.—(1) This Act shall be administered by the director of titles appointed under *The Land Titles Act*. Administration R.S.O. 1950, c. 197

(2) In the administration of this Act, the deputy director of titles appointed under *The Land Titles Act* shall act under the supervision of the director of titles. Idem

(3) In the absence of the director of titles or if the office of director of titles is vacant, the deputy director of titles shall act as director of titles for the purposes of this Act and while so acting he shall have and may exercise and perform all or any of the powers and duties of the director of titles under this Act. 1957, c. 8, s. 1, *amended*. Idem

2. The Lieutenant-Governor in Council may appoint one or more assistant deputy directors of titles and one or more title examiners for the purposes of this Act. *New*. Assistants and examiners

3. The director of titles has and may exercise in connection with his functions under this Act all of the powers that may be conferred upon a commissioner under *The Public Inquiries Act*. 1957, c. 8, s. 3, *amended*. Powers of director R.S.O. 1950, c. 308

4. The director of titles shall have a seal of office in such form as the Lieutenant-Governor in Council may approve. 1957, c. 8, s. 2, *amended*. Seal

5. This Act does not apply to land registered under *The Land Titles Act*. 1957, c. 8, s. 4. Where Act not to apply

6.—(1) An owner of an estate in fee simple in land to which this Act applies, whether or not the land is encumbered, may apply to the director of titles to have the title to the Application for certification

land investigated and certified under this Act. 1957, c. 8, s. 6 (1), *amended.*

Supporting material

(2) An application under subsection 1 shall be accompanied by the prescribed deposit and shall be supported by,

(*a*) a statement under oath of the applicant,

(i) that to the best of his knowledge and belief he is the owner of the estate or interest claimed subject only to the encumbrances, easements and encroachments set forth in the application or that there are no encumbrances, easements or encroachments affecting the land, as the case may be, and that he is not aware of the existence of any other claim adverse to or inconsistent with his own to any part of the land or to any interest therein or that he is aware of such an adverse claim, in which case he shall set forth every such adverse claim and the particulars thereof,

(ii) where a person other than the applicant is in possession of the land, setting forth under what claim, right or title such person is in possession, and

(iii) setting forth such other facts as in his opinion may be of assistance to the director of titles in ascertaining the validity of his title;

(*b*) a plan of survey of the land prepared by an Ontario land surveyor;

(*c*) a statement under oath by the Ontario land surveyor who prepared the plan of survey, verifying the description of the land, identifying it with the plan of survey, stating the names of the persons in actual occupation of the land or any part thereof, describing the nature of the buildings on the land, and stating the nature and identifying any easements or encroachments apparent on his examination of the surface of the land or of which he has knowledge;

(*d*) the title documents, if any, of the land and any other evidences of title available to the applicant;

(*e*) an abstract of the title to the land, certified by the registrar of the registry division in which the land is situate, showing a good and sufficient forty-year

chain of title immediately preceding the date of the application;

(*f*) a typewritten abstract of the title to the land prepared in accordance with good conveyancing practice by a solicitor together with the certificate of such solicitor that he has investigated the title and believes the applicant to be the owner of the estate that he claims in the land subject only to any encumbrance set forth in the application and that he has conferred with the applicant on the matters set forth in the statement mentioned in clause *a* and that he believes the statement to be true;

(*g*) a certificate of the sheriff of the county or district in which the land is situate showing that there are no writs of execution or extent or liens in his hands against any person having an interest in the land as ascertained by the applicant from the registrar's abstract and the investigation of the title and showing that he has not sold any land under any writ against such person within the six months next preceding the date of the certificate;

(*h*) a certificate of the treasurer of the municipality in which the land is situate that all municipal taxes for which the land is liable, except those for the then current year, have been paid in full;

(*i*) a certificate of the Registrar in Bankruptcy of the Supreme Court of Ontario that the name of the applicant does not appear in the index book kept pursuant to section 167 of the *Bankruptcy Act* (Canada); R.S.C. 1952, c. 14

(*j*) a statement of the Treasurer of Ontario that he does not claim a lien for taxes payable under *The Corporations Tax Act, 1957* or any predecessor thereof by any corporation that appears to have had any interest in the land before the date of the filing of the application; 1957, c. 17

(*k*) evidence of the consent of the Treasurer of Ontario to the transfer of an interest in land consequent upon the death of a person on or after the 1st day of January, 1930, where such person appears from the solicitor's abstract mentioned in clause *f* to have had an interest in the land. 1957, c. 8, s. 6 (2), *amended.*

Further material

(3) The director of titles may at any time require an applicant to furnish such additional or other information or material as he may specify. *New.*

Notice of application

7. Upon the filing of an application, the director of titles shall cause such notice thereof as he deems proper,

(*a*) to be registered in the registry office of the registry division in which the land is situate;

(*b*) to be published in a newspaper having general circulation in the locality in which the land is situate; and

(*c*) to be posted in a conspicuous place on the land and in such other places as he deems proper. 1957, c. 8, s. 7, *amended.*

Adverse claim

8.—(1) Any person having an adverse claim or a claim inconsistent with the claim set out in an application may file a statement under oath of his claim with the director of titles at any time before the certificate of title is executed.

Idem

(2) Where a claim adverse to or inconsistent with the claim set out in the application is filed, the director of titles may dispose of the issue or he may refer the matter to a judge of the Supreme Court who shall hear and determine the matter on the evidence before him or may direct the trial of an issue. 1957, c. 8, s. 8, *amended.*

Findings to be set out in writing

9.—(1) When the director of titles has completed his investigation and any issue referred to a judge is finally dispose of, the director of titles shall set out his findings in writing. 1957, c. 8, s. 9 (1, 2), *amended.*

Copies to be sent to interested parties

(2) A copy of the written findings of the director of titles shall be sent by registered mail by the director of titles to the applicant and to every person who has filed a claim adverse to or inconsistent with the claim set out in the application.

Appeal

(3) Any person aggrieved by the written findings of the director of titles may within fifteen days after the date of the mailing of the copies under subsection 2 appeal to a judge of the Supreme Court who may decide the matter on the evidence before him or he may direct the trial of an issue.

Disposition of application

(4) When the period of fifteen days mentioned in subsection 3 has elapsed and no appeal has been taken or, if taken, has been disposed of, the director of titles may make a certificate of title or dismiss the application, as the case may be. 1957, c. 8, s. 9 (3-5), *amended.*

(5) A certificate of title shall bear the signature and seal of the director of titles. 1957, c. 8, s. 11, *part, amended.* **Signature and seal**

10. Where the director of titles is able to give a certificate of title to part only of the land mentioned in the application, the application may be amended accordingly. 1957, c. 8, s. 10, *amended.* **Certificate to part of land**

11. The director of titles may order an applicant or any person who has filed a claim adverse to or inconsistent with the claim set out in the application to pay the costs or part of the costs of any proceedings before him or investigations by him and may direct that the same be taxed by the taxing officer of the Supreme Court having jurisdiction where the land is situate. 1957, c. 8, s. 20, *amended.* **Director may make order as to costs**

12. A certificate of title shall be registered by the director of titles in the registry office of the registry division in which the land is situate. 1957, c. 8, s. 11, *part, amended.* **Registration of certificate**

13. Upon registration under section 12, a certificate of title is conclusive as of the day, hour and minute named therein that the title of the owner of the land described therein is absolute and indefeasible as regards the Crown and all persons whomsoever, subject only to the qualifications mentioned therein, and is conclusive that every application, notice, publication, proceeding and act which ought to have been made, given and done before the making of the certificate has been made, given and done in accordance with this Act. 1957, c. 8, s. 13, *amended.* **Effect of certificate of title**

14.—(1) No plan of subdivision of land to which this Act applies and which is in a certification area shall be registered unless the title of the owner of the land has been certified under this Act. 1957, c. 8, s. 5 (2), *amended.* **Conditions precedent to registration of plan**

(2) Subsection 1 does not apply to a plan of subdivision, **Where subsection 1 not to apply**

(*a*) where the land shown thereon is owned by the Crown or by any agency of the Crown;

(*b*) where the land shown thereon is owned by The Hydro-Electric Power Commission of Ontario;

(*c*) where the land shown thereon is owned by a municipality or by any local board as defined in *The Department of Municipal Affairs Act*; **R.S.O. 1950, c. 96**

(*d*) where the land shown thereon is owned by a board of harbour commissioners;

R.S.O. 1950, c. 336

(*e*) prepared under *The Registry Act* and commonly known as a "judge's plan";

(*f*) which is a subdivision of a plan that was registered before the area in which the land is situate was designated as a certification area and in which no land has been sold, or, whether or not land has been sold, the changes to be effected by the re-subdivision are, in the opinion of the director of titles, of a minor nature. *New.*

Assurance fund

15.—(1) An assurance fund shall be formed to compensate persons who may be wrongfully deprived of land or some estate or interest therein by reason of the title to land being certified under this Act.

Constitution of fund

(2) In order to constitute such a fund, every applicant shall pay on the making of a certificate of title under this Act, in addition to all other fees, an amount of money equal to one-tenth of 1 per cent of the value of the land described in the certificate.

Buildings

(3) Where there are buildings on the land, the value of the land shall include the value of the buildings.

Maximum payment

(4) Where the amount calculated under subsection 2 exceeds $300, the amount payable is $300.

Valuation of land

(5) The value of the land shall be ascertained as of the date of the application by the oath of the applicant.

Proof of value

(6) If the director of titles is not satisfied as to the correctness of the value stated by the oath of an applicant he may require the affidavit in that behalf of a valuator and such affidavit is conclusive.

Applicant may be required to indemnify fund

(7) The director of titles may require an applicant to indemnify the assurance fund against loss by a bond or covenant to Her Majesty either with or without sureties or by such other security as he considers proper.

Money to be paid into court

1958, c....

(8) The moneys payable under this section shall be paid into the Supreme Court with the privity of the accountant of the court and shall be placed to the credit of an account entitled "Assurance Fund under *The Certification of Titles Act, 1958*" and, subject to subsection 9, shall be invested from time to time under the direction of the Finance Committee of the Supreme Court and such of the interest and income derived therefrom shall be credited to the same account as the Finance Committee of the Supreme Court from time to time determines.

(9) The moneys in court at the credit of the assurance fund shall on his demand be paid to the Treasurer of Ontario. 1957, c. 8, s. 14, *amended.* Payment out of fund

16.—(1) If a person is wrongfully deprived of an estate or interest in land by reason of its title having been certified under this Act and he satisfies the Inspector of Legal Offices that he is unable to recover just compensation, he is entitled to have the same paid out of the assurance fund so far as the assurance fund is sufficient for that purpose having regard to any other charges thereon if he makes a claim therefor to the Inspector of Legal Offices within six years from the time of his having been so deprived or, in the case of a person under the disability of infancy, mental incompetency or unsoundness of mind, within six years from the date at which the disability ceased. 1957, c. 8, s. 15 (1), *amended.* Assurance fund to compensate person wrongfully deprived

(2) Where a claim is made under subsection 1 in respect of land patented as mining land or in respect of land whose chief value is the ores, mines or minerals therein and it appears that the claimant is entitled to compensation, the value of the land shall not be taken at a greater amount than 800 times the amount paid into the assurance fund in respect of the land under section 15. *New.* Mining lands

(3) The liability of the assurance fund for compensation and the amount of compensation shall, subject to appeal to a judge of the Supreme Court, be determined by the Inspector of Legal Offices. How compensation to be determined

(4) The Inspector of Legal Offices shall certify to the Treasurer of Ontario any amount found to be payable under this section, and upon receipt of the certificate the Treasurer shall pay the amount to the person entitled thereto. Payment

(5) The costs of the proceedings under this section shall be in the discretion of the Inspector of Legal Offices or the court, as the case may be. 1957, c. 8, s. 15 (2-4), *amended.* Cost of application

17. Proceedings under this Act shall not abate or be suspended by any death or change of interest, but in any such event the director of titles may require notice to be given to persons becoming interested, or may make an order for discontinuing, suspending or carrying on the proceedings or otherwise as he deems proper. 1957, c. 8, s. 19, *amended.* Where death or change of interest occurs

18. The Lieutenant-Governor in Council may make regulations, Regulations

(*a*) prescribing the deposit to be made on applications;

(*b*) requiring the payment of fees upon the performance of any official function under this Act and prescribing the amounts thereof;

(*c*) prescribing forms and providing for the use thereof;

(*d*) designating certification areas for the purposes of subsection 1 of section 14;

(*e*) prescribing the powers and duties of title examiners under this Act;

(*f*) prescribing a code of standards and procedures for surveys made for the purpose of this Act;

(*g*) prescribing administrative procedures for the purpose of this Act;

(*h*) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. 1957, c. 8, s. 21, *amended.*

1957, c. 8, repealed

19. *The Certification of Plans of Subdivision Act, 1957* is repealed.

Commencement

20. This Act comes into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short title

21. This Act may be cited as *The Certification of Titles Act, 1958.*

BILL

An Act to provide
for the Certification of Titles of Lands

1st Reading

February 5th, 1958

2nd Reading

February 17th, 1958

3rd Reading

MR. ROBERTS

(*Reprinted as amended by the Committee on Legal Bills*)

1958

No. 66

4TH SESSION, 25TH LEGISLATURE, ONTARIO
6-7 ELIZABETH II, 1958

BILL

An Act to provide for the Certification of Titles of Lands

MR. ROBERTS

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No. 66 1958

BILL

An Act to provide for the Certification of Titles of Lands

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

1.—(1) This Act shall be administered by the director of titles appointed under *The Land Titles Act*. Administration R.S.O. 1950, c. 197

(2) In the administration of this Act, the deputy director of titles appointed under *The Land Titles Act* shall act under the supervision of the director of titles. Idem

(3) In the absence of the director of titles or if the office of director of titles is vacant, the deputy director of titles shall act as director of titles for the purposes of this Act and while so acting he shall have and may exercise and perform all or any of the powers and duties of the director of titles under this Act. 1957, c. 8, s. 1, *amended*. Idem

2. The Lieutenant-Governor in Council may appoint one or more assistant deputy directors of titles and one or more title examiners for the purposes of this Act. *New*. Assistants and examiners

3. The director of titles has and may exercise in connection with his functions under this Act all of the powers that may be conferred upon a commissioner under *The Public Inquiries Act*. 1957, c. 8, s. 3, *amended*. Powers of director R.S.O. 1950, c. 308

4. The director of titles shall have a seal of office in such form as the Lieutenant-Governor in Council may approve. 1957, c. 8, s. 2, *amended*. Seal

5. This Act does not apply to land registered under *The Land Titles Act*. 1957, c. 8, s. 4. Where Act not to apply

6.—(1) An owner of an estate in fee simple in land to which this Act applies, whether or not the land is encumbered, may apply to the director of titles to have the title to the Application for certification

land investigated and certified under this Act. 1957, c. 8, s. 6 (1), *amended.*

Supporting material

(2) An application under subsection 1 shall be accompanied by the prescribed deposit and shall be supported by,

(*a*) a statement under oath of the applicant,

(i) that to the best of his knowledge and belief he is the owner of the estate or interest claimed subject only to the encumbrances, easements and encroachments set forth in the application or that there are no encumbrances, easements or encroachments affecting the land, as the case may be, and that he is not aware of the existence of any other claim adverse to or inconsistent with his own to any part of the land or to any interest therein or that he is aware of such an adverse claim, in which case he shall set forth every such adverse claim and the particulars thereof,

(ii) where a person other than the applicant is in possession of the land, setting forth under what claim, right or title such person is in possession, and

(iii) setting forth such other facts as in his opinion may be of assistance to the director of titles in ascertaining the validity of his title;

(*b*) a plan of survey of the land prepared by an Ontario land surveyor;

(*c*) a statement under oath by the Ontario land surveyor who prepared the plan of survey, verifying the description of the land, identifying it with the plan of survey, stating the names of the persons in actual occupation of the land or any part thereof, describing the nature of the buildings on the land, and stating the nature and identifying any easements or encroachments apparent on his examination of the surface of the land or of which he has knowledge;

(*d*) the title documents, if any, of the land and any other evidences of title available to the applicant;

(*e*) an abstract of the title to the land, certified by the registrar of the registry division in which the land is situate, showing a good and sufficient forty-year

chain of title immediately preceding the date of the application;

(*f*) a typewritten abstract of the title to the land prepared in accordance with good conveyancing practice by a solicitor together with the certificate of such solicitor that he has investigated the title and believes the applicant to be the owner of the estate that he claims in the land subject only to any encumbrance set forth in the application and that he has conferred with the applicant on the matters set forth in the statement mentioned in clause *a* and that he believes the statement to be true;

(*g*) a certificate of the sheriff of the county or district in which the land is situate showing that there are no writs of execution or extent or liens in his hands against any person having an interest in the land as ascertained by the applicant from the registrar's abstract and the investigation of the title and showing that he has not sold any land under any writ against such person within the six months next preceding the date of the certificate;

(*h*) a certificate of the treasurer of the municipality in which the land is situate that all municipal taxes for which the land is liable, except those for the then current year, have been paid in full;

(*i*) a certificate of the Registrar in Bankruptcy of the Supreme Court of Ontario that the name of the applicant does not appear in the index book kept pursuant to section 167 of the *Bankruptcy Act* (Canada); R.S.C. 1952, c. 14

(*j*) a statement of the Treasurer of Ontario that he does not claim a lien for taxes payable under *The Corporations Tax Act, 1957* or any predecessor thereof by any corporation that appears to have had any interest in the land before the date of the filing of the application; 1957, c. 17

(*k*) evidence of the consent of the Treasurer of Ontario to the transfer of an interest in land consequent upon the death of a person on or after the 1st day of January, 1930, where such person appears from the solicitor's abstract mentioned in clause *f* to have had an interest in the land. 1957, c. 8, s. 6 (2), *amended.*

Further material

(3) The director of titles may at any time require an applicant to furnish such additional or other information or material as he may specify. *New.*

Notice of application

7. Upon the filing of an application, the director of titles shall cause such notice thereof as he deems proper,

(*a*) to be registered in the registry office of the registry division in which the land is situate;

(*b*) to be published in a newspaper having general circulation in the locality in which the land is situate; and

(*c*) to be posted in a conspicuous place on the land and in such other places as he deems proper. 1957, c. 8, s. 7, *amended.*

Adverse claim

8.—(1) Any person having an adverse claim or a claim inconsistent with the claim set out in an application may file a statement under oath of his claim with the director of titles at any time before the certificate of title is executed.

Idem

(2) Where a claim adverse to or inconsistent with the claim set out in the application is filed, the director of titles may dispose of the issue or he may refer the matter to a judge of the Supreme Court who shall hear and determine the matter on the evidence before him or may direct the trial of an issue. 1957, c. 8, s. 8, *amended.*

Findings to be set out in writing

9.—(1) When the director of titles has completed his investigation and any issue referred to a judge is finally disposed of, the director of titles shall set out his findings in writing. 1957, c. 8, s. 9 (1, 2), *amended.*

Copies to be sent to interested parties

(2) A copy of the written findings of the director of titles shall be sent by registered mail by the director of titles to the applicant and to every person who has filed a claim adverse to or inconsistent with the claim set out in the application.

Appeal

(3) Any person aggrieved by the written findings of the director of titles may within fifteen days after the date of the mailing of the copies under subsection 2 appeal to a judge of the Supreme Court who may decide the matter on the evidence before him or he may direct the trial of an issue.

Disposition of application

(4) When the period of fifteen days mentioned in subsection 3 has elapsed and no appeal has been taken or, if taken, has been disposed of, the director of titles may make a certificate of title or dismiss the application, as the case may be. 1957, c. 8, s. 9 (3-5), *amended.*

(5) A certificate of title shall bear the signature and seal of the director of titles. 1957, c. 8, s. 11, *part, amended.*

Signature and seal

10. Where the director of titles is able to give a certificate of title to part only of the land mentioned in the application, the application may be amended accordingly. 1957, c. 8, s. 10, *amended.*

Certificate to part of land

11. The director of titles may order an applicant or any person who has filed a claim adverse to or inconsistent with the claim set out in the application to pay the costs or part of the costs of any proceedings before him or investigations by him and may direct that the same be taxed by the taxing officer of the Supreme Court having jurisdiction where the land is situate. 1957, c. 8, s. 20, *amended.*

Director may make order as to costs

12. A certificate of title shall be registered by the director of titles in the registry office of the registry division in which the land is situate. 1957, c. 8, s. 11, *part, amended.*

Registration of certificate

13. Upon registration under section 12, a certificate of title is conclusive as of the day, hour and minute named therein that the title of the owner of the land described therein is absolute and indefeasible as regards the Crown and all persons whomsoever, subject only to the qualifications mentioned therein, and is conclusive that every application, notice, publication, proceeding and act which ought to have been made, given and done before the making of the certificate has been made, given and done in accordance with this Act. 1957, c. 8, s. 13, *amended.*

Effect of certificate of title

14.—(1) No plan of subdivision of land to which this Act applies and which is in a certification area shall be registered unless the title of the owner of the land has been certified under this Act. 1957, c. 8, s. 5 (2), *amended.*

Conditions precedent to registration of plan

(2) Subsection 1 does not apply to a plan of subdivision,

Where subsection 1 not to apply

(*a*) where the land shown thereon is owned by the Crown or by any agency of the Crown;

(*b*) where the land shown thereon is owned by The Hydro-Electric Power Commission of Ontario;

(*c*) where the land shown thereon is owned by a municipality or by any local board as defined in *The Department of Municipal Affairs Act*;

R.S.O. 1950, c. 96

(*d*) where the land shown thereon is owned by a board of harbour commissioners;

R.S.O. 1950, c. 336

(*e*) prepared under *The Registry Act* and commonly known as a "judge's plan";

(*f*) which is a subdivision of a plan that was registered before the area in which the land is situate was designated as a certification area and in which no land has been sold, or, whether or not land has been sold, the changes to be effected by the re-subdivision are, in the opinion of the director of titles, of a minor nature. *New.*

Assurance fund

15.—(1) An assurance fund shall be formed to compensate persons who may be wrongfully deprived of land or some estate or interest therein by reason of the title to land being certified under this Act.

Constitution of fund

(2) In order to constitute such a fund, every applicant shall pay on the making of a certificate of title under this Act, in addition to all other fees, an amount of money equal to one-tenth of 1 per cent of the value of the land described in the certificate.

Buildings

(3) Where there are buildings on the land, the value of the land shall include the value of the buildings.

Maximum payment

(4) Where the amount calculated under subsection 2 exceeds $300, the amount payable is $300.

Valuation of land

(5) The value of the land shall be ascertained as of the date of the application by the oath of the applicant.

Proof of value

(6) If the director of titles is not satisfied as to the correctness of the value stated by the oath of an applicant he may require the affidavit in that behalf of a valuator and such affidavit is conclusive.

Applicant may be required to indemnify fund

(7) The director of titles may require an applicant to indemnify the assurance fund against loss by a bond or covenant to Her Majesty either with or without sureties or by such other security as he considers proper.

Money to be paid into court

(8) The moneys payable under this section shall be paid into the Supreme Court with the privity of the accountant of the court and shall be placed to the credit of an account entitled "Assurance Fund under *The Certification of Titles Act, 1958*" and, subject to subsection 9, shall be invested from time to time under the direction of the Finance Committee of the Supreme Court and such of the interest and income derived therefrom shall be credited to the same account as the Finance Committee of the Supreme Court from time to time determines.

1958, c....

(9) The moneys in court at the credit of the assurance fund shall on his demand be paid to the Treasurer of Ontario. 1957, c. 8, s. 14, *amended.*

Payment out of fund

16.—(1) If a person is wrongfully deprived of an estate or interest in land by reason of its title having been certified under this Act and he satisfies the Inspector of Legal Offices that he is unable to recover just compensation, he is entitled to have the same paid out of the assurance fund so far as the assurance fund is sufficient for that purpose having regard to any other charges thereon if he makes a claim therefor to the Inspector of Legal Offices within six years from the time of his having been so deprived or, in the case of a person under the disability of infancy, mental incompetency or unsoundness of mind, within six years from the date at which the disability ceased. 1957, c. 8, s. 15 (1), *amended.*

Assurance fund to compensate person wrongfully deprived

(2) Where a claim is made under subsection 1 in respect of land patented as mining land or in respect of land whose chief value is the ores, mines or minerals therein and it appears that the claimant is entitled to compensation, the value of the land shall not be taken at a greater amount than 800 times the amount paid into the assurance fund in respect of the land under section 15. *New.*

Mining lands

(3) The liability of the assurance fund for compensation and the amount of compensation shall, subject to appeal to a judge of the Supreme Court, be determined by the Inspector of Legal Offices.

How compensation to be determined

(4) The Inspector of Legal Offices shall certify to the Treasurer of Ontario any amount found to be payable under this section, and upon receipt of the certificate the Treasurer shall pay the amount to the person entitled thereto.

Payment

(5) The costs of the proceedings under this section shall be in the discretion of the Inspector of Legal Offices or the court, as the case may be. 1957, c. 8, s. 15 (2-4), *amended.*

Cost of application

17. Proceedings under this Act shall not abate or be suspended by any death or change of interest, but in any such event the director of titles may require notice to be given to persons becoming interested, or may make an order for discontinuing, suspending or carrying on the proceedings or otherwise as he deems proper. 1957, c. 8, s. 19, *amended.*

Where death or change of interest occurs

18. The Lieutenant-Governor in Council may make regulations,

Regulations

(*a*) prescribing the deposit to be made on applications;

(*b*) requiring the payment of fees upon the performance of any official function under this Act and prescribing the amounts thereof;

(*c*) prescribing forms and providing for the use thereof;

(*d*) designating certification areas for the purposes of subsection 1 of section 14;

(*e*) prescribing the powers and duties of title examiners under this Act;

(*f*) prescribing a code of standards and procedures for surveys made for the purpose of this Act;

(*g*) prescribing administrative procedures for the purpose of this Act;

(*h*) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. 1957, c. 8, s. 21, *amended.*

1957, c. 8, repealed

19. *The Certification of Plans of Subdivision Act, 1957* is repealed.

Commencement

20. This Act comes into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short title

21. This Act may be cited as *The Certification of Titles Act, 1958.*

BILL

An Act to provide for the Certification of Titles of Lands

1st Reading

February 5th, 1958

2nd Reading

February 17th, 1958

3rd Reading

March 4th, 1958

MR. ROBERTS

1958