

LEGISLATIVE ASSEMBLY
OF ONTARIO



THIRD SESSION OF THE TWENTY-NINTH
PARLIAMENT

BILLS

AS INTRODUCED IN THE HOUSE
TOGETHER WITH
REPRINTS AND THIRD READINGS

136593

SESSION

MARCH 20th, 1973 to MARCH 5th, 1974

INDEX

PUBLIC BILLS (GOVERNMENT)

A	Bill No.
Administration of Justice Act—Act to amend.....	6
Agricultural Development Act—Act to repeal.....	80
Agricultural Representatives Act—Act to amend.....	195
Arbitrations Act—Act to amend.....	13
Artificial Insemination of Cattle Act—Act to amend.....	218
Assessment Act—Act to amend.....	107
—Act to amend.....	249
Assessment Review Court Act, 1972—Act to amend.....	204
B	
Banting and Best Medical Research Act, 1923—Act to repeal.....	68
C	
Certification of Titles Act—Act to amend.....	16
Charitable Institutions Act—Act to amend.....	62
Child Welfare Act—Act to amend.....	158
City of Timmins-Porcupine Act, 1972—Act to amend.....	223
Collection Agencies Act—Act to amend.....	10
Commissioners for taking Affidavits Act—Act to amend.....	75
Compensation for Victims of Crime Act, 1971—Act to amend.....	86
Condominium Act—Act to amend (Lapsed).....	184
—Act to amend.....	230
Conservation Authorities Act—Act to amend.....	149
Construction Safety Act, 1973.....	127
Consumer Protection Bureau Act—Act to amend.....	9
Conveyancing and Law of Property Act—Act to amend.....	214
Co-operative Corporations Act, 1973.....	185
Corporations Act—Act to amend.....	198
Corporations Tax Act, 1972—Act to amend.....	94
—Act to amend.....	228
County Judges Act—Act to amend.....	220
Crown Attorneys Act—Act to amend.....	4
—Act to amend.....	217
Crown Witnesses Act—Act to amend.....	5
D	
Day Nurseries Act—Act to amend.....	160
Dependants' Relief Act—Act to amend.....	213
Deserted Wives' and Children's Maintenance Act—Act to amend.....	215
Development Corporations Act, 1973—Act to amend.....	210
Development Corporations in Ontario—Act respecting.....	169
Devolution of Estates Act—Act to amend.....	82
District Municipality of Muskoka Act—Act to amend.....	246
District Welfare Administration Boards Act—Act to amend.....	241

E

Bill No.

Education Act, 1973 (Lapsed).....	255
Elderly Persons Centres Act—Act to amend.....	242
Elevator Constructor Unions Disputes Act, 1973.....	2
Employment Standards Act—Act to amend.....	268
Environmental Protection Act, 1971—Act to amend.....	171
Executive Council Act—Act to amend.....	261
Extra-Judicial Services Act—Act to amend.....	167

F

Fatal Accidents Act—Act to amend.....	74
Financial Administration Act—Act to amend.....	238
Forest Fires Prevention Act—Act to amend.....	66

G

Game and Fish Act—Act to amend.....	164
—Act to amend.....	270
Gasoline Handling Act—Act to amend.....	205
Gasoline Tax Act, 1973.....	177
Gift Tax Act, 1972—Act to amend.....	258
Grain Elevator Storage Act—Act to amend.....	156

H

Highway Traffic Act—Act to amend.....	124
—Act to amend.....	260
Homemakers and Nurses Services Act—Act to amend.....	240
Homes for the Aged and Rest Homes Act—Act to amend.....	108
Homes for Retarded Persons—Act to amend.....	159
Hunter Damage Compensation Act—Act to amend.....	193

I

Income Tax Act—Act to amend.....	96
—Act to amend.....	191
Insurance Act—Act to amend.....	208

J

Juries Act, 1973 (Lapsed).....	251
Jurors Act—Act to amend.....	166
Justices of the Peace Act—Act to amend.....	250

L

Land Titles Act—Act to amend.....	84
Law Society Act—Act to amend.....	104
Legal Aid Act—Act to amend.....	105
Legislative Assembly Act—Act to amend.....	262
Legislative Assembly Retirement Allowances Act, 1973.....	263

Limited Partnerships Act—Act to amend.....	7
Liquor Control Act—Act to amend.....	147
Liquor Licence Act—Act to amend.....	146
Live Stock Medicines to Owners of Live Stock—Act respecting Sale of...	165
Loan and Trust Corporations Act—Act to amend.....	233

M

Medical Act—Act to amend.....	234
Mining Act—Act to amend.....	203
Ministry of Colleges and Universities Act, 1971—Act to amend.....	176
Ministry of Community and Social Services Act—Act to amend.....	115
Ministry of Consumer and Commercial Relations Act—Act to amend.....	187
Ministry of Education Act—Act to amend.....	113
—Act to amend (Lapsed).....	274
Ministry of Energy—Act to establish.....	134
Ministry of Government Services Act, 1973.....	3
Ministry of Housing—Act to establish.....	183
Ministry of Natural Resources Act, 1972—Act to amend.....	202
Ministry of Treasury, Economics and Intergovernmental Affairs Act, 1972— Act to amend.....	81
Act to amend.....	265
Mortgage Brokers Act—Act to amend.....	188
Motor Vehicle Accident Claims Act—Act to amend.....	17
Municipal Act—Act to amend.....	168
—Act to amend.....	272
Municipal Unconditional Grants Act—Act to amend.....	141
—Act to amend.....	266
Municipality of Metropolitan Toronto Act—Act to amend.....	132
—Act to amend.....	267
Municipalities to grant assistance to Elderly Residents—Act to permit...	225

N

Niagara Escarpment and its Vicinity—Act to provide for Planning and Development of.....	129
Northern Development Act—Act to repeal.....	79
Nurses Act—Act to amend.....	69
Nursing Homes Act, 1972—Act to amend.....	70

O

Ontario Education Capital Aid Corporation Act—Act to amend.....	142
Ontario Energy Board Act—Act to amend.....	133
Ontario Municipal Employees Retirement System Act—Act to amend....	243
Ontario Pensioners—Act to provide Assistance to.....	196
Ontario Place Corporation Act, 1972—Act to amend.....	99
Ontario Transportation Development Corporation—Act to establish.....	144
Ontario Universities Capital Aid Corporation Act—Act to amend.....	143
Ontario Water Resources Act—Act to amend.....	170
Osgoode Hall Law School Scholarships Act, 1968-69—Act to amend....	236
Ottawa-Carleton Amalgamations and Elections Act, 1973.....	189

P

Bill No.

Parkway Belt—Act to provide for Planning and Development of the.....	130
Partnerships Registration Act—Act to amend.....	8
Pension Benefits Act—Act to amend.....	200
Personal Property Security Act—Act to amend.....	186
Pesticides—Act to control the Use of.....	91
Pharmacy Act—Act to amend.....	221
Planning Act—Act to amend.....	264
Planning and Development in Ontario—Act to provide for.....	128
Power Commission Act—Act to amend.....	135
Power Commission Insurance Act—Act to amend.....	137
Power Control Act—Act to repeal.....	136
Powers of Attorney Act, 1973 (Lapsed).....	1
Private Hospitals Act—Act to amend.....	207
Private Sanitaria Act—Act to repeal (Lapsed).....	209
Proceedings Against the Crown Act—Act to amend.....	14
Property Tax Stabilization Grants—Act to establish.....	154
Protection of Cattle Act—Act to amend.....	192
Provincial Land Tax Act—Act to amend.....	219
Public Commercial Vehicles Act—Act to amend.....	259
Public Health Act—Act to amend.....	235
Public Hospitals Act—Act to amend.....	256
Public Institutions by Public Visitation—Act to provide for the Inspection of (Lapsed).....	252
Public Libraries Act—Act to amend.....	237
Public Schools Act—Act to amend.....	114
Public Service Act—Act to amend.....	172
Public Transportation and Highway Improvement Act—Act to amend...	93
—Act to amend...	145

R

Racing Commission Act—Act to amend.....	206
Raising of Money on the Credit of the Consolidated Revenue Fund—Act to authorize the.....	111
Regional Development Councils Act—Act to repeal.....	153
Regional Municipal Grants Act—Act to amend.....	140
—Act to amend.....	244
Regional Municipality of Durham—Act to establish.....	162
Regional Municipality of Durham Act, 1973—Act to amend.....	248
—Act to amend.....	273
Regional Municipality of Haldimand-Norfolk—Act to establish.....	190
Regional Municipality of Haldimand-Norfolk Act, 1973—Act to amend...	226
Regional Municipality of Halton—Act to establish.....	151
Regional Municipality of Halton Act, 1973—Act to amend.....	247
Regional Municipality of Hamilton-Wentworth—Act to establish.....	155
Regional Municipality of Hamilton-Wentworth Act, 1973—Act to amend.	253
Regional Municipality of Niagara Act—Act to amend.....	131
—Act to amend.....	239
Regional Municipality of Ottawa-Carleton Act—Act to amend.....	152
—Act to amend.....	231
Regional Municipality of Peel—Act to establish.....	138

Regional Municipality of Peel Act, 1973—Act to amend.....	245
Regional Municipality of Sudbury Act, 1972—Act to amend.....	232
Regional Municipality of Waterloo Act, 1972—Act to amend.....	222
Regional Municipality of York Act—Act to amend.....	227
Registry Act—Act to amend.....	229
Residential Property Tax Reduction Act, 1972—Act to repeal.....	139
Retail Sales Tax Act—Act to amend.....	98

S

Schools Administration Act—Act to amend.....	181
—Act to amend.....	212
—Act to amend (Lapsed).....	275
Secondary Schools and Boards of Education Act—Act to amend.....	180
Securities Act—Act to amend.....	15
Security Transfer Tax Act—Act to repeal.....	95
Separate Schools Act—Act to amend.....	211
Shorelines—Act to provide Assistance for the Rehabilitation and Protection of Property on or adjacent to.....	100
Storage and Supply of personal Information for rating Purposes—Act to control the.....	101
Succession Duty Act—Act to amend.....	174
Supply Act, 1973.....	278
Surrogate Courts Act—Act to amend.....	83

T

Teachers' Superannuation Act—Act to amend.....	112
Town of Wasaga Beach—Act to incorporate.....	163
Trustee Act—Act to amend.....	73

V

Vital Statistics Act—Act to amend.....	201
--	-----

W

Weed Control Act—Act to amend.....	157
Wilfrid Laurier University—Act respecting.....	178
Workmen's Compensation Act—Act to amend.....	126
—Act to amend.....	269

PUBLIC BILLS (PRIVATE MEMBERS')

A	Bill No.
Animals for Research Act—Act to amend	276
Apprenticeship and Tradesmen's Qualification Act—Act to amend (Talked Out)	18
—Act to amend	78
Arbour Day—Act to proclaim (Talked Out)	87
B	
Beds of Navigable Waters Act—Act to amend	77
Bureau of Repair Services—Act to establish	116
Business Controlled by Organized Crime—Act respecting	22
Business Corporations Act—Act to amend	103
C	
Cemeteries Act—Act to amend	48
Champlain Parks Development Commission—Act to incorporate	179
Child Welfare Act—Act to amend	26
—Act to amend	45
Commercial Establishments—Act to provide for the Controlling of Hours in (Talked Out)	175
Commissioner of the Legislature Act, 1973	60
Conservation Authorities Act—Act to amend	125
Consumer Protection Act—Act to amend (Talked Out)	19
—Act to amend	27
—Act to amend	46
—Act to amend	102
—Act to amend	119
D	
Dental Prosthesis—Act to provide for the Practice of	71
Dentistry Act—Act to amend	24
Detroit River Parkway Commission—Act to incorporate	199
E	
Eavesdropping—Act to provide for the Control of	56
Elected Representatives—Act respecting Ethics of	21
Election Act—Act to amend	54
Elevator Construction Industry Labour Arbitration Act, 1973	11
Employment Standards Act—Act to amend	123
—Act to amend	197
—Act to amend	257
F	
Flood Control Commission—Act to establish (Talked Out)	76

G

Game and Fish Act—Act to amend.....	44
Gasoline Retailers Bill of Rights—Act to establish.....	121
Government Programs—Act to establish a Commission to evaluate.....	43

H

Hearing Aid Sales Act, 1973.....	58
Highway Traffic Act—Act to amend (Talked Out).....	12
—Act to amend.....	23
—Act to amend.....	40
—Act to amend.....	42
—Act to amend.....	52
—Act to amend.....	53
—Act to amend.....	55
—Act to amend.....	57
—Act to amend.....	63
—Act to amend.....	88
—Act to amend.....	97
—Act to amend (Talked Out).....	109
—Act to amend.....	216

I

Insurance Act—Act to amend.....	31
—Act to amend.....	34
—Act to amend.....	51

J

Judicature Act—Act to amend.....	90
----------------------------------	----

L

Labour Relations Act—Act to amend.....	59
—Act to amend.....	72
Landlord and Tenant Act—Act to amend.....	271

M

Mental Health Act—Act to amend.....	38
Ministry of Colleges and Universities Act, 1971—Act to amend.....	254
Ministry of Community and Social Services Act—Act to amend.....	106
Ministry of Correctional Services Act—Act to amend.....	39
Moosonee Development Area Board Act—Act to amend.....	122
Motor Vehicle Fuel—Act to provide for Fair Practices in the Sale of (Talked Out).....	67

N

Noise Research Bureau—Act to establish (Talked Out).....	85
--	----

O

Bill No.

Occupational Safety Act, 1973	25
Ontario Bill of Rights—Act to establish	224
Ontario Bureau of Statistics—Act to establish (Talked Out)	61
Ontario Society for the Prevention of Cruelty to Animals Act, 1955—Act to amend	46
Ontario Waste Disposal and Reclamation Commission—Act to establish . .	89
Ophthalmic Dispensers Act—Act to amend	37
—Act to amend	148

P

Planning Act—Act to amend	41
—Act to amend	150
Professional Fund-raising Corporations—Act to control	182
Promotional Games—Act to control	28
Provincial Courts Act—Act to amend	36
Provincial Trails—Act respecting	110
Public Health Act—Act to amend	35
Public Hospitals Act—Act to amend	20

R

Real Estate and Business Brokers Act—Act to amend	49
Rent Control and Security of Tenure—Act to provide for	173
Retail Establishments—Act to provide for the Controlling of Hours in (Talked Out)	118

S

Safety Committees—Act to provide for the Establishment of	65
Safety Glazing Act, 1973	161
Securities Act—Act to amend	29
—Act to amend	32
Simcoe Day—Act respecting	92
Snowmobiles—Act to provide for the Control and Regulation of	50
Sonic Booms Investigation and Control Act, 1973	30
Students—Act respecting the Rights of	277

U

Uniform Time in the Province of Ontario—Act to provide for	117
--	-----

V

Voluntary Emergency First Aid and Medical Services Act, 1973	33
Voluntary Emergency Medical and First Aid Services—Act to relieve Persons from Liability in respect of	64

W

Workmen's Compensation Act—Act to amend	120
---	-----

PRIVATE BILLS

A

Bill No.

Aradco Management Limited and Oak Stamping Limited—Act respecting. . . Pr1

B

Barrie, City of—Act respecting. Pr28
 Brampton, Town of—Act respecting. Pr40
 Bridge Street United Church Foundation—Act respecting. Pr15
 Bruce, County of—Act respecting. Pr19

C

Compañía Shell de Venezuela Limited—Act respecting. Pr25
 Constitution Insurance Company of Canada—Act respecting. Pr8

E

East York Foundation—Act respecting. Pr3
 Espanola, Town of—Act respecting. Pr14
 Etobicoke, The Board of Education for the Borough of—Act respecting. . Pr12

G

Glencoe, Village of—Act respecting. Pr10
 Gloucester, Township of—Act respecting. Pr22

H

Hamilton, City of—Act respecting. Pr2
 —Act respecting. Pr4
 Hastings, County of—Act respecting. Pr13
 Hobin Homes, Limited—Act respecting. Pr20

L

London, The Board of Education for the City of—Act respecting. Pr23
 London, City of—Act respecting. Pr21
 —Act respecting. Pr30

N

New Augarita Porcupine Mines Limited—Act respecting. Pr32

O

Oakville, Town of—Act respecting. Pr24
 Ontario Association of Natural Resources Technicians—Act to incorporate
 (Not Reported). Pr36
 Orangeville, Town of—Act respecting. Pr9
 Ottawa, City of—Act respecting. Pr38

P

Bill No.

Peterborough, City of—Act respecting Pr17

R

Reliable Life Insurance Company—Act respecting Pr7

S

S. B. Young Limited—Act respecting Pr33

Sarnia, Township of—Act respecting Pr31

Sault Ste. Marie, City of—Act respecting Pr39

Scarborough, Borough of—Act respecting Pr11

Service Hardware Limited—Act respecting Pr27

Simcoe & Erie General Insurance Company—Act respecting Pr6

St. Thomas, City of—Act respecting Pr5

T

Tillson Spur Line Railway Company—Act respecting Pr16

Tillsonburg, Town of—Act respecting Pr18

Timrand Investments Limited—Act respecting Pr34

Toronto, City of—Act respecting Pr35

V

Vaughan, Town of—Act respecting (Not Reported) Pr29

W

Windsor, City of—Act respecting Pr26

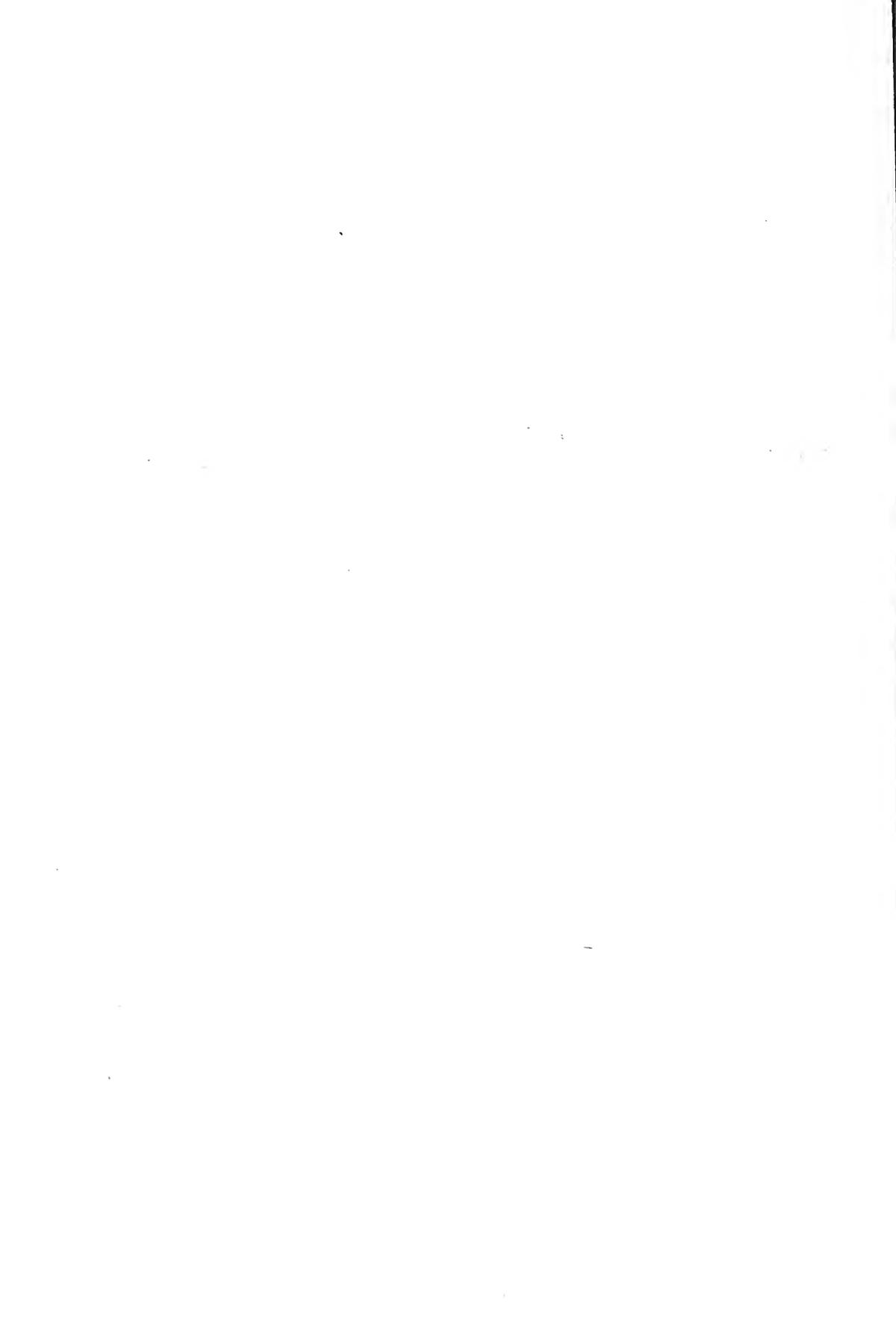
Y

York, Borough of—Act respecting Pr37

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
Aradco Management Limited and Oak Stamping Limited**

MR. BURR



BILL Pr1

1973

**An Act respecting Aradco Management
Limited and Oak Stamping Limited**

WHEREAS Steve Balazs, Shirley Balazs and John Kulcsar ^{Preamble} hereby represent that Aradco Management Limited and Oak Stamping Limited, herein called the Corporations, were incorporated by letters patent dated the 6th day of July, 1961, in the case of Aradco Management Limited, and by letters patent dated the 28th day of April, 1960, in the case of Oak Stamping Limited; that the Provincial Secretary by order made under the authority of subsection 2 of section 326 of *The Corporations Act*, being chapter 71 of the Revised Statutes of Ontario, 1960, cancelled the letters patent of the Corporations and declared them to be dissolved on the 22nd day of September, 1966, in the case of Aradco Management Limited, and on the 17th day of November, 1967, in the case of Oak Stamping Limited; that the applicants were all the directors and holders of all the common shares of the Corporations at the time of the said dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act*, although sent to each of the applicants as directors, was not received by any of them, and none of them were aware of the dissolution of the Corporations until more than one year after the date thereof; that the Corporations were carrying on, at the time of their respective dissolutions, active commercial businesses; and whereas the applicants hereby apply for special legislation reviving the Corporations; and whereas it is expedient to grant the application;

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

1. Aradco Management Limited, incorporated by letters patent dated the 6th day of July, 1961, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, <sup>Aradco
Management
Limited
revived</sup>

rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Oak
Stamping
Limited
revived

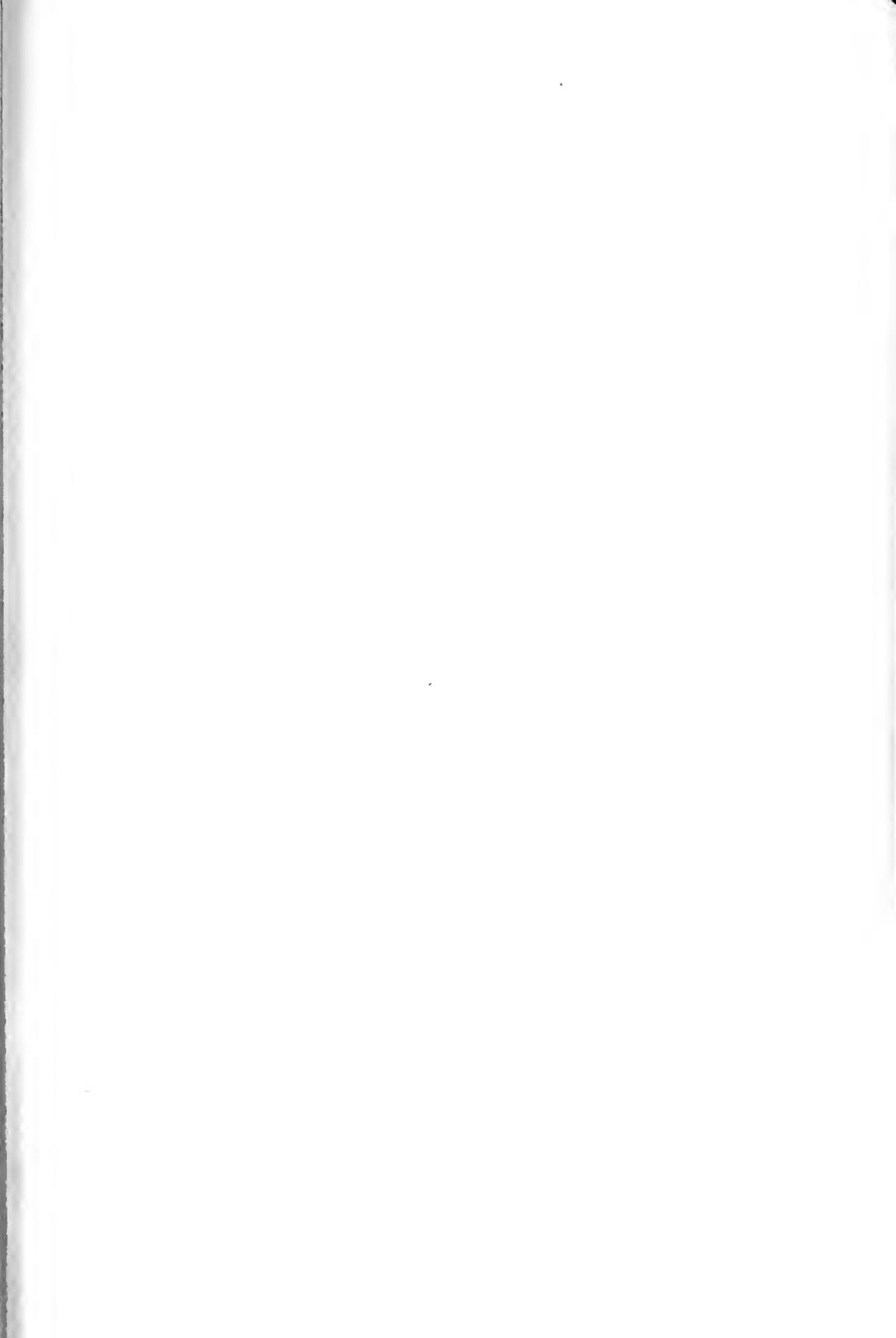
2. Oak Stamping Limited, incorporated by letters patent dated the 28th day of April, 1960, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

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

Short title

4. This Act may be cited as *The Aradco Management Limited and Oak Stamping Limited Act, 1973*.







An Act respecting Arado Management
Limited and Oak Stamping Limited

1st Reading

2nd Reading

3rd Reading

MR. BURR

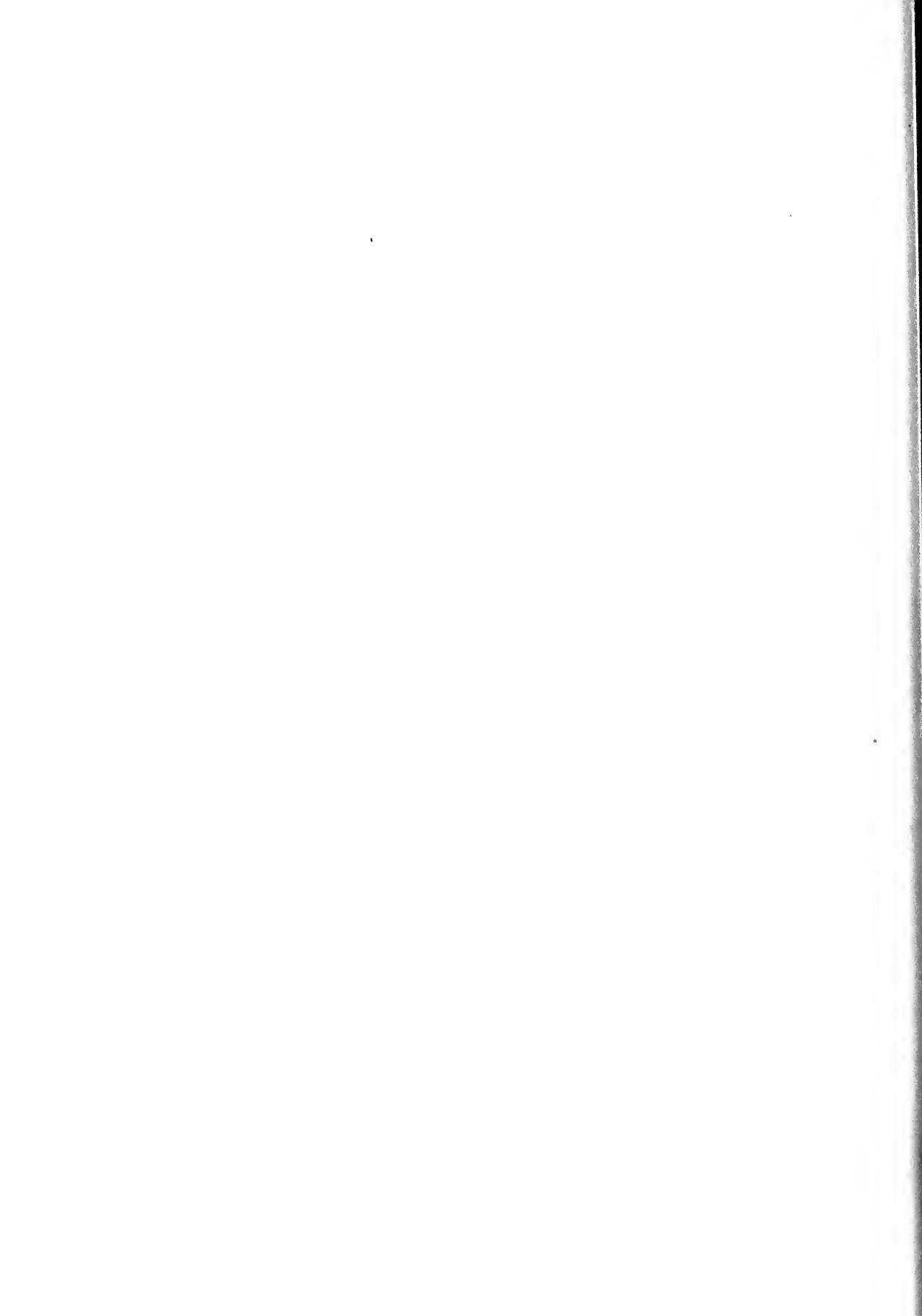
(Private Bill)

BILL Pr1

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
Aradco Management Limited and Oak Stamping Limited**

MR. BURR



BILL Pr1

1973

**An Act respecting Aradco Management
Limited and Oak Stamping Limited**

WHEREAS Steve Balazs, Shirley Balazs and John Kulcsar^{Preamble} hereby represent that Aradco Management Limited and Oak Stamping Limited, herein called the Corporations, were incorporated by letters patent dated the 6th day of July, 1961, in the case of Aradco Management Limited, and by letters patent dated the 28th day of April, 1960, in the case of Oak Stamping Limited; that the Provincial Secretary by order made under the authority of subsection 2 of section 326 of *The Corporations Act*, being chapter 71 of the Revised Statutes of Ontario, 1960, cancelled the letters patent of the Corporations and declared them to be dissolved on the 22nd day of September, 1966, in the case of Aradco Management Limited, and on the 17th day of November, 1967, in the case of Oak Stamping Limited; that the applicants were all the directors and holders of all the common shares of the Corporations at the time of the said dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act*, although sent to each of the applicants as directors, was not received by any of them, and none of them were aware of the dissolution of the Corporations until more than one year after the date thereof; that the Corporations were carrying on, at the time of their respective dissolutions, active commercial businesses; and whereas the applicants hereby apply for special legislation reviving the Corporations; and whereas it is expedient to grant the application;

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

1. Aradco Management Limited, incorporated by letters patent dated the 6th day of July, 1961, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, ^{Aradco Management Limited revived}

rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Oak
Stamping
Limited
revived

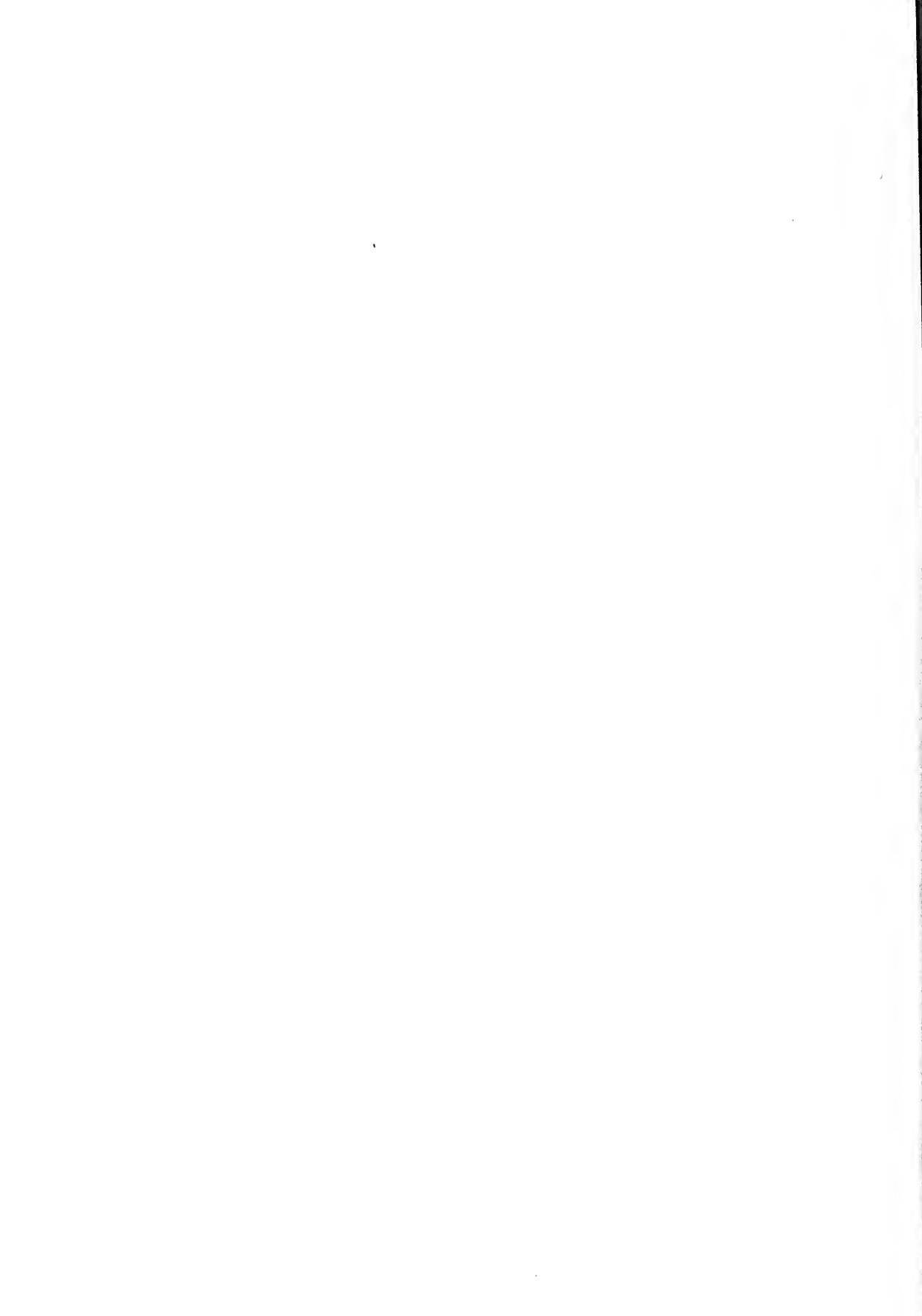
2. Oak Stamping Limited, incorporated by letters patent dated the 28th day of April, 1960, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

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

Short title

4. This Act may be cited as *The Aradco Management Limited and Oak Stamping Limited Act, 1973*.



An Act respecting Aradco Management Limited and Oak Stamping Limited

1st Reading

March 28th, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

MR. BURR

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Hamilton

MR. SMITH
(Hamilton Mountain)



BILL Pr2

1973

An Act respecting the City of Hamilton

WHEREAS The Corporation of the City of Hamilton ^{Preamble} hereby represents that it did constitute the Harbour Committee as a committee of council on Tuesday, February 29th, 1972, to study Hamilton Harbour and make policy recommendations to be considered by the council of The Corporation of the City of Hamilton; and whereas the council of The Corporation of the City of Hamilton did appoint controller Herman Turkstra and aldermen Robert Morrow, Vincent Agro, Aldo Poloniato, James Custeau, Fred Lombardo, Robert Ford, James Kern and James MacDonald as members of the Harbour Committee; and whereas the Harbour Committee has been engaged in the study of the Hamilton Harbour with a view to making policy recommendations; and whereas in consequence of the Harbour Committee study of the Hamilton Harbour, certain allegations were placed before it with respect to The Corporation of the City of Hamilton's appointee to The Hamilton Harbour Commissioners, a corporation incorporated under Statutes of Canada, 2, Geo. V, Chap. 98, 1912, and a report presented to the council of The Corporation of the City of Hamilton on the 28th day of August, 1972; and whereas following consideration by the council of The Corporation of the City of Hamilton on the 28th day of August, 1972 of the report of the Harbour Committee, the council of The Corporation of the City of Hamilton requested its appointee, Kenneth R. Elliott, to resign from The Hamilton Harbour Commissioners; and whereas a writ of summons was issued in the Supreme Court on September 5, 1972 against certain members of the Harbour Committee set forth below, all of whom voted in favour of the resignation of Kenneth R. Elliott as aforesaid; and whereas it is considered desirable that the council of The Corporation of the City of Hamilton assume and pay all costs incurred by, and the amount of any judgment awarded against, the said members of the Harbour Committee as a result of the said writ; and whereas the applicant hereby applies for special legislation for such purpose; and whereas it is deemed expedient to grant the application;

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

Interpre-
tation

1. In this Act,

- (a) "council" means the council of The Corporation of the City of Hamilton;
- (b) "Harbour Committee" means members of the council who are members of the Harbour Committee;
- (c) "person" means a person who at the time the writ was issued was a member of the Harbour Committee;
- (d) "writ" means a writ of summons issued in the Supreme Court by or on behalf of Kenneth Ronald Elliott.

Payment of
judgment
and costs
authorized

2. The council is hereby authorized to assume and pay all costs and legal expenses as may be incurred from time to time and the full amount of any judgment as may be awarded as a result of a writ issued against the following persons:

- 1. Herman Turkstra.
- 2. Robert Morrow.
- 3. Vincent J. Agro.
- 4. James C. Custeau.
- 5. James O. Kern.

Commence-
ment

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

Short title

4. This Act may be cited as *The City of Hamilton Act, 1973*.



An Act respecting
the City of Hamilton

1st Reading

2nd Reading

3rd Reading

MR. SMITH
(Hamilton Mountain)

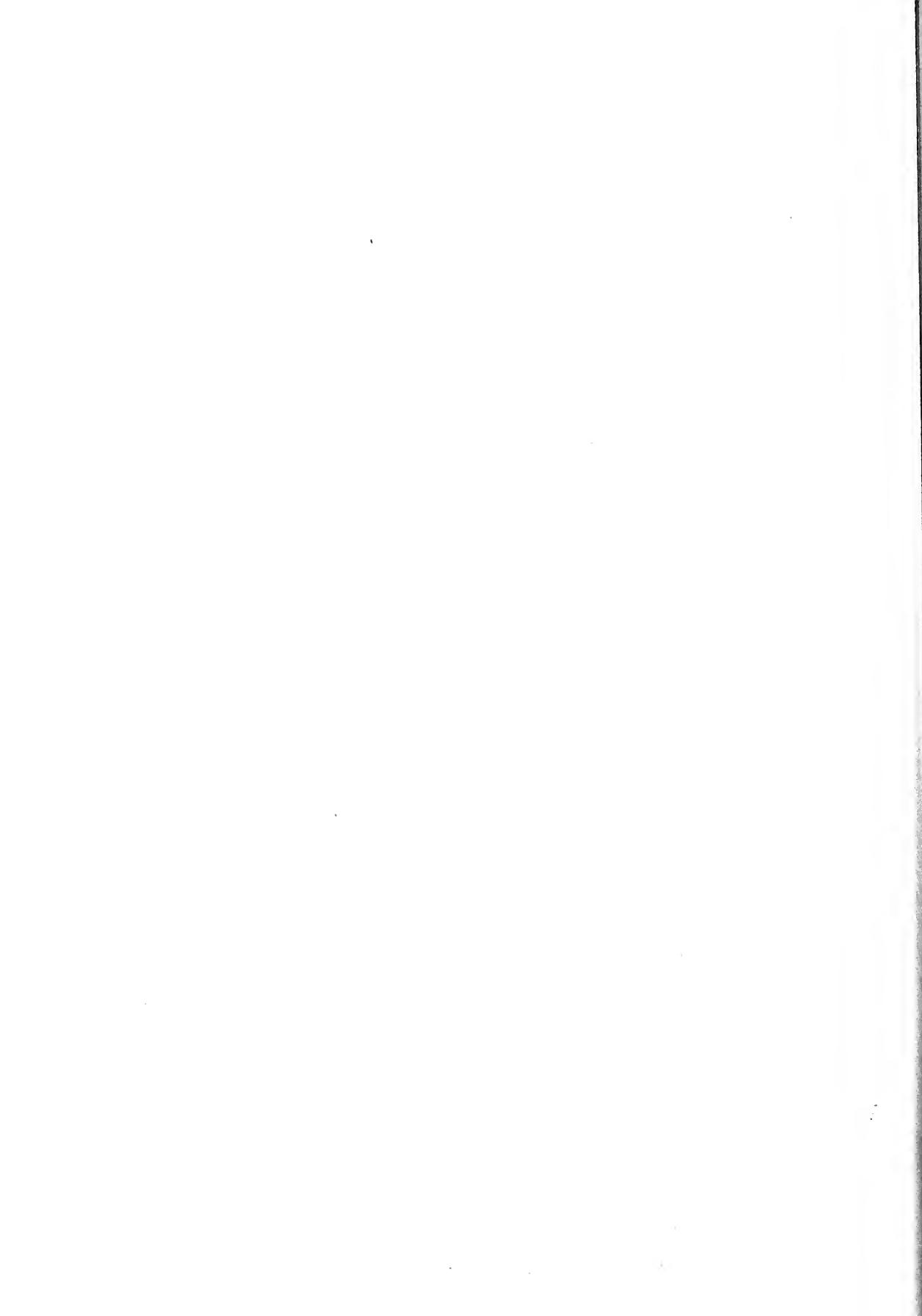
(Private Bill)

BILL Pr2

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Hamilton

MR. SMITH
(Hamilton Mountain)



BILL Pr2

1973

An Act respecting the City of Hamilton

WHEREAS The Corporation of the City of Hamilton^{Preamble} hereby represents that it did constitute the Harbour Committee as a committee of council on Tuesday, February 29th, 1972, to study Hamilton Harbour and make policy recommendations to be considered by the council of The Corporation of the City of Hamilton; and whereas the council of The Corporation of the City of Hamilton did appoint controller Herman Turkstra and aldermen Robert Morrow, Vincent Agro, Aldo Poloniato, James Custeau, Fred Lombardo, Robert Ford, James Kern and James MacDonald as members of the Harbour Committee; and whereas the Harbour Committee has been engaged in the study of the Hamilton Harbour with a view to making policy recommendations; and whereas in consequence of the Harbour Committee study of the Hamilton Harbour, certain allegations were placed before it with respect to The Corporation of the City of Hamilton's appointee to The Hamilton Harbour Commissioners, a corporation incorporated under Statutes of Canada, 2, Geo. V, Chap. 98, 1912, and a report presented to the council of The Corporation of the City of Hamilton on the 28th day of August, 1972; and whereas following consideration by the council of The Corporation of the City of Hamilton on the 28th day of August, 1972 of the report of the Harbour Committee, the council of The Corporation of the City of Hamilton requested its appointee, Kenneth R. Elliott, to resign from The Hamilton Harbour Commissioners; and whereas a writ of summons was issued in the Supreme Court on September 5, 1972 against certain members of the Harbour Committee set forth below, all of whom voted in favour of the resignation of Kenneth R. Elliott as aforesaid; and whereas it is considered desirable that the council of The Corporation of the City of Hamilton assume and pay all costs incurred by, and the amount of any judgment awarded against, the said members of the Harbour Committee as a result of the said writ; and whereas the applicant hereby applies for special legislation for such purpose; and whereas it is deemed expedient to grant the application;

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

Interpre-
tation

1. In this Act,

- (a) "council" means the council of The Corporation of the City of Hamilton;
- (b) "Harbour Committee" means members of the council who are members of the Harbour Committee;
- (c) "person" means a person who at the time the writ was issued was a member of the Harbour Committee;
- (d) "writ" means a writ of summons issued in the Supreme Court by or on behalf of Kenneth Ronald Elliott.

Payment of
judgment
and costs
authorized

2. The council is hereby authorized to assume and pay all costs and legal expenses as may be incurred from time to time and the full amount of any judgment as may be awarded as a result of a writ issued against the following persons:

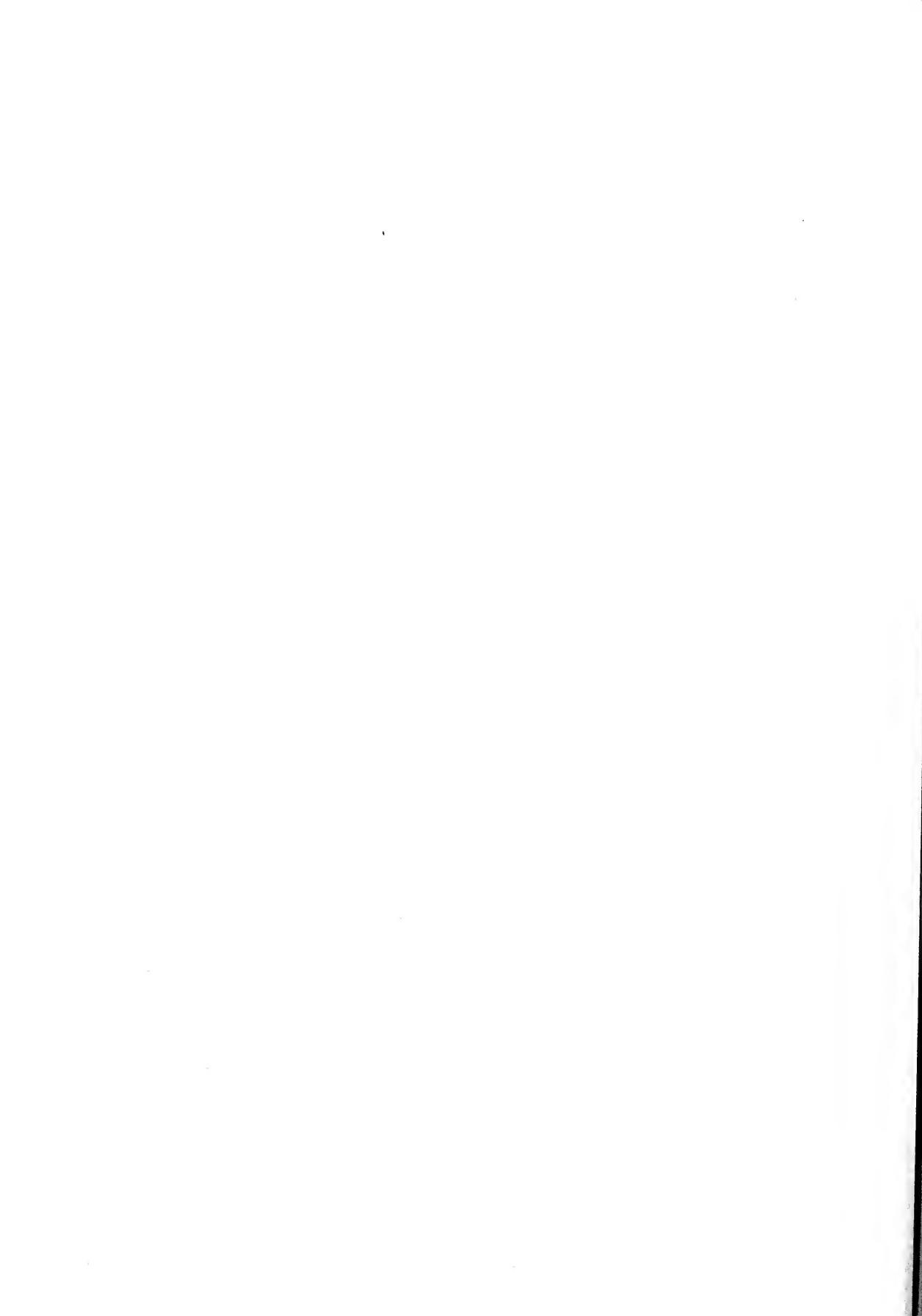
- 1. Herman Turkstra.
- 2. Robert Morrow.
- 3. Vincent J. Agro.
- 4. James C. Custeau.
- 5. James O. Kern.

Commence-
ment

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

Short title

4. This Act may be cited as *The City of Hamilton Act, 1973*.



An Act respecting
the City of Hamilton

1st Reading

March 28th, 1973

2nd Reading

April 12th, 1973

3rd Reading

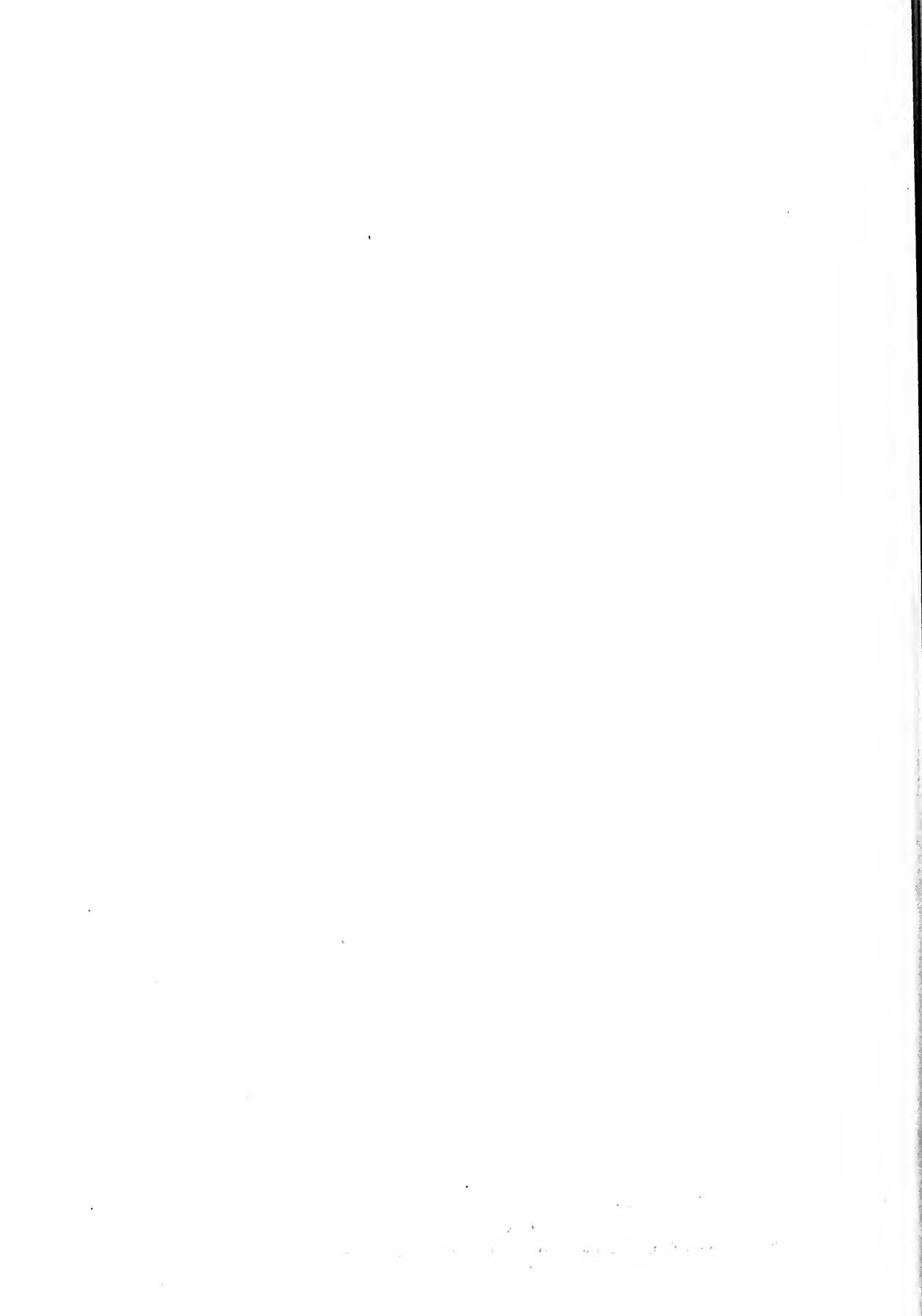
April 12th, 1973

MR. SMITH
(Hamilton Mountain)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting The East York Foundation

MR. TIMBRELL



BILL Pr3

1973

An Act respecting The East York Foundation

WHEREAS The East York Foundation, herein called the Founda-^{Preamble}tion, hereby represents that it is desirable and in the public interest to amend *The East York Foundation Act, 1965* as hereinafter set out; and whereas the Foundation hereby applies for special legislation for such purpose; and whereas it is expedient to grant the application;

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

- 1.—(1) Section 3 of *The East York Foundation Act, 1965*, being ^{s.3.}chapter 149, is amended by adding thereto the following ^{amended} subsections:

(4a) Notwithstanding subsections 3 and 4, commencing on ^{Composition}the 1st day of January, 1974, the Board shall be composed ^{from} of ten members, all of whom shall be residents of the area ^{Jan. 1, 1974} then known as the Borough of East York, appointed by the nominating committee.

(4b) Of the three additional members of the Board appointed ^{Term of}for terms commencing on the 1st day of January, 1974, one ^{office} shall serve for one year, one shall serve for two years and one shall serve for three years.

- (2) Subsection 5 of the said section 3 is amended by striking ^{s.3(5),}out "subsection 4" in the second line and inserting in ^{amended}lieu thereof "subsections 4 and 4b", so that the subsection shall read as follows:

(5) Members of the Board shall serve without remuneration ^{Remunera-}and, subject to subsections 4 and 4b, shall be appointed for ^{tion and term}a term of three years. ^{of office}

2. Paragraphs 1 and 2 of subsection 1 of section 4 of the said Act ^{s.4(1),}are repealed and the following substituted therefor: ^{pars. 1, 2,} ^{re-enacted}

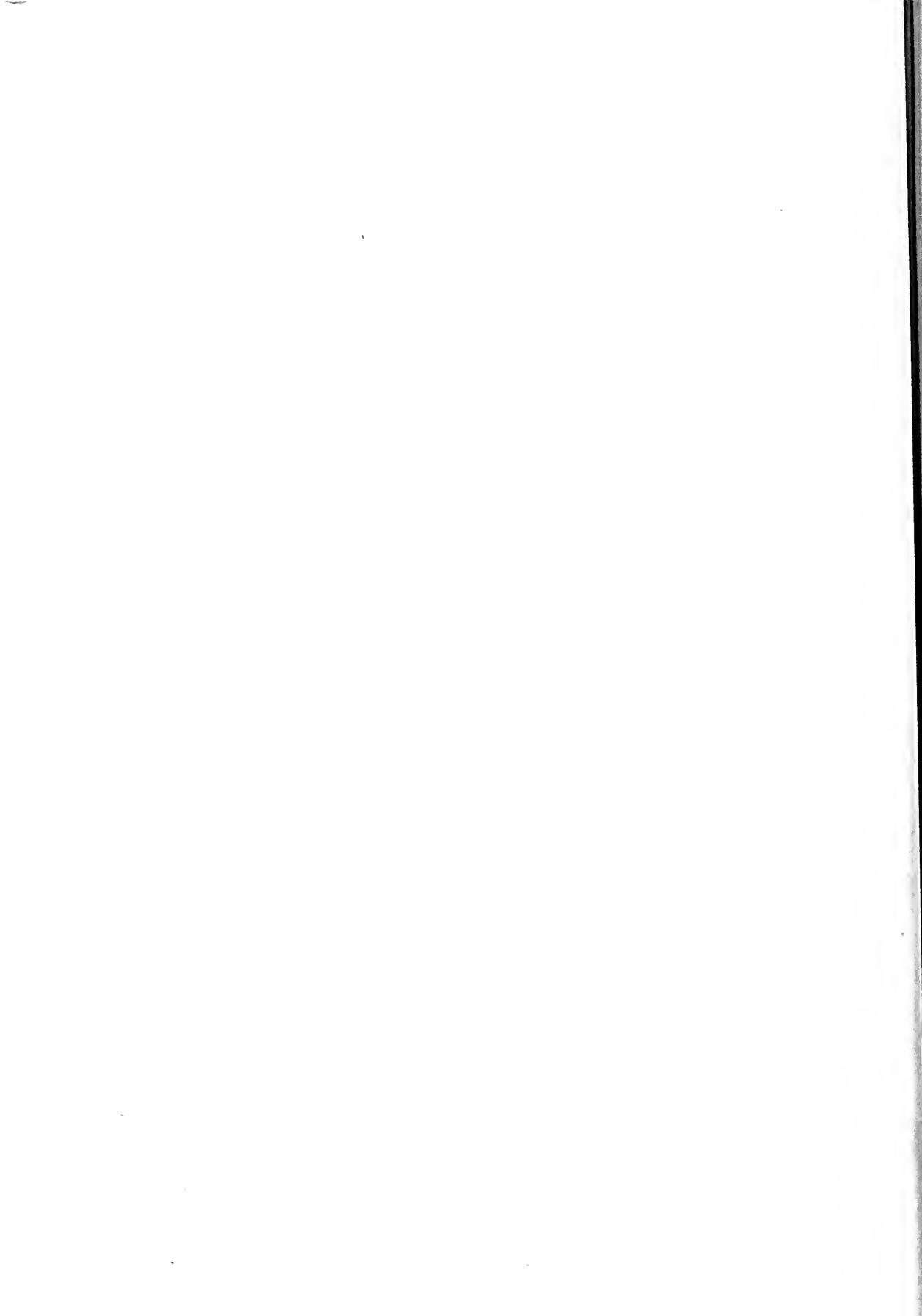
1. The head of the municipal council of the Borough of East York or its successor, or any other member of council nominated by such head in writing.
2. The principal of the educational institute now known as Leaside High School.

Commence-
ment

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

Short title

4. This Act may be cited as *The East York Foundation Act, 1973*.



An Act respecting
The East York Foundation

1st Reading

2nd Reading

3rd Reading

MR. TIMBRELL

(Private Bill)

BILL Pr3

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting The East York Foundation

MR. TIMBRELL



BILL Pr3

1973

An Act respecting The East York Foundation

WHEREAS The East York Foundation, herein called the Founda-^{Preamble}
tion, hereby represents that it is desirable and in the public
interest to amend *The East York Foundation Act, 1965* as hereinafter
set out; and whereas the Foundation hereby applies for special
legislation for such purpose; and whereas it is expedient to grant
the application;

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

- 1.—(1) Section 3 of *The East York Foundation Act, 1965*, being ^{s. 3,}
chapter 149, is amended by adding thereto the following ^{amended}
subsections:

(4a) Notwithstanding subsections 3 and 4, commencing on ^{Composition}
the 1st day of January, 1974, the Board shall be composed ^{from}
of ten members, all of whom shall be residents of the area ^{Jan. 1, 1974}
then known as the Borough of East York, appointed by the
nominating committee.

(4b) Of the three additional members of the Board appointed ^{Term of}
for terms commencing on the 1st day of January, 1974, one ^{office}
shall serve for one year, one shall serve for two years and one
shall serve for three years.

- (2) Subsection 5 of the said section 3 is amended by striking ^{s. 3 (5),}
out "subsection 4" in the second line and inserting in ^{amended}
lieu thereof "subsections 4 and 4b", so that the subsection
shall read as follows:

(5) Members of the Board shall serve without remuneration ^{Remunera-}
and, subject to subsections 4 and 4b, shall be appointed for ^{tion and term}
a term of three years. ^{of office}

2. Paragraphs 1 and 2 of subsection 1 of section 4 of the said Act ^{s. 4 (1),}
are repealed and the following substituted therefor: ^{pars. 1, 2,}
^{re-enacted}

1. The head of the municipal council of the Borough of East York or its successor, or any other member of council nominated by such head in writing.
2. The principal of the educational institute now known as Leaside High School.

Commence-
ment

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

Short title

4. This Act may be cited as *The East York Foundation Act, 1973*.



An Act respecting
The East York Foundation

1st Reading

March 28th, 1973

2nd Reading

April 12th, 1973

3rd Reading

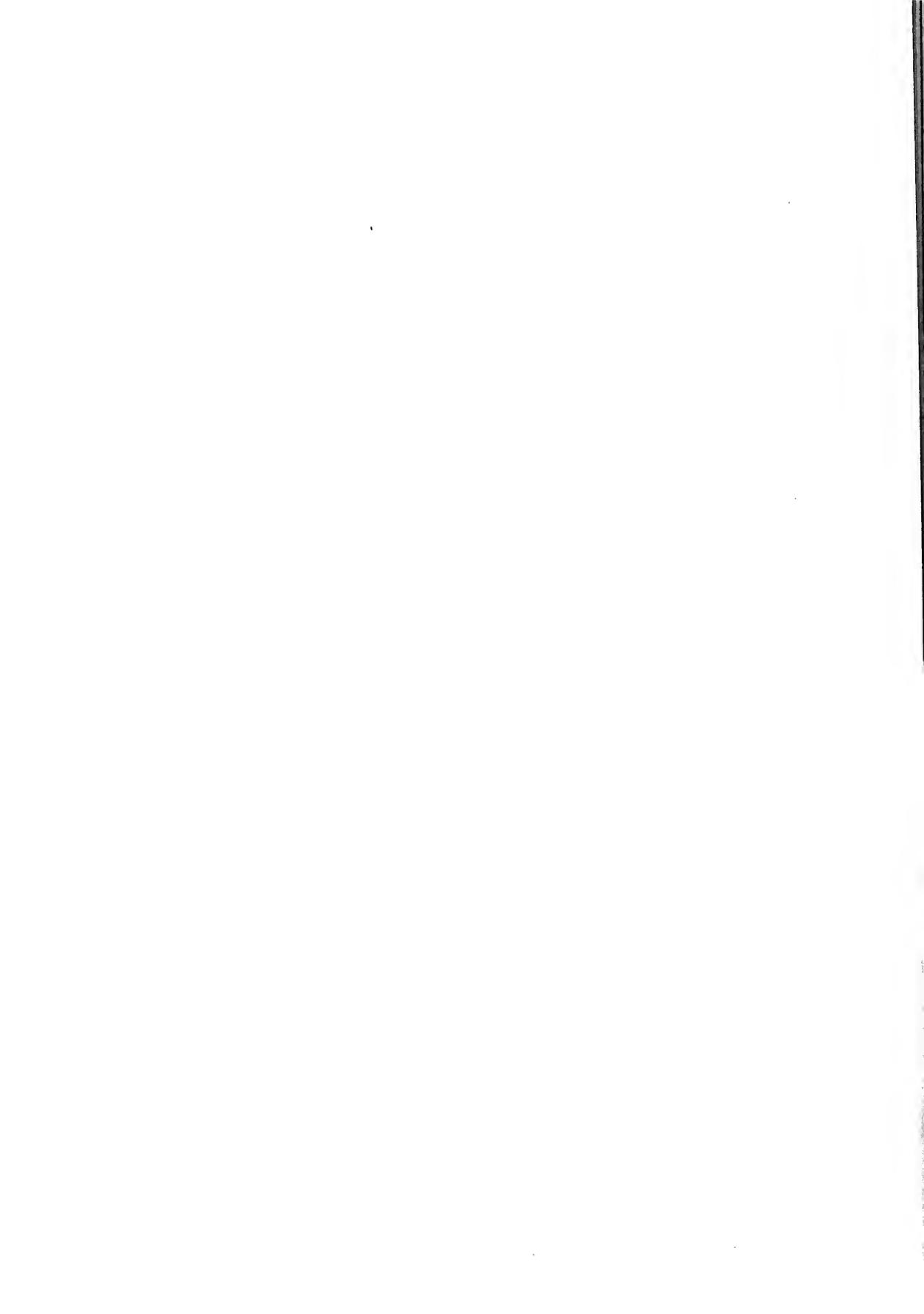
April 12th, 1973

MR. TIMBRELL

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Hamilton

MR. SMITH
(Hamilton Mountain)



BILL Pr4

1973

An Act respecting the City of Hamilton

WHEREAS The Corporation of the City of Hamilton, ^{Preamble}
herein called the Corporation, hereby applies for special
legislation in respect of the matters hereinafter set forth; and
whereas it is expedient to grant the application;

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

1.—(1) In this section, “limited maintenance” includes ^{Interpre-}
removal of debris, leaves, weeds, trees, snow and health ^{tation}
hazards, but does not include repair under section 427 of
The Municipal Act.

R.S.O. 1970,
c. 284

(2) Notwithstanding section 399 of *The Municipal Act* and ^{Limited}
the expenditure of public money by the Corporation, no ^{maintenance}
unassumed lane shall be deemed to be a common and public ^{of lanes}
highway by reason only of the performance of limited main-
tenance of the lane by the Corporation.

(3) No performance or omission of performance of limited ^{No liability}
maintenance shall directly or indirectly impose on the Cor- ^{on}
poration any duty or liability or financial obligation by reason ^{Corporation}
thereof.

2. The Corporation may provide at its own expense for ^{Snow}
the clearing away and removing of snow or ice from the side- ^{removal}
walks on highways in front of, alongside or at the rear of ^{from}
buildings owned or occupied by any class or classes of persons. ^{sidewalks}

3. Subsection 1 of section 3 of *The City of Hamilton Act*, ^{s. 3 (1),}
1960, being chapter 142, as re-enacted by the Statutes of ^{re-enacted}
Ontario, 1966, chapter 171, section 1, is repealed and the
following substituted therefor:

(1) The Commission shall be a body corporate and shall ^{Composition}
consist of seven members, one of whom shall be ^{of}
the Mayor of the City of Hamilton, or his appointee ^{Commission}

who shall be a member of the Council, and six of whom shall be residents of the City of Hamilton or of municipalities adjacent thereto and who shall be appointed by the Council on the nomination of the board of control, and the six members so appointed shall hold office for three years concurrently and until their successors are appointed.

Commence-
ment

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 Hamilton Act, 1973*.



An Act respecting
the City of Hamilton

1st Reading

2nd Reading

3rd Reading

MR. SMITH
(Hamilton Mountain)

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Hamilton

MR. SMITH
(Hamilton Mountain)

(Reprinted as amended by the Private Bills Committee)

who shall be a member of the Council, and six of whom shall be residents of the City of Hamilton or of municipalities adjacent thereto and who shall be appointed by the Council on the nomination of the board of control, and the six members so appointed shall hold office for three years concurrently and until their successors are appointed.

Commence-
ment

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 Hamilton Act, 1973*.

An Act respecting
the City of Hamilton

1st Reading

April 5th, 1973

2nd Reading

3rd Reading

MR. SMITH
(Hamilton Mountain)

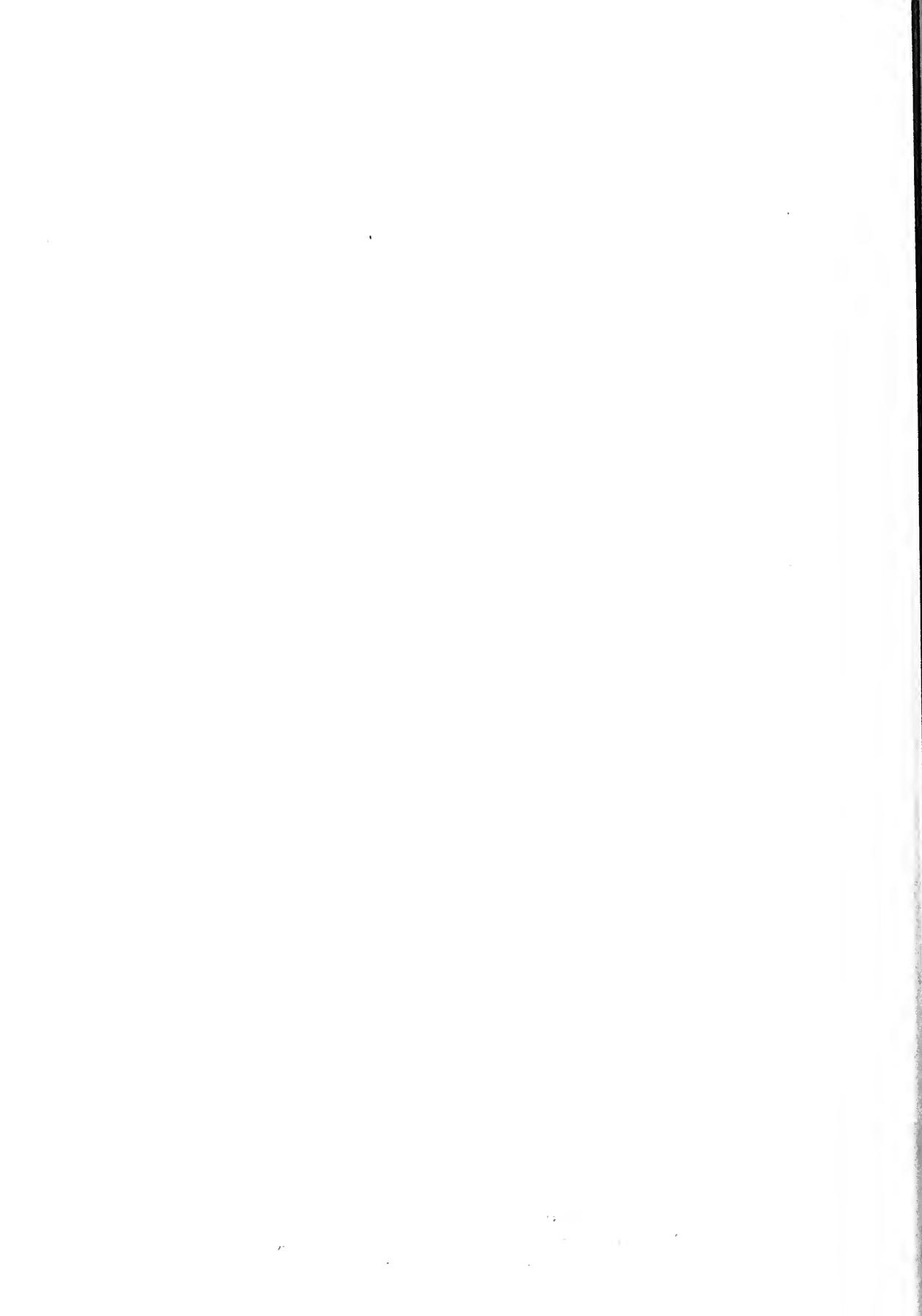
*(Reprinted as amended by
the Private Bills Committee)*

BILL Pr4

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Hamilton

MR. SMITH
(Hamilton Mountain)



BILL Pr4

1973

An Act respecting the City of Hamilton

WHEREAS The Corporation of the City of Hamilton, ^{Preamble}
herein called the Corporation, hereby applies for special
legislation in respect of the matters hereinafter set forth; and
whereas it is expedient to grant the application;

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

1.—(1) In this section, “limited maintenance” includes <sup>Interpre-
tation</sup>
removal of debris, leaves, weeds, trees, snow and health
hazards, but does not include repair under section 427 of
The Municipal Act.

R.S.O. 1970,
c. 284

(2) Notwithstanding section 399 of *The Municipal Act* and <sup>Limited
maintenance
of lanes</sup>
the expenditure of public money by the Corporation, no
unassumed lane shall be deemed to be a common and public
highway by reason only of the performance of limited main-
tenance of the lane by the Corporation.

(3) No performance or omission of performance of limited <sup>No liability
on
Corporation</sup>
maintenance shall directly or indirectly impose on the Cor-
poration any duty or liability or financial obligation by reason
thereof.

2. The Corporation may provide at its own expense for <sup>Snow
removal
from
sidewalks</sup>
the clearing away and removing of snow or ice from the side-
walks on highways in front of, alongside or at the rear of
buildings occupied by any class or classes of persons.

3. Subsection 1 of section 3 of *The City of Hamilton Act*, <sup>s. 3 (1),
re-enacted</sup>
1960, being chapter 142, as re-enacted by the Statutes of
Ontario, 1966, chapter 171, section 1, is repealed and the
following substituted therefor:

(1) The Commission shall be a body corporate and shall <sup>Composition
of
Commission</sup>
consist of seven members, one of whom shall be
the Mayor of the City of Hamilton, or his appointee

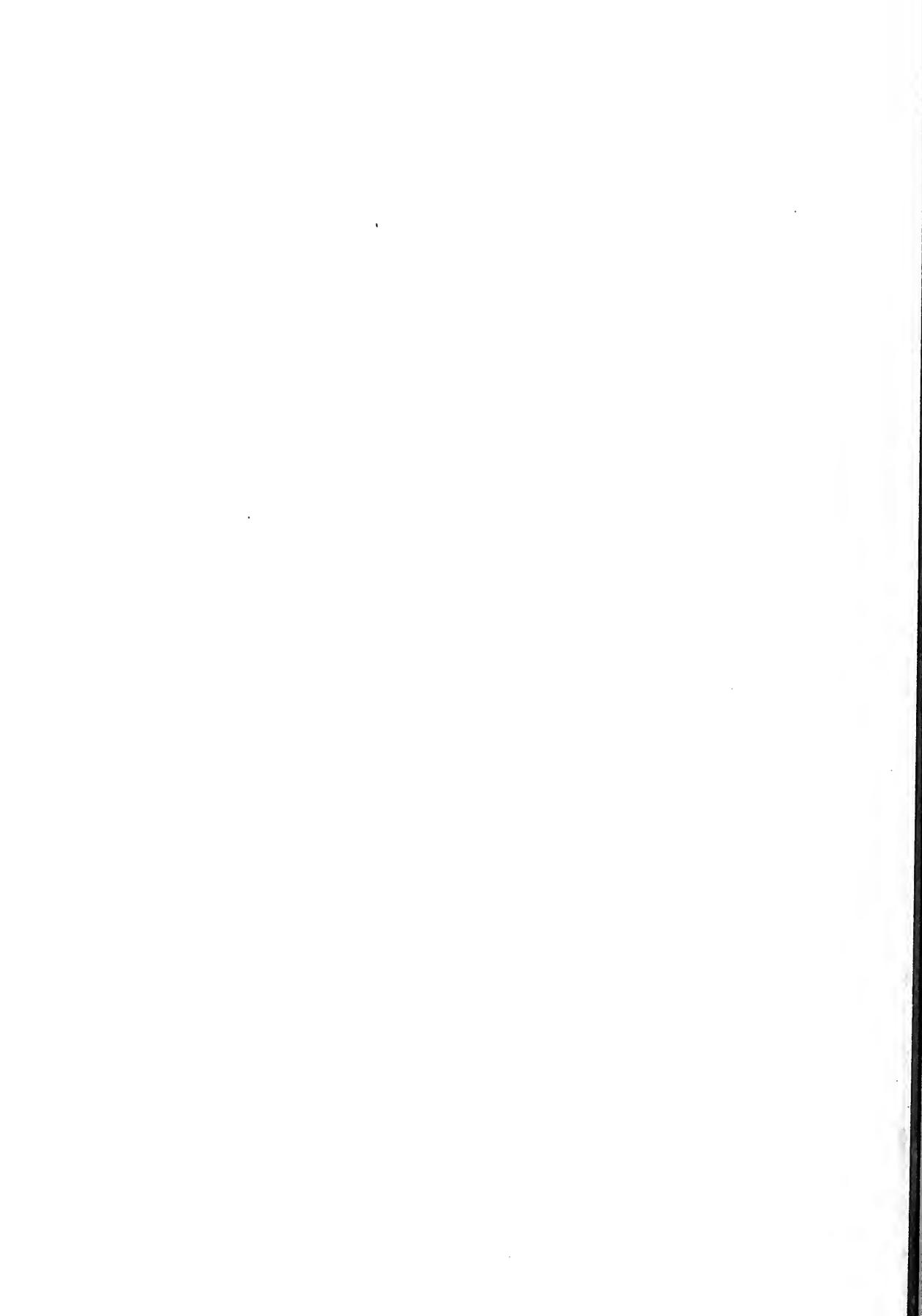
who shall be a member of the Council, and six of whom shall be residents of the City of Hamilton or of municipalities adjacent thereto and who shall be appointed by the Council on the nomination of the board of control, and the six members so appointed shall hold office for three years concurrently and until their successors are appointed.

Commence-
ment

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 Hamilton Act, 1973*.



An Act respecting
the City of Hamilton

1st Reading

April 5th, 1973

2nd Reading

May 17th, 1973

3rd Reading

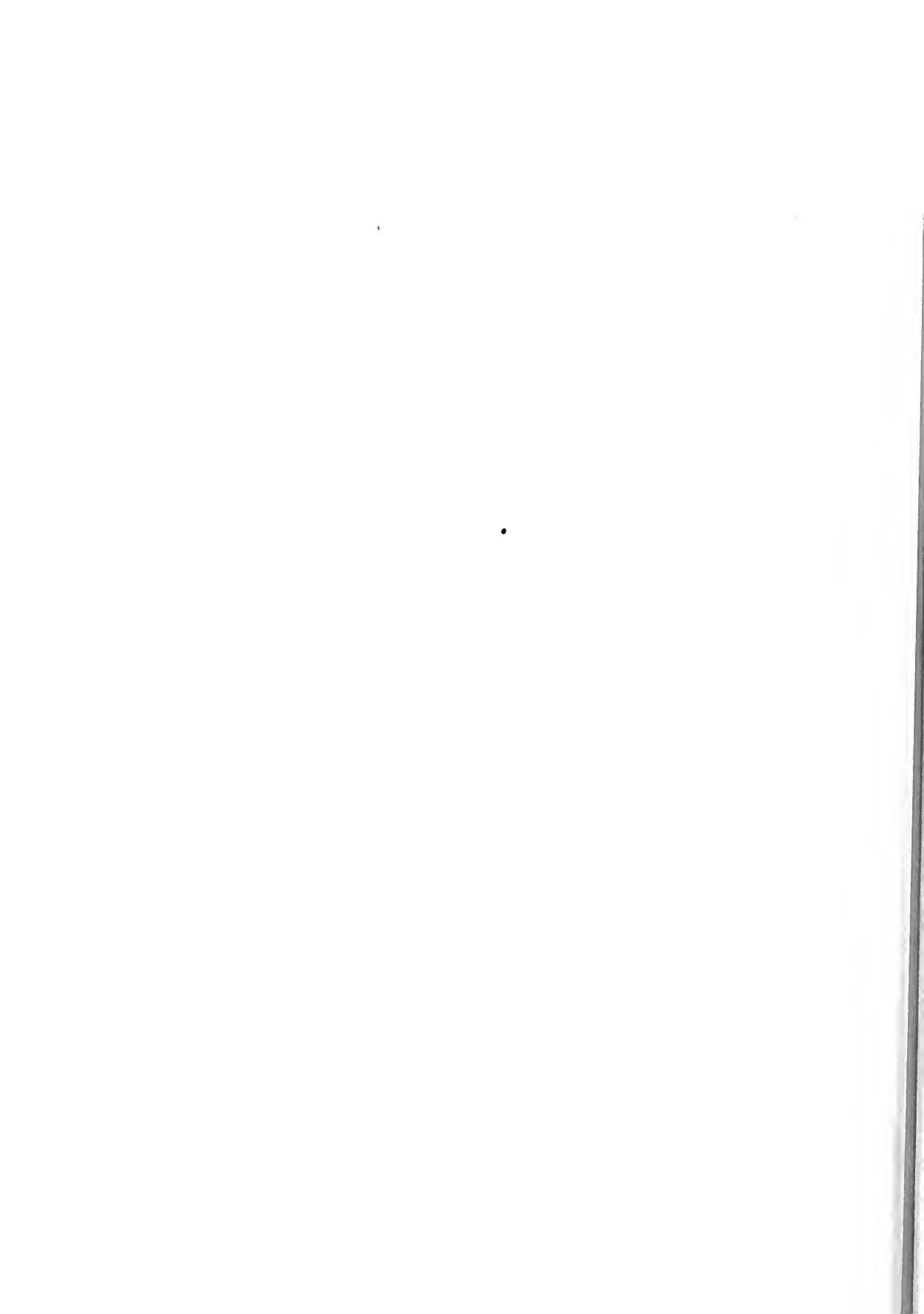
May 17th, 1973

MR. SMITH
(Hamilton Mountain)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of St. Thomas

MR. McNEIL



BILL Pr5

1973

An Act respecting the City of St. Thomas

WHEREAS The Corporation of the City of St. Thomas ^{Preamble} hereby applies for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the application;

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

1.—(1) The lands described in the Schedule hereto, ^{Lands vested in City} heretofore granted to The Corporation of the Town of St. Thomas, its successors and assigns, by the late Edward Horton, Barrister-at-Law, by Deed dated the 20th day of February, 1878, and registered in the Registry Office for the Registry Division of the County of Elgin on the 9th day of January, 1879, as Number 6627 for St. Thomas, so long as they should use same for a Market with reversion of same to his heirs or assigns whenever the said Corporation, its successors or assigns should cease to use same for a market ground, are hereby vested in The Corporation of the City of St. Thomas in fee simple clear of and free from all right, title and interest other than that of the said Corporation.

(2) The trusts and restrictions created by the said instrument ^{Trusts, etc., annulled} Number 6627 are hereby annulled.

2. This Act comes into force on the day it receives Royal ^{Commence-ment} Assent.

3. This Act may be cited as *The City of St. Thomas Act*, ^{Short title} 1973.

SCHEDULE

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the City of St. Thomas, in the County of Elgin and Province of Ontario, being part of the block marked "Horton Market" as shown on Registered Plan Number 115, containing by admeasurement two acres and three-quarters of an acre be the same more or less, being composed of part of Lot Number 49 on the north side of Talbot Street,

otherwise known as Lot Number 4 in the Ninth Concession of the Township of Yarmouth surveyed and laid out into Town Lots by Daniel Hanvey, P.L.S., for Messrs. Horton, Yarwood, Hughes and Kains and the lots or parcels of land hereby conveyed or intended so to be are designated on a plan of the Village of Millersburg made by John D. Baikie, P.L.S., for the Corporation of the Township of Yarmouth registered in the Registry Office of the County of Elgin as parts of Blocks "F" and "G" and part of Town Lot Number 10 on the south side of Celestine Street on the said Plan and the parcel of land hereby conveyed or intended so to be is bounded as follows, viz:

COMMENCING at a point in the northerly limit of Talbot Street which is westerly one hundred feet (100') from the southeast angle of said Lot Number 4; thence northerly parallel with the side line between Lots Numbers 4 and 5, seven hundred and ninety feet and six inches (790'6"), more or less, to the southerly limit of Kains Street; thence westerly along the southerly limit of Kains Street, sixty-four feet (64'); thence southerly parallel with the eastern limit of said Lot, one hundred and twenty feet (120'); thence westerly parallel with Kains Street, eighty feet (80'); thence southerly parallel with the said east limit of said Lot, one hundred and forty-one feet and eight inches (141'8"), more or less, to the northerly limit of Celestine Street produced; thence westerly along the northerly limit of Celestine Street produced, twenty feet (20'), more or less, to the southeast angle of Lot Number 17 on said Plan; thence southerly across the easterly end of Celestine Street sixty-six feet (66'); thence westerly along the southerly limit of Celestine Street, thirty-two feet and six inches (32'6"); thence southerly parallel with the east limit of said Lot lengthwise of Town Lot Number 10 and Block letter "F" on said Plan, three hundred and eleven feet and six inches (311'6"), more or less, to a point one hundred and twenty feet (120') north of the north limit of Talbot Street; thence easterly parallel with the north limit of Talbot Street, one hundred and thirty-two feet and six inches (132'6"), more or less, to a point one hundred and sixty-four feet (164') west from the east limit of said Lot; thence southerly parallel with the eastern limit of said Lot, one hundred and twenty feet (120') to the north limit of Talbot Street; thence easterly along the north limit of Talbot Street, sixty-four feet (64') to the place of beginning.

An Act respecting
the City of St. Thomas

1st Reading

2nd Reading

3rd Reading

MR. MCNEIL

(Private Bill)

BILL Pr5

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of St. Thomas

MR. McNEIL



BILL Pr5

1973

An Act respecting the City of St. Thomas

WHEREAS The Corporation of the City of St. Thomas ^{Preamble} hereby applies for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the application;

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

1.—(1) The lands described in the Schedule hereto, ^{Lands vested in City} heretofore granted to The Corporation of the Town of St. Thomas, its successors and assigns, by the late Edward Horton, Barrister-at-Law, by Deed dated the 20th day of February, 1878, and registered in the Registry Office for the Registry Division of the County of Elgin on the 9th day of January, 1879, as Number 6627 for St. Thomas, so long as they should use same for a Market with reversion of same to his heirs or assigns whenever the said Corporation, its successors or assigns should cease to use same for a market ground, are hereby vested in The Corporation of the City of St. Thomas in fee simple clear of and free from all right, title and interest other than that of the said Corporation.

(2) The trusts and restrictions created by the said instrument ^{Trusts, etc., annulled} Number 6627 are hereby annulled.

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

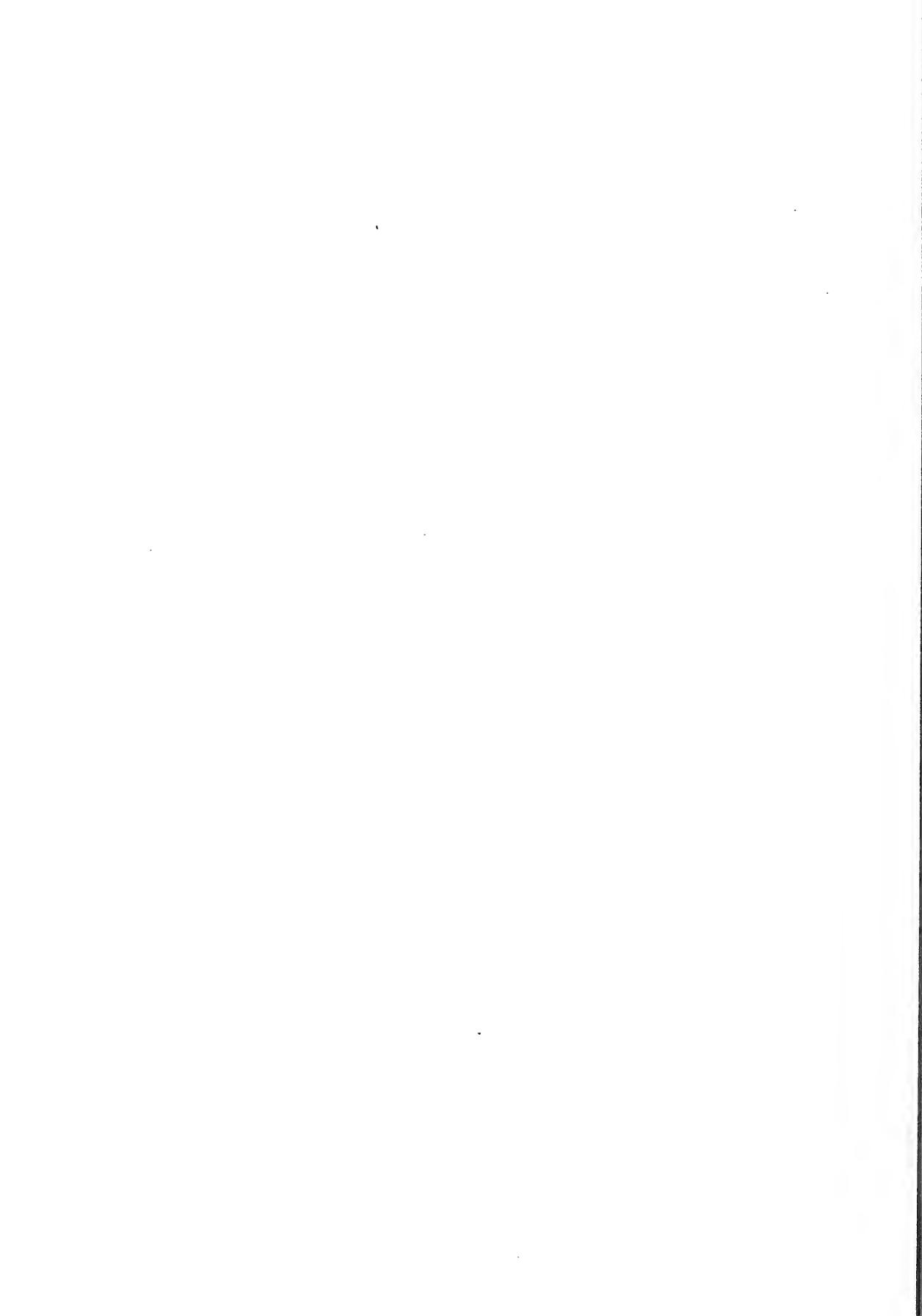
3. This Act may be cited as *The City of St. Thomas Act*, ^{Short title} 1973.

SCHEDULE

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the City of St. Thomas, in the County of Elgin and Province of Ontario, being part of the block marked "Horton Market" as shown on Registered Plan Number 115, containing by admeasurement two acres and three-quarters of an acre be the same more or less, being composed of part of Lot Number 49 on the north side of Talbot Street,

otherwise known as Lot Number 4 in the Ninth Concession of the Township of Yarmouth surveyed and laid out into Town Lots by Daniel Hanvey, P.L.S., for Messrs. Horton, Yarwood, Hughes and Kains and the lots or parcels of land hereby conveyed or intended so to be are designated on a plan of the Village of Millersburg made by John D. Baikie, P.L.S., for the Corporation of the Township of Yarmouth registered in the Registry Office of the County of Elgin as parts of Blocks "F" and "G" and part of Town Lot Number 10 on the south side of Celestine Street on the said Plan and the parcel of land hereby conveyed or intended so to be is bounded as follows, viz:

COMMENCING at a point in the northerly limit of Talbot Street which is westerly one hundred feet (100') from the southeast angle of said Lot Number 4; thence northerly parallel with the side line between Lots Numbers 4 and 5, seven hundred and ninety feet and six inches (790'6"), more or less, to the southerly limit of Kains Street; thence westerly along the southerly limit of Kains Street, sixty-four feet (64'); thence southerly parallel with the eastern limit of said Lot, one hundred and twenty feet (120'); thence westerly parallel with Kains Street, eighty feet (80'); thence southerly parallel with the said east limit of said Lot, one hundred and forty-one feet and eight inches (141'8"), more or less, to the northerly limit of Celestine Street produced; thence westerly along the northerly limit of Celestine Street produced, twenty feet (20'), more or less, to the southeast angle of Lot Number 17 on said Plan; thence southerly across the easterly end of Celestine Street sixty-six feet (66'); thence westerly along the southerly limit of Celestine Street, thirty-two feet and six inches (32'6"); thence southerly parallel with the east limit of said Lot lengthwise of Town Lot Number 10 and Block letter "F" on said Plan, three hundred and eleven feet and six inches (311'6"), more or less, to a point one hundred and twenty feet (120') north of the north limit of Talbot Street; thence easterly parallel with the north limit of Talbot Street, one hundred and thirty-two feet and six inches (132'6"), more or less, to a point one hundred and sixty-four feet (164') west from the east limit of said Lot; thence southerly parallel with the eastern limit of said Lot, one hundred and twenty feet (120') to the north limit of Talbot Street; thence easterly along the north limit of Talbot Street, sixty-four feet (64') to the place of beginning.



An Act respecting
the City of St. Thomas

1st Reading

March 28th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. McNEIL

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
Simcoe & Erie General Insurance Company**

MR. EWEN

...

BILL Pr6

1973

An Act respecting Simcoe & Erie General Insurance Company

WHEREAS Simcoe & Erie General Insurance Company, ^{Preamble} hereinafter called the Company, hereby represents that it was incorporated under the laws of the Province of Ontario by letters patent bearing date February 26, 1959; and whereas by supplementary letters patent bearing date December 31, 1971 the capital structure of the Company was amended; and whereas the Company desires to be continued under the jurisdiction of the Parliament of Canada; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

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

1. Subject to authorization by special resolution under ^{Application to Minister of Consumer and Corporate Affairs authorized} *The Corporations Act*, the Company may apply to the Minister of Consumer and Corporate Affairs of Canada for letters patent continuing the Company as if it had been incorporated under an Act of the Parliament of Canada and providing, *inter alia*, that all rights and interests of the shareholders, policyholders and creditors of the Company in, to or against the property, rights and assets of the Company and all liens upon the property, rights and assets of the Company are unimpaired by such continuation.

2. Upon the issue of the letters patent referred to in ^{Application of R.S.O. 1970, c. 89} section 1, the Company shall file with the Minister of Consumer and Commercial Relations a notice of the issue of such letters patent together with a copy of such letters patent certified by the Department of Consumer and Corporate Affairs and on and after the date of the filing of such notice, *The Corporations Act* shall cease to apply to the Company.

3. The Minister of Consumer and Commercial Relations ^{Certificate} may, on receipt by him of the notice and certified copy of the letters patent referred to in section 2, issue a certificate to the Company confirming the date of such filing.

Commence-
ment **4.** This Act comes into force on the day it receives Royal Assent.

Short title **5.** This Act may be cited as *The Simcoe & Erie General Insurance Company Act, 1973*.



An Act respecting
Simcoe & Erie General Insurance Company

1st Reading

2nd Reading

3rd Reading

MR. EWEN

(Private Bill)

BILL Pr6

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
Simcoe & Erie General Insurance Company**

MR. EWEN

...

BILL Pr6

1973

**An Act respecting
Simcoe & Erie General Insurance Company**

WHEREAS Simcoe & Erie General Insurance Company, ^{Preamble} hereinafter called the Company, hereby represents that it was incorporated under the laws of the Province of Ontario by letters patent bearing date February 26, 1959; and whereas by supplementary letters patent bearing date December 31, 1971 the capital structure of the Company was amended; and whereas the Company desires to be continued under the jurisdiction of the Parliament of Canada; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

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

1. Subject to authorization by special resolution under *The Corporations Act*, the Company may apply to the Minister of Consumer and Corporate Affairs of Canada for letters patent continuing the Company as if it had been incorporated under an Act of the Parliament of Canada and providing, *inter alia*, that all rights and interests of the shareholders, policyholders and creditors of the Company in, to or against the property, rights and assets of the Company and all liens upon the property, rights and assets of the Company are unimpaired by such continuation. ^{Application to Minister of Consumer and Corporate Affairs authorized}

2. Upon the issue of the letters patent referred to in section 1, the Company shall file with the Minister of Consumer and Commercial Relations a notice of the issue of such letters patent together with a copy of such letters patent certified by the Department of Consumer and Corporate Affairs and on and after the date of the filing of such notice, *The Corporations Act* shall cease to apply to the Company. ^{Application of R.S.O. 1970, c. 89}

3. The Minister of Consumer and Commercial Relations ^{Certificate} may, on receipt by him of the notice and certified copy of the letters patent referred to in section 2, issue a certificate to the Company confirming the date of such filing.

Commence-
ment

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

Short title

5. This Act may be cited as *The Simcoe & Erie General Insurance Company Act, 1973*.

An Act respecting
Simcoe & Erie General Insurance Company

1st Reading

March 28th, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

MR. EWEN

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting Reliable Life Insurance Company

MR. EWEN

BILL Pr7

1973

An Act respecting Reliable Life Insurance Company

WHEREAS Reliable Life Insurance Company, herein- Preamble
after called the Company, hereby represents that it was
incorporated under the laws of the Province of Ontario by
letters patent bearing date December 11, 1963; and whereas
the Company desires to be continued under the jurisdiction
of the Parliament of Canada; and whereas the applicant
hereby applies for special legislation for such purposes; and
whereas it is expedient to grant the application;

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

1. Subject to authorization by special resolution under *The* Application to
Corporations Act, the Company may apply to the Minister Minister
of Consumer and Corporate Affairs of Canada for letters of Consumer
patent continuing the Company as if it had been incorporated and Corporate
under an Act of the Parliament of Canada and providing, Affairs
inter alia, that all rights and interests of the shareholders, authorized
policyholders and creditors of the Company in, to or against
the property, rights and assets of the Company and all liens
upon the property, rights and assets of the Company are
unimpaired by such continuation.

2. Upon the issue of the letters patent referred to in Application of
section 1, the Company shall file with the Minister of Consumer R.S.O. 1970,
and Commercial Relations a notice of the issue of such letters c. 89
patent together with a copy of such letters patent certified
by the Department of Consumer and Corporate Affairs and
on and after the date of the filing of such notice, *The Corporations*
Act shall cease to apply to the Company.

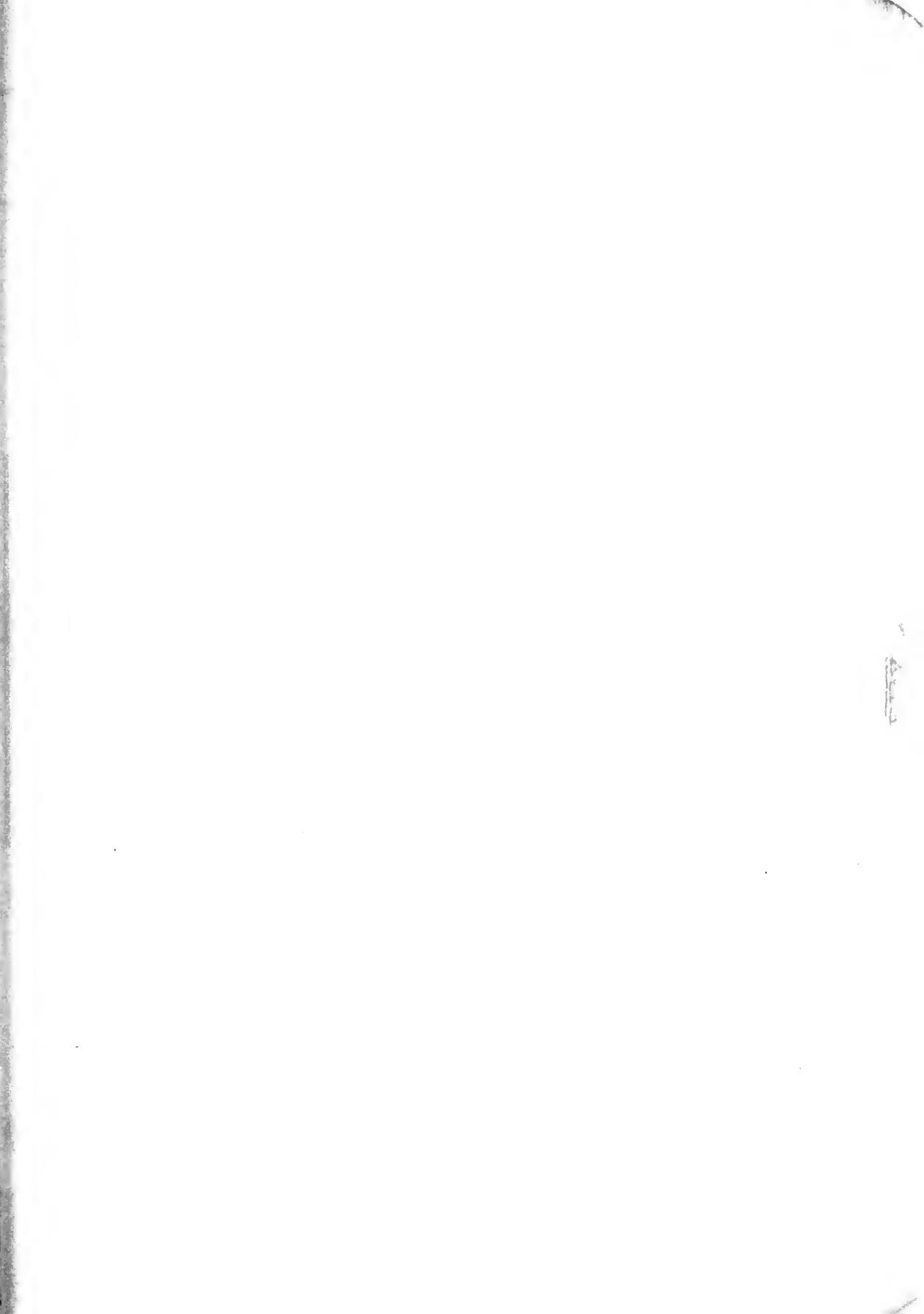
3. The Minister of Consumer and Commercial Relations may, Certificate
on receipt by him of the notice and certified copy of the letters
patent referred to in section 2, issue a certificate to the
Company confirming the date of such filing.

Commence-
ment

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

Short title

5. This Act may be cited as *The Reliable Life Insurance Company Act, 1973*.



An Act respecting
Reliable Life Insurance Company

1st Reading

2nd Reading

3rd Reading

MR. EWEN

(Private Bill)

BILL Pr7

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting Reliable Life Insurance Company

MR. EWEN

1913

BILL Pr7

1973

An Act respecting Reliable Life Insurance Company

WHEREAS Reliable Life Insurance Company, herein-^{Preamble}
after called the Company, hereby represents that it was
incorporated under the laws of the Province of Ontario by
letters patent bearing date December 11, 1963; and whereas
the Company desires to be continued under the jurisdiction
of the Parliament of Canada; and whereas the applicant
hereby applies for special legislation for such purposes; and
whereas it is expedient to grant the application;

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

1. Subject to authorization by special resolution under *The*<sup>Application to Minister
of Consumer and Corporate
Affairs authorized</sup>
Corporations Act, the Company may apply to the Minister
of Consumer and Corporate Affairs of Canada for letters
patent continuing the Company as if it had been incorporated
under an Act of the Parliament of Canada and providing,
inter alia, that all rights and interests of the shareholders,
policyholders and creditors of the Company in, to or against
the property, rights and assets of the Company and all liens
upon the property, rights and assets of the Company are
unimpaired by such continuation.

2. Upon the issue of the letters patent referred to in<sup>Application of
R.S.O. 1970,
c. 89</sup>
section 1, the Company shall file with the Minister of Consumer
and Commercial Relations a notice of the issue of such letters
patent together with a copy of such letters patent certified
by the Department of Consumer and Corporate Affairs and
on and after the date of the filing of such notice, *The Corporations
Act* shall cease to apply to the Company.

3. The Minister of Consumer and Commercial Relations may,^{Certificate}
on receipt by him of the notice and certified copy of the letters
patent referred to in section 2, issue a certificate to the
Company confirming the date of such filing.

Commence-
ment

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

Short title

5. This Act may be cited as *The Reliable Life Insurance Company Act, 1973*.

An Act respecting
Reliable Life Insurance Company

1st Reading

March 28th, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

MR. EWEN

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
Constitution Insurance Company of Canada**

MR. REILLY

BILL Pr8

1973

An Act respecting Constitution Insurance Company of Canada

WHEREAS Constitution Insurance Company of Canada, ^{Preamble} hereinafter called the Company, hereby represents that it was incorporated under the laws of the Province of Ontario by letters patent bearing date of June 27, 1962; and whereas the Company desires to be continued under the jurisdiction of the Parliament of Canada; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

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

1. Subject to authorization by special resolution under *The Corporations Act*, the Company may apply to the Minister of Consumer and Corporate Affairs of Canada for letters patent continuing the Company as if it had been incorporated under an Act of the Parliament of Canada and providing, *inter alia*, that all rights and interests of the shareholders, policyholders and creditors of the Company in, to or against the property, rights and assets of the Company and all liens upon the property, rights and assets of the Company are unimpaired by such continuation. ^{Application to Minister of Consumer and Corporate Affairs authorized}

2. Upon the issue of the letters patent referred to in section 1, the Company shall file with the Minister of Consumer and Commercial Relations a notice of the issue of such letters patent together with a copy of such letters patent certified by the Department of Consumer and Corporate Affairs and on and after the date of the filing of such notice, *The Corporations Act* and any successor thereto ceases to apply to the Company. ^{Application of R.S.O. 1970, c. 89}

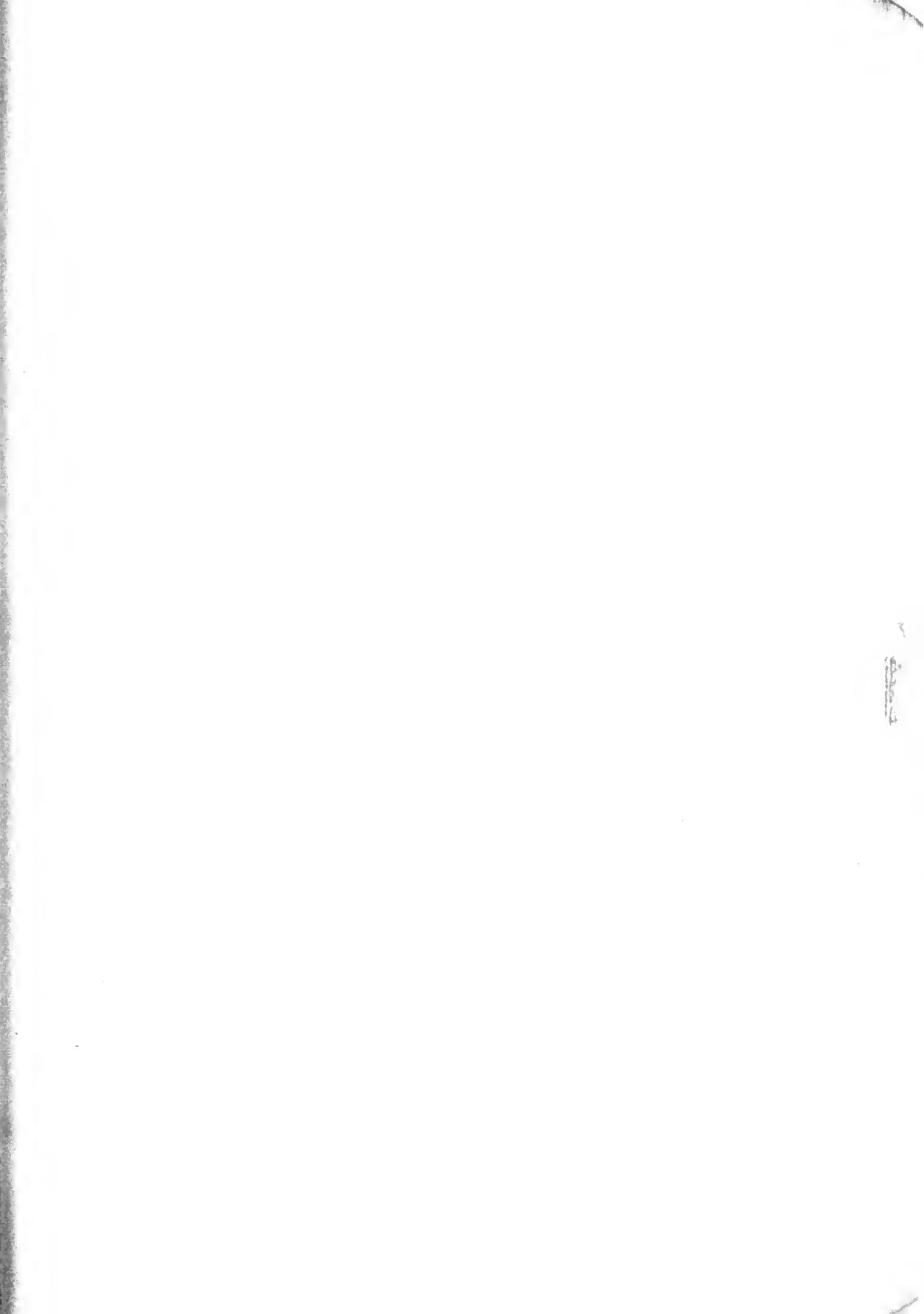
3. The Minister of Consumer and Commercial Relations ^{Certificate} may, on receipt by him of the certified copy of the letters patent referred to in section 1, issue a certificate to the Company confirming the date of such filing.

Commence-
ment

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

Short title

5. This Act may be cited as *The Constitution Insurance Company of Canada Act, 1973*.



An Act respecting
Constitution Insurance Company of Canada

1st Reading

2nd Reading

3rd Reading

MR. REILLY

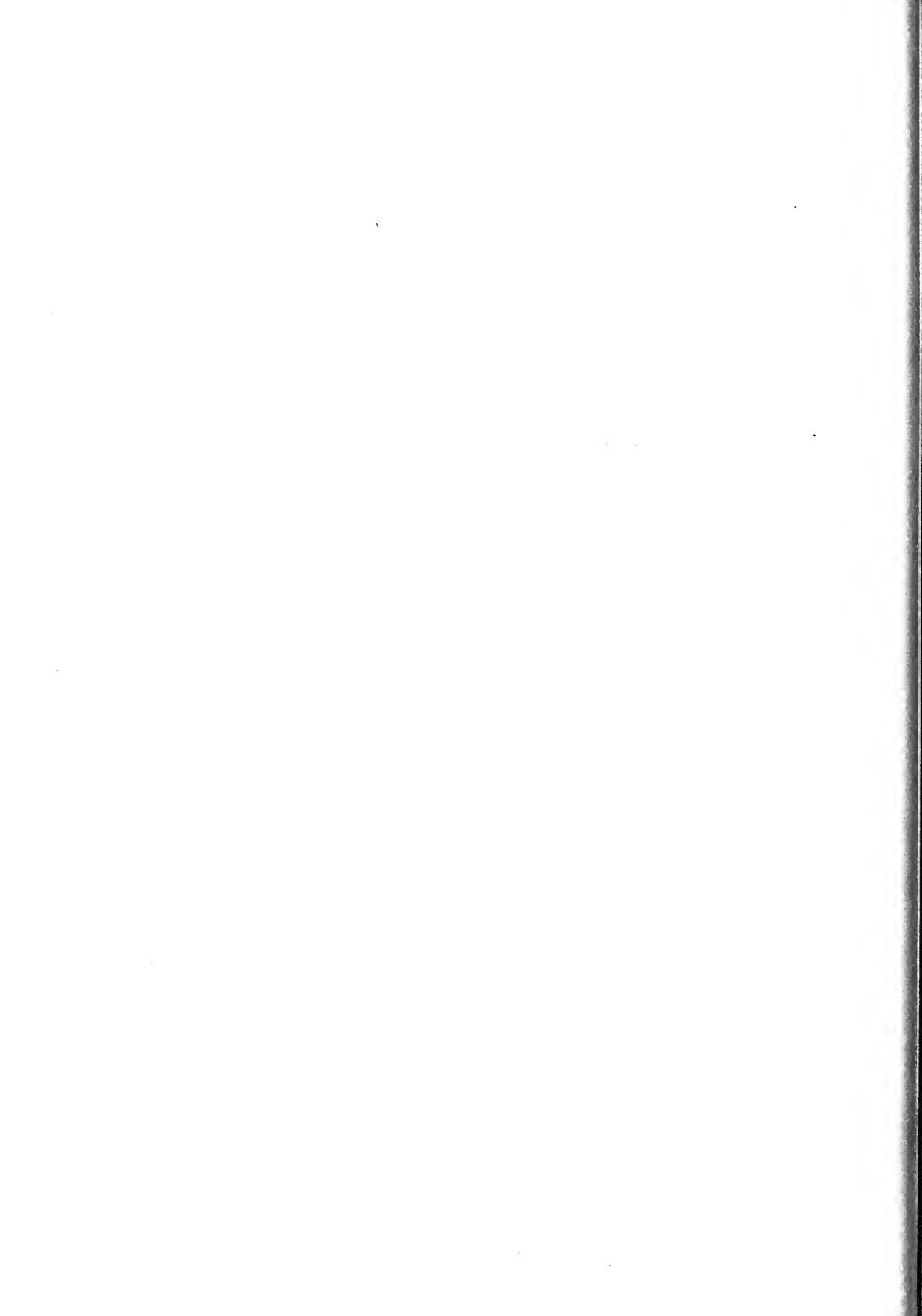
(Private Bill)

BILL Pr8

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
Constitution Insurance Company of Canada**

MR. REILLY



BILL Pr8

1973

An Act respecting Constitution Insurance Company of Canada

WHEREAS Constitution Insurance Company of Canada, ^{Preamble} hereinafter called the Company, hereby represents that it was incorporated under the laws of the Province of Ontario by letters patent bearing date of June 27, 1962; and whereas the Company desires to be continued under the jurisdiction of the Parliament of Canada; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

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

1. Subject to authorization by special resolution under *The Corporations Act*, the Company may apply to the Minister of Consumer and Corporate Affairs of Canada for letters patent continuing the Company as if it had been incorporated under an Act of the Parliament of Canada and providing, *inter alia*, that all rights and interests of the shareholders, policyholders and creditors of the Company in, to or against the property, rights and assets of the Company and all liens upon the property, rights and assets of the Company are unimpaired by such continuation. ^{Application to Minister of Consumer and Corporate Affairs authorized}

2. Upon the issue of the letters patent referred to in section 1, the Company shall file with the Minister of Consumer and Commercial Relations a notice of the issue of such letters patent together with a copy of such letters patent certified by the Department of Consumer and Corporate Affairs and on and after the date of the filing of such notice, *The Corporations Act* and any successor thereto ceases to apply to the Company. ^{Application of R.S.O. 1970, c. 89}

3. The Minister of Consumer and Commercial Relations ^{Certificate} may, on receipt by him of the certified copy of the letters patent referred to in section 1, issue a certificate to the Company confirming the date of such filing.

Commence-
ment

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

Short title

5. This Act may be cited as *The Constitution Insurance Company of Canada Act, 1973*.





An Act respecting
Constitution Insurance Company of Canada

1st Reading

March 28th, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

MR. REILLY

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Town of Orangeville

MR. DOWNER



BILL Pr9

1973

**An Act respecting
the Town of Orangeville**

WHEREAS The Corporation of the Town of Orangeville ^{Preamble} hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1.—(1) The following boards and commissions of The ^{Boards, etc., dissolved} Corporation of the Town of Orangeville are hereby dissolved:

1. The Orangeville Municipal Recreation Committee.
2. The Board of Park Management.
3. The Community Centres Management Board.

(2) On the dissolution mentioned in subsection 1, all of the ^{Assets vested in Town} assets and liabilities of such boards and commissions shall become the assets and liabilities of The Corporation of the Town of Orangeville, without compensation.

(3) On the dissolution mentioned in subsection 1, the ^{Employees of boards, etc., become employees of Town} employees thereof shall become employees of The Corporation of the Town of Orangeville, and all terms and conditions affecting seniority, remuneration and other benefits in force with respect to such employees shall be assumed by The Corporation of the Town of Orangeville.

2. The council of The Corporation of the Town of Orangeville shall be deemed to be a recreation committee under *The Ministry of Community and Social Services Act* and regulations thereunder and a board of a community centre under *The Community Centres Act*. ^{Council deemed committee, etc. R.S.O. 1970, cc. 120, 73}

Authority to
pass by-law

R.S.O. 1970,
c. 384

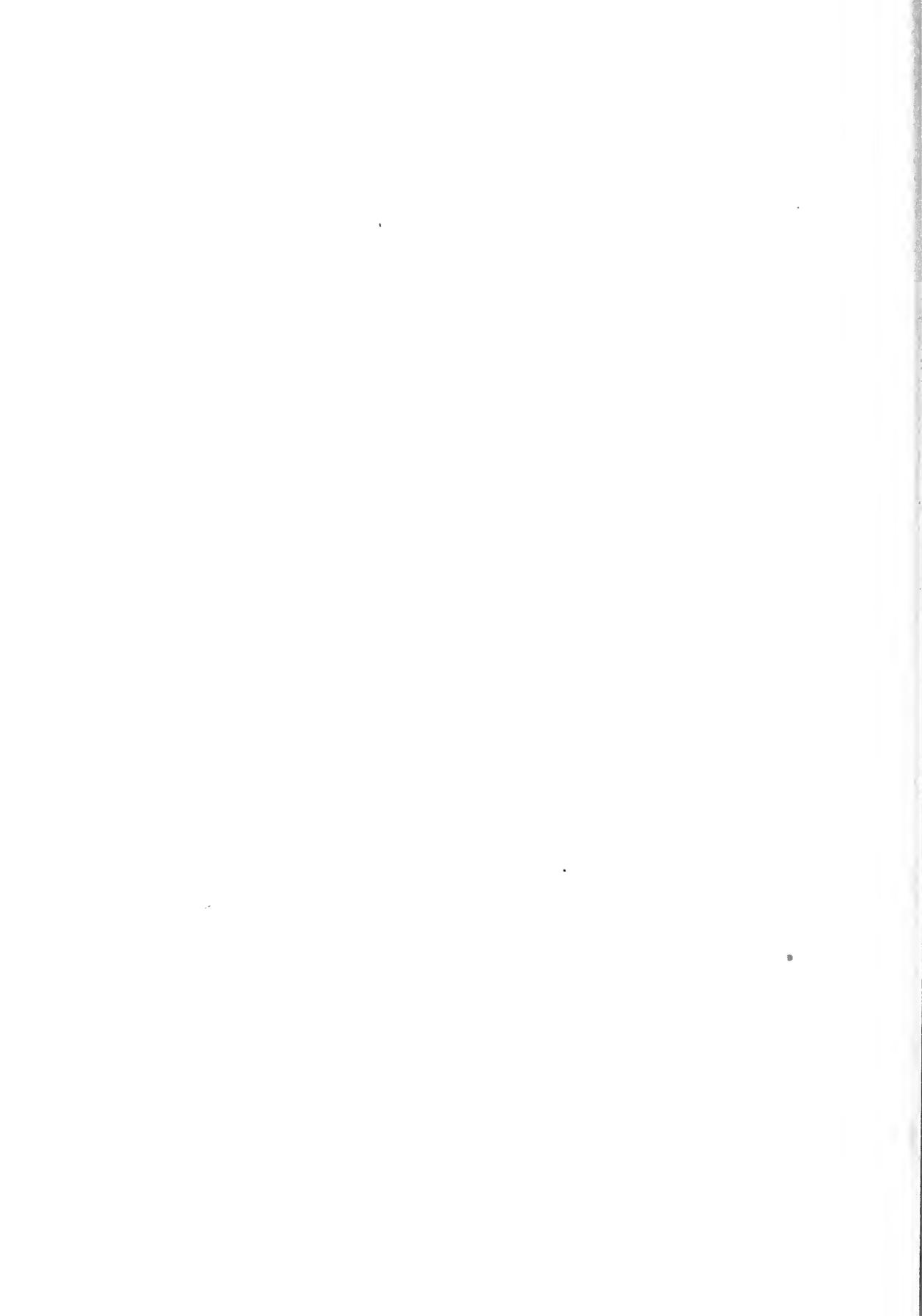
Commence-
ment

Short title

3. The council of The Corporation of the Town of Orangeville may pass a by-law to provide for the repeal of By-law 2207, which by-law provided for the adoption of *The Public Parks Act*, without the assent of the electors of the Corporation.

4. This Act shall be deemed to have come into force on the 1st day of January, 1973.

5. This Act may be cited as *The Town of Orangeville Act, 1973*.



An Act respecting
the Town of Orangeville

1st Reading

2nd Reading

3rd Reading

MR. DOWNER

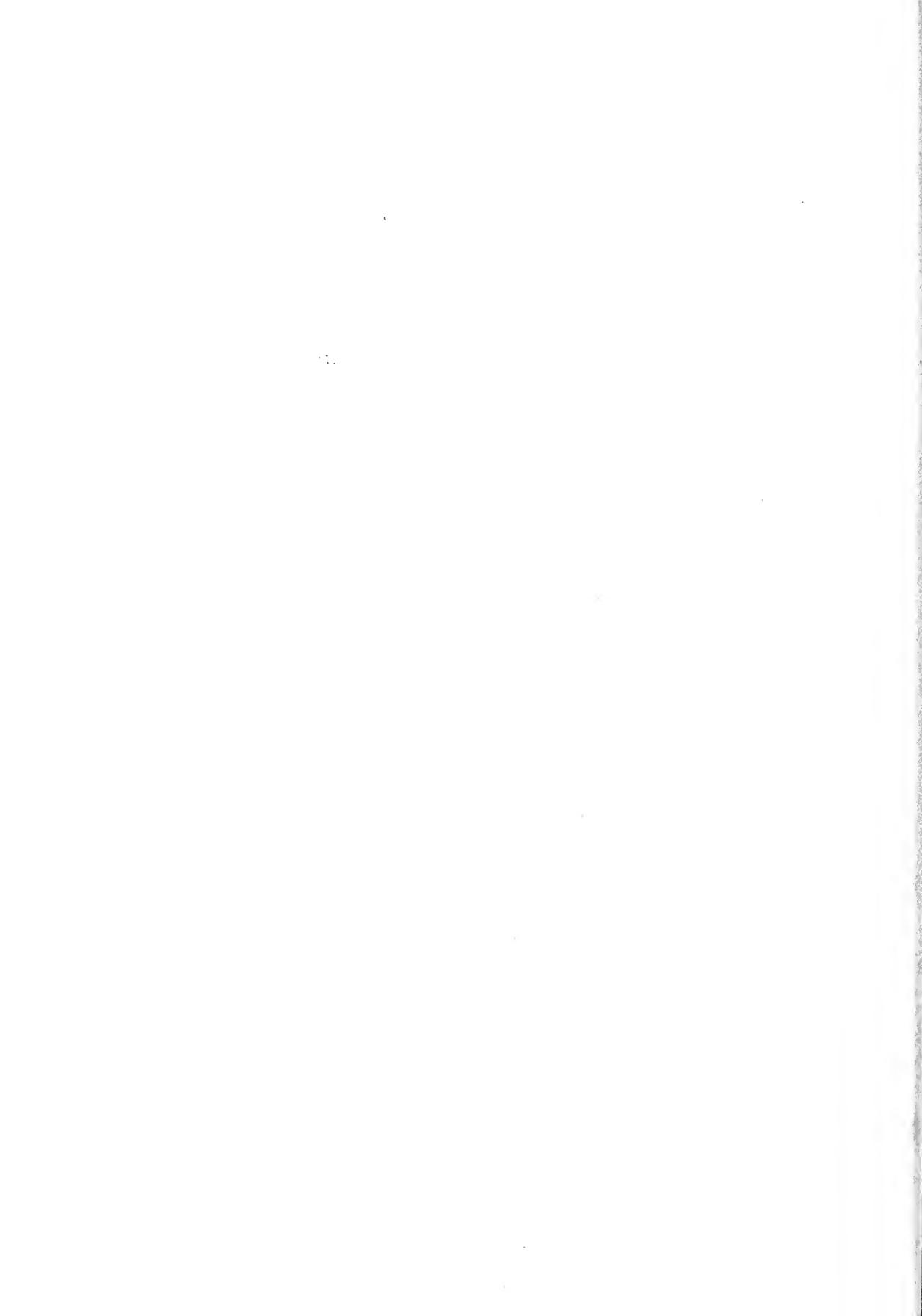
(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Town of Orangeville

MR. DOWNER

(Reprinted as amended by the Private Bills Committee)



BILL Pr9

1973

**An Act respecting
the Town of Orangeville**

WHEREAS The Corporation of the Town of Orangeville Preamble hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1.—(1) The following boards and commissions of The Boards, etc., dissolved Corporation of the Town of Orangeville are hereby dissolved:

1. The Orangeville Municipal Recreation Committee.
2. The Board of Park Management.
3. The Community Centres Management Board.

(2) On the dissolution mentioned in subsection 1, all of the Assets vested in Town assets and liabilities of such boards and commissions shall become the assets and liabilities of The Corporation of the Town of Orangeville, without compensation.

(3) On the dissolution mentioned in subsection 1, the em- Employees of boards, etc., become employees of Town ployees thereof shall become employees of The Corporation of the Town of Orangeville, and all terms and conditions affecting seniority, remuneration and other benefits in force with respect to such employees shall be assumed by The Corporation of the Town of Orangeville.

2. The council of The Corporation of the Town of Orange- Council deemed committee, etc. ville shall be deemed to be a recreation committee under *The Ministry of Community and Social Services Act* and regula- R.S.O. 1970, cc. 120, 73 tions thereunder and a board of a community centre under *The Community Centres Act*.

Authority to
pass by-law

R.S.O. 1970,
c. 384

Commence-
ment

Short title

3. The council of The Corporation of the Town of Orangeville may pass a by-law to provide for the repeal of By-law 2207, which by-law provided for the adoption of *The Public Parks Act*, without the assent of the electors of the Corporation.

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

5. This Act may be cited as *The Town of Orangeville Act, 1973*.



10
11
12

An Act respecting
the Town of Orangeville

1st Reading

March 28th, 1973

2nd Reading

3rd Reading

MR. DOWNER

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

BILL Pr9

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Town of Orangeville

MR. DOWNER



BILL Pr9

1973

**An Act respecting
the Town of Orangeville**

WHEREAS The Corporation of the Town of Orangeville Preamble hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1.—(1) The following boards and commissions of The Boards, etc., dissolved Corporation of the Town of Orangeville are hereby dissolved:

1. The Orangeville Municipal Recreation Committee.
2. The Board of Park Management.
3. The Community Centres Management Board.

(2) On the dissolution mentioned in subsection 1, all of the Assets vested in Town assets and liabilities of such boards and commissions shall become the assets and liabilities of The Corporation of the Town of Orangeville, without compensation.

(3) On the dissolution mentioned in subsection 1, the em- Employees of boards, etc., become employees of Town ployees thereof shall become employees of The Corporation of the Town of Orangeville, and all terms and conditions affecting seniority, remuneration and other benefits in force with respect to such employees shall be assumed by The Corporation of the Town of Orangeville.

2. The council of The Corporation of the Town of Orange- Council deemed committee. etc. R.S.O. 1970, cc. 120, 73 ville shall be deemed to be a recreation committee under *The Ministry of Community and Social Services Act* and regula- tions thereunder and a board of a community centre under *The Community Centres Act*.

Authority to
pass by-law

R.S.O. 1970,
c. 384

3. The council of The Corporation of the Town of Orangeville may pass a by-law to provide for the repeal of By-law 2207, which by-law provided for the adoption of *The Public Parks Act*, without the assent of the electors of the Corporation.

Commence-
ment

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

Short title

5. This Act may be cited as *The Town of Orangeville Act, 1973*.



An Act respecting
the Town of Orangeville

1st Reading

March 28th, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

MR. DOWNER

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Village of Glencoe

MR. EATON



BILL Pr10

1973

An Act respecting the Village of Glencoe

WHEREAS The Corporation of the Village of Glencoe ^{Preamble} hereby applies for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the application;

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

1. The council of The Corporation of the Village of Glencoe ^{By-law authorized} is hereby authorized to pass a by-law, without obtaining the approval of the Ontario Municipal Board, authorizing the said Corporation to borrow a sum not exceeding \$275,000 and to issue debentures therefor payable in not more than twenty years, for the purpose of paying the cost of an arena built by the said Corporation.

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* ^{Application of R.S.O. 1970, c. 323, ss. 55-58} apply with respect to any by-law passed under section 1, and to any debentures issued thereunder.

3. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 64 ^{Order of O.M.B. deemed issued} of *The Ontario Municipal Board Act* authorizing the construction of the arena referred to in section 1 and authorizing The Corporation of the Village of Glencoe to issue debentures under section 1.

4. This Act comes into force on the day it receives Royal ^{Commencement} Assent.

5. This Act may be cited as *The Village of Glencoe Act, 1973*. ^{Short title}

An Act respecting
the Village of Glencoe

1st Reading

2nd Reading

3rd Reading

MR. EATON

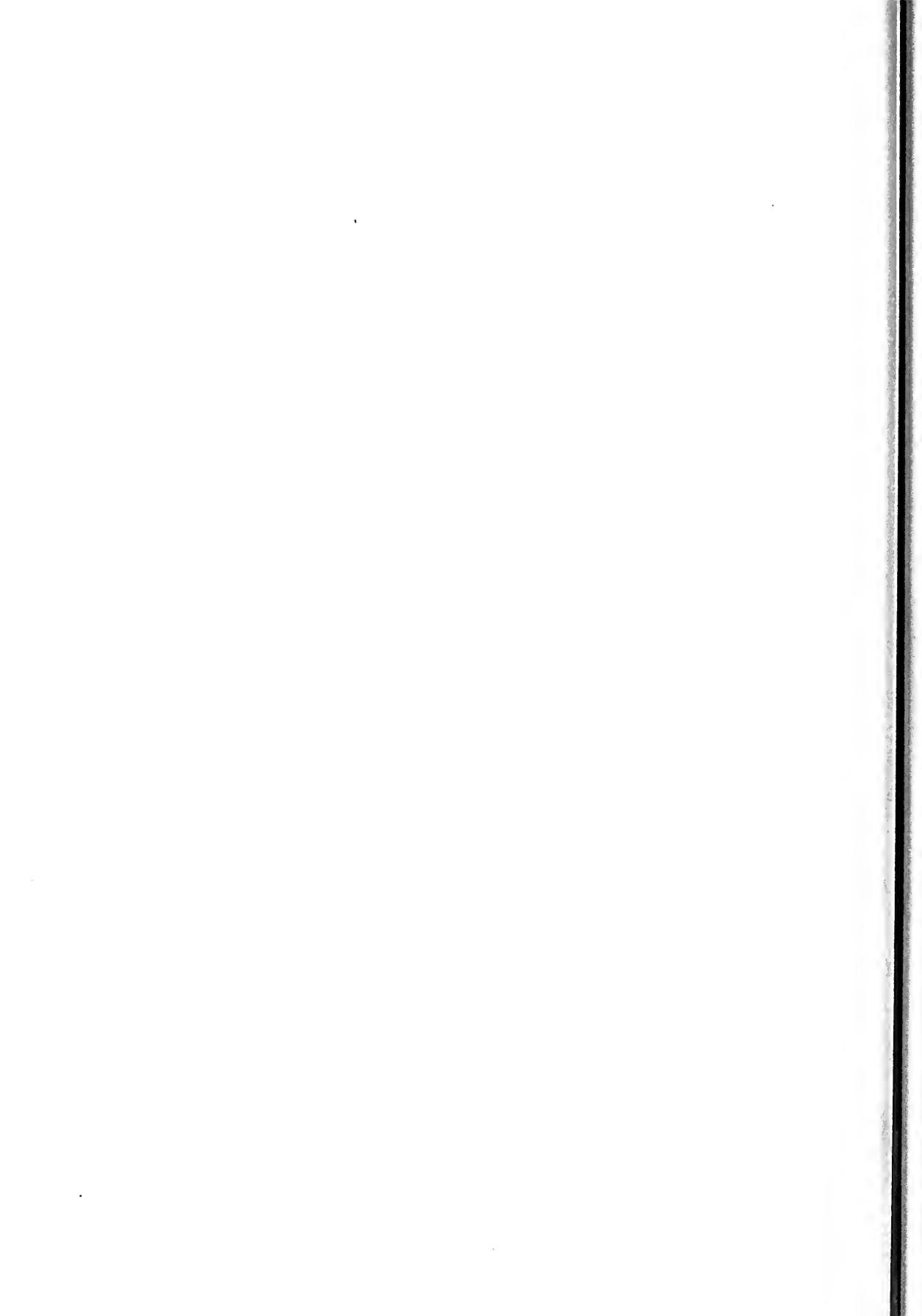
(Private Bill)

BILL Pr10

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Village of Glencoe

MR. EATON



BILL Pr10

1973

An Act respecting the Village of Glencoe

WHEREAS The Corporation of the Village of Glencoe ^{Preamble} hereby applies for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the application;

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

1. The council of The Corporation of the Village of Glencoe ^{By-law authorized} is hereby authorized to pass a by-law, without obtaining the approval of the Ontario Municipal Board, authorizing the said Corporation to borrow a sum not exceeding \$275,000 and to issue debentures therefor payable in not more than twenty years, for the purpose of paying the cost of an arena built by the said Corporation.

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* ^{Application of R.S.O. 1970, c. 323, ss. 55-58} apply with respect to any by-law passed under section 1, and to any debentures issued thereunder.

3. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 64 ^{Order of O.M.B. deemed issued} of *The Ontario Municipal Board Act* authorizing the construction of the arena referred to in section 1 and authorizing The Corporation of the Village of Glencoe to issue debentures under section 1.

4. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

5. This Act may be cited as *The Village of Glencoe Act, 1973*. ^{Short title}

An Act respecting
the Village of Glencoe

1st Reading

March 28th, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

MR. EATON

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Borough of Scarborough

MR. DREA

BILL Pr11

1973

An Act respecting the Borough of Scarborough

WHEREAS The Corporation of the Borough of Scar- Preamble
borough, herein called the Corporation, hereby applies
for special legislation in respect of the matters hereinafter
set forth; and whereas it is expedient to grant the application;

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

1. Notwithstanding paragraph 101 of subsection 1 of Power to
require
agreements
respecting
transmission
poles, wires,
etc.
R.S.O. 1970,
c. 284
section 354 of *The Municipal Act*, the Corporation may require
the entering into of agreements with the Corporation by any
person or persons for such consideration and upon such
terms and conditions as may be agreed in respect of any or all
of the matters which by the said paragraph the council of the
Corporation may by by-law authorize and regulate.

2. The council of the Corporation may pass by-laws pro- Clearing
and removal
of snow
and ice
viding that the Corporation may at its own expense clear away
and remove snow and ice from the sidewalks and on the high-
ways in front of, alongside or at the rear of buildings owned
or occupied by residents sixty-five years of age or over, or
by other class or classes of persons.

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

4. This Act may be cited as *The Borough of Scarborough Act*, Short title
1973.

An Act respecting
the Borough of Scarborough

1st Reading

2nd Reading

3rd Reading

MR. DREA

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Borough of Scarborough

MR. DREA

(Reprinted as amended by the Private Bills Committee)



BILL Pr11

1973

**An Act respecting
the Borough of Scarborough**

WHEREAS The Corporation of the Borough of Scarborough, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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 paragraph 101 of subsection 1 of section 354 of *The Municipal Act*, the Corporation may require the entering into of agreements with the Corporation by any person or persons for such consideration and upon such terms and conditions as may be agreed in respect of any or all of the matters which by the said paragraph the council of the Corporation may by by-law authorize and regulate.

Power to
require
agreements
respecting
transmission
poles, wires,
etc.
R.S.O. 1970,
c. 284

2. The council of the Corporation may pass by-laws providing that the Corporation may at its own expense clear away and remove snow and ice from the sidewalks on the highways in front of, alongside or at the rear of buildings occupied by residents sixty-five years of age or over, or by other class or classes of persons.

Clearing
and removal
of snow
and ice

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

Commence-
ment

4. This Act may be cited as *The Borough of Scarborough Act*, 1973.

Short title

An Act respecting
the Borough of Scarborough

1st Reading

March 28th, 1973

2nd Reading

3rd Reading

MR. DREA

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

BILL Pr11

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Borough of Scarborough

MR. DREA



BILL Pr11

1973

**An Act respecting
the Borough of Scarborough**

WHEREAS The Corporation of the Borough of Scar- Preamble
borough, herein called the Corporation, hereby applies
for special legislation in respect of the matters hereinafter
set forth; and whereas it is expedient to grant the application;

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

1. Notwithstanding paragraph 101 of subsection 1 of Power to
require
agreements
respecting
transmission
poles, wires,
etc.
R.S.O. 1970,
c. 284
section 354 of *The Municipal Act*, the Corporation may require
the entering into of agreements with the Corporation by any
person or persons for such consideration and upon such
terms and conditions as may be agreed in respect of any or all
of the matters which by the said paragraph the council of the
Corporation may by by-law authorize and regulate.

2. The council of the Corporation may pass by-laws pro- Clearing
and removal
of snow
and ice
viding that the Corporation may at its own expense clear away
and remove snow and ice from the sidewalks on the high-
ways in front of, alongside or at the rear of buildings occupied
by residents sixty-five years of age or over, or by other class
or classes of persons.

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

4. This Act may be cited as *The Borough of Scarborough Act*, Short title
1973.

The
An Act respecting
the Borough of Scarborough

1st Reading

March 28th, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

Mr. DREA

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
The Board of Education for the Borough of Etobicoke**

MR. MACBETH

BILL Pr12

1973

An Act respecting The Board of Education for the Borough of Etobicoke

WHEREAS The Board of Education for the Borough of Etobicoke hereby represents that it wishes to exchange certain lands which it holds in fee simple subject to a trust for special purposes for other lands of equal area that the said Board holds in fee simple in the same approximate location; and whereas the said Board wishes to convey certain of the lands which it holds in fee simple subject to a trust for special purposes to The Municipality of Metropolitan Toronto; and whereas the said Board holds certain other lands in fee simple subject to a trust for special purposes and the said Board wishes to remove the said trust from those lands; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

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

1. In this Act,

Interpre-
tation

- (a) "Board" means The Board of Education for the Borough of Etobicoke;
- (b) "Board's Trust Lands" means those lands held by the Board in fee simple subject to the trust for special purposes set forth in Instrument No. 9872 which lands are described in Instrument No. 9872 as set forth in Schedule A hereto;
- (c) "Borough" means the Borough of Etobicoke in The Municipality of Metropolitan Toronto;
- (d) "Corporation" means The Municipality of Metropolitan Toronto;
- (e) "Easement" means the easement described in an instrument dated the 21st day of February, 1962,

from the Board to The Corporation of the Township of Etobicoke which is registered in the Registry Office for the Registry Division of Toronto Boroughs and York South (formerly the Registry Division of the East and West Riding of the County of York) as No. 255826 Etobicoke;

- (f) "Instrument No. 731" means an instrument dated the 28th day of May, 1874, between Robert Wilson, as grantor, and Andrew Barker and George Garbutt, Trustees of School Section Number Ten in the Township of Etobicoke, as grantees, which is registered in the Registry Office for the Registry Division of Toronto Boroughs and York South (formerly the Registry Division of the East and West Riding of the County of York) as No. 731 Etobicoke;
- (g) "Instrument No. 9872" means an instrument dated the 28th day of April, 1910, between Martin Shaw and Annie Shaw of the Township of Etobicoke, as grantors and Edward P. Cave, George E. Farr and Albert D. Johnston, Trustees of School Section Number Ten in the Township of Etobicoke, as grantees, and registered in the Registry Office for the Registry Division of Toronto Boroughs and York South (formerly the Registry Division of the East and West Riding of the County of York) as No. 9872 Etobicoke;
- (h) "Instrument No. 9874" means an instrument dated the 2nd day of May, 1910, between the Municipal Corporation of the Township of Etobicoke, as grantor, and Edward P. Cave, George E. Farr and Albert D. Johnston, Trustees of School Section Number Ten in the Township of Etobicoke, as grantees, which is registered in the Registry Office for the Registry Division of Toronto Boroughs and York South (formerly the Registry Division of the East and West Riding of the County of York) as No. 9874 Etobicoke;
- (i) "New Village Green" means those lands that are described in Schedule B hereto;
- (j) "Old Village Green—Phase I" means those lands held by the Board in fee simple subject to the trust for special purposes set forth in Instrument No. 731, which lands are described in Instrument No. 731 as set forth in Schedule C hereto;

- (k) "Old Village Green—Phase II" means those lands held by the Board in fee simple subject to the trust for special purposes set forth in Instrument No. 9874 which lands are described in Instrument No. 9874 as set forth in Schedule D hereto;
- (l) "Right of Way" means the public right of way over the lands which are situate, lying and being in the Borough being 8 feet in width immediately adjoining the northerly limit of Lot 32, Concession "B", Northern Division of the Township of Etobicoke and extending from the road allowance between Concessions "A" and "B" in the Northern Division of the Township of Etobicoke, now known as Islington Avenue to Albion Road (formerly Weston Road);
- (m) "Road Widening Lands" means the lands being part of the Old Village Green—Phase I and the Old Village Green—Phase II taken from the Board by The Corporation of the Borough of Etobicoke to widen the road allowance between Concession "A" and "B" in the Northern Division of the Township of Etobicoke now known as Islington Avenue, which lands are described as set forth in Schedule E hereto.

2. The Old Village Green—Phase I less the Road Widening Lands is hereby vested in the Board to be held in fee simple subject to the reservations, limitations, provisos, and conditions expressed in the original grant thereof from the Crown. Lands vested in Board in fee simple

3. The trust for special purposes set forth in Instrument No. 731 is hereby terminated. Trust terminated

4. The Old Village Green—Phase II less the Road Widening Lands is hereby vested in the Board to be held in fee simple subject to the reservations, limitations, provisos and conditions expressed in the original grant thereof from the Crown. Lands vested in Board in fee simple

5. The trust for special purposes set forth in Instrument No. 9874 is hereby terminated. Trust terminated

6. The New Village Green, held by the Board in fee simple, subject to the reservations, limitations, provisos, and conditions expressed in the original grant thereof from the Crown and subject to the Easement, is hereby declared to be held by the Board in trust as a park for use and enjoyment by the public generally and the Board shall have no power to convey the New Village Green to be used for any other purpose whatever. Lands held by Board subject to trust

Right
of way
extinguished

7. The Right of Way is hereby extinguished.

Lands
vested in
Metropolitan
Toronto

8. The Road Widening Lands are hereby vested in the Corporation.

Lands
vested in
Board in
fee simple

9. The Board's Trust Lands are hereby vested in the Board to be held in fee simple subject to the reservations, limitations, provisos, and conditions expressed in the original grant thereof from the Crown.

Trust
terminated

10. The trust for special purposes set forth in Instrument No. 9872 is hereby terminated.

Commence-
ment

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

Short title

12. This Act may be cited as *The Board of Education for the Borough of Etobicoke Act, 1973*.

SCHEDULE A

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of Etobicoke, in the County of York and Province of Ontario, being composed of part of lot number thirty-three in concession lettered "B" Northern Division of the said Township of Etobicoke, and which may be more particularly described as follows: that is to say:

COMMENCING at a point in the southerly limit of the Albion Road where it is intersected by the southerly limit of said lot number thirty-three; thence westerly measured along the said southerly limit of the Albion Road thirty-nine feet to a stake; thence southerly on a course at right angles to the southerly limit of the said Albion Road sixty-three feet more or less to the southerly limit of said lot number thirty-three; thence easterly measured along the southerly limit of said lot number thirty-three sixty-seven feet more or less to the place of beginning.

SCHEDULE B

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Borough of Etobicoke (formerly the Township of Etobicoke), The Municipality of Metropolitan Toronto, and Province of Ontario, and being composed of Parts of Lots 32 and 33, Concession "B", Northern Division Fronting the Humber, and Parts of Lots 87, 88, 89, 90, 91 and 92, according to a plan on file in the Registry Office for the Registry Division for Toronto Boroughs and York South as Number 1946, which parcel of land may be more particularly described as follows:

PREMISING that the South Westerly limit of the Albion Road as widened by Part 29, according to a plan on file in the Registry Office for the Registry Division for Toronto Boroughs and York South as Number R S 1103, has an astronomical course of North 56° 01' 20" West, relating all bearings hereon, thereto:

BEGINNING at the North Westerly angle of Lot 32, being a point in the Easterly limit of the Road Allowance between Concessions "A" and "B" (Islington Avenue);

THENCE North 72° 17' 20" East following the limit between Lots 32 and 33 a distance of 27.00 feet more or less to its intersection with a line drawn parallel to and distant 27.00 feet measured Easterly at right angles to the original Easterly limit of Islington Avenue, the said point of intersection marking the Point of Commencement;

THENCE South 17° 13' 40" East along the said parallel line a distance of 287.89 feet to a Standard Iron Bar being distant 50.00 feet measured Southerly thereon from the North Westerly angle of Lot 87, Registered Plan 1946;

THENCE North 71° 46' 20" East being parallel to the Northerly limit of Registered Plan 1946 a distance 240.36 feet to a point;

THENCE North 18° 47' 10" West a distance of 244.10 feet to a point;

THENCE South 70° 14' 40" West a distance of 232.07 feet to its intersection with a line drawn parallel to and distant 27.00 feet measured Easterly at right angles to the original Easterly limit of Islington Avenue;

THENCE South 18° 14' 40" East along the said parallel line a distance of 49.75 feet more or less to the Point of Commencement.

SCHEDULE C

ALL AND SINGULAR those certain parcels or tracts of land, and premises, situate, lying and being in the Township of Etobicoke, in the County of York, and Province of Ontario, in the Dominion of Canada and may be known and described as follows, that is to say, Being composed of a portion of lot number Thirty-two, in Concession Lettered "B" in said Township of Etobicoke—COMMENCING at the North-west angle of said Lot No. 32; thence Easterly along the limit between lots Numbered thirty-two, and thirty-three: fifteen rods to a stake; thence southerly and parallel with the concession line eight rods to a stake; thence westerly and parallel to the limit between said lots fifteen rods, to the eastern limit of the allowance for road between Concessions "B" and "A", where a stake is planted; thence northerly along said limit of road eight rods, to the place of beginning—Containing three-quarters of an acre—Also a lane eight feet wide extending from the north-east angle of said described $\frac{3}{4}$ of an acre; along the limit between said lots numbered 32, and 33 to the Albion Road.

SCHEDULE D

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of Etobicoke, in the County of York, and Province of Ontario being composed of a part of Lot number thirty-two in the Concession lettered "B", Northern Division of the said Township of Etobicoke, and which may be more particularly described as follows: that is to say: COMMENCING at a point in the easterly limit of the Road allowance between Concessions lettered "A" and "B" in the Northern Division of the said Township, at the distance of eight feet measured southerly along the said easterly limit from the northerly limit of said Lot number thirty-two; thence southerly along the said easterly limit of the said road allowance fourteen and one-half rods more or less to the South-westerly angle of a plot of land known as the "Village Green"; thence easterly measured along the southerly limit of the said "Village Green" twenty-one rods fifteen and one-half feet more or less to the westerly limit of the Public School site of School Section number ten; thence northerly measured along the westerly limit of said school site fourteen and one-half rods more or less to the southerly limit of a Right of Way, eight feet in width immediately adjoining the northerly limit of said Lot number thirty-two; thence westerly measured along the southerly limit of the said Right of Way twenty-one rods fifteen and one-half feet more or less to the place of beginning: Also any right or title that the said Municipal Corporation may hold in a public Right of Way eight feet in width immediately adjoining the northerly limit of said Lot number thirty-two and extending from the said Road Allowance between Concessions lettered "A" and "B", to the Albion Road.

SCHEDULE E

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Borough of Etobicoke (formerly the Township of Etobicoke), the Municipality of Metropolitan Toronto, and Province of Ontario, and being composed of Part of Lot 32, Concession "B", Northern Division Fronting the Humber, which parcel of land may be more particularly described as follows:

PREMISING that the South Westerly limit of the Albion Road as widened by Part 29, according to a plan on file in the Registry Office for the Registry Division for Toronto Boroughs and York South as Number R S 1103, has an astronomical course of North $56^{\circ} 01' 20''$ West relating all bearings hereon, thereto:

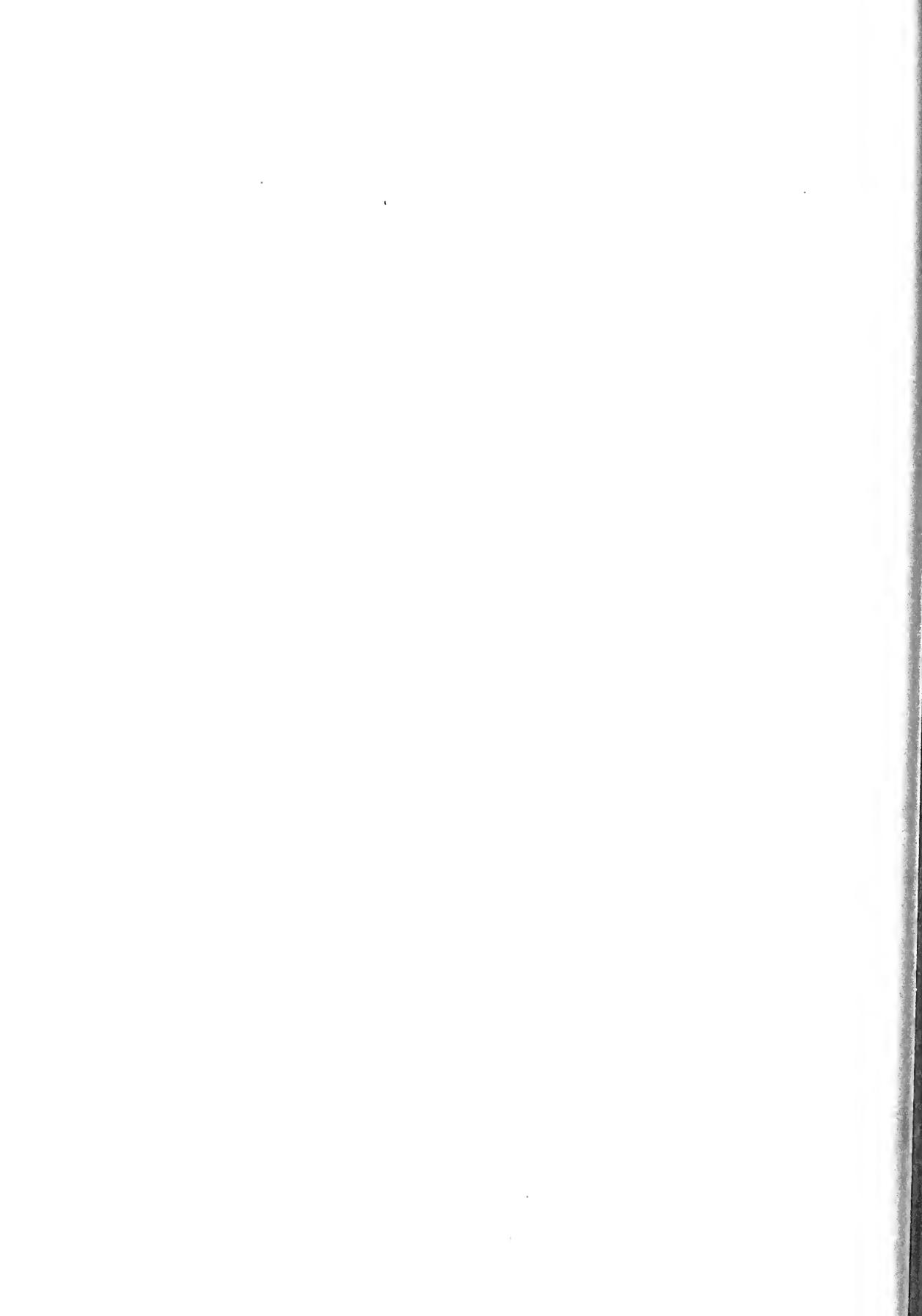
COMMENCING at the North Westerly angle of Lot 32, being a point in the Easterly limit of the Road Allowance between Concessions "A" and "B" (Islington Avenue);

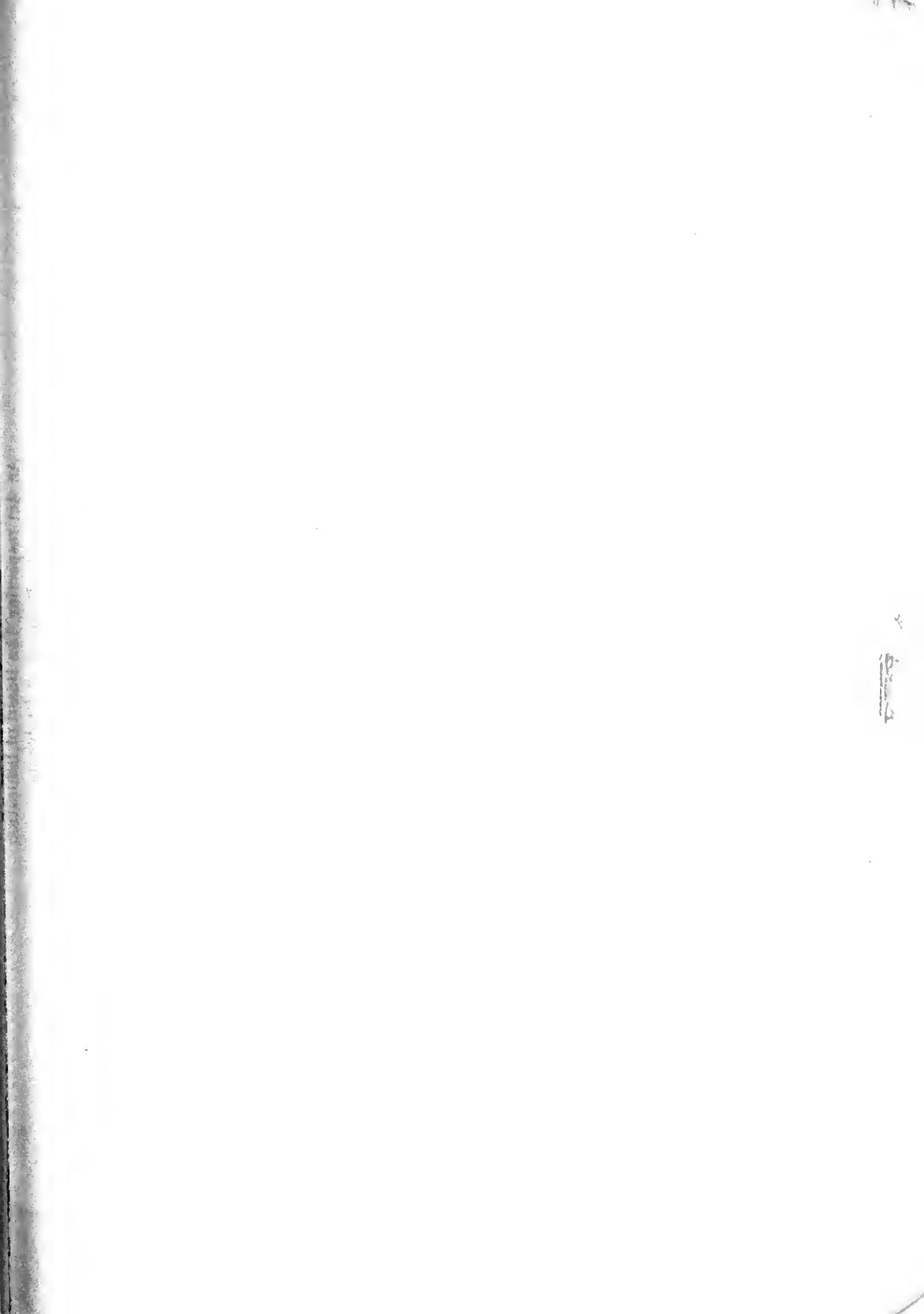
THENCE South $17^{\circ} 13' 40''$ East following the original Easterly limit of Islington Avenue a distance of 238.20 feet to the North Westerly angle of Lot 87, according to a plan on file in the Registry Office for the Registry Division for Toronto Boroughs and York South as Number 1946;

THENCE North $71^{\circ} 46' 20''$ East following the Northerly limit of the said Lot 87 a distance of 27.00 feet to an iron bar planted in a line drawn parallel to and distant 27.00 feet measured Easterly at right angles to the original Easterly limit of Islington Avenue;

THENCE North $17^{\circ} 13' 40''$ West along the said parallel line a distance of 237.89 feet to its intersection with the Northerly limit of Lot 32;

THENCE South $72^{\circ} 17' 20''$ West along the last mentioned limit a distance of 27.00 feet more or less to the Point of Commencement.





An Act respecting The Board of Education
for the Borough of Etobicoke

1st Reading

2nd Reading

3rd Reading

MR. MACBETH

(Private Bill)

BILL Pr12

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
The Board of Education for the Borough of Etobicoke**

MR. MACBETH



BILL Pr12

1973

An Act respecting The Board of Education for the Borough of Etobicoke

WHEREAS The Board of Education for the Borough of Etobicoke hereby represents that it wishes to exchange certain lands which it holds in fee simple subject to a trust for special purposes for other lands of equal area that the said Board holds in fee simple in the same approximate location; and whereas the said Board wishes to convey certain of the lands which it holds in fee simple subject to a trust for special purposes to The Municipality of Metropolitan Toronto; and whereas the said Board holds certain other lands in fee simple subject to a trust for special purposes and the said Board wishes to remove the said trust from those lands; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

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

1. In this Act,

Interpre-
tation

- (a) "Board" means The Board of Education for the Borough of Etobicoke;
- (b) "Board's Trust Lands" means those lands held by the Board in fee simple subject to the trust for special purposes set forth in Instrument No. 9872 which lands are described in Instrument No. 9872 as set forth in Schedule A hereto;
- (c) "Borough" means the Borough of Etobicoke in The Municipality of Metropolitan Toronto;
- (d) "Corporation" means The Municipality of Metropolitan Toronto;
- (e) "Easement" means the easement described in an instrument dated the 21st day of February, 1962,

from the Board to The Corporation of the Township of Etobicoke which is registered in the Registry Office for the Registry Division of Toronto Boroughs and York South (formerly the Registry Division of the East and West Riding of the County of York) as No. 255826 Etobicoke;

- (f) "Instrument No. 731" means an instrument dated the 28th day of May, 1874, between Robert Wilson, as grantor, and Andrew Barker and George Garbutt, Trustees of School Section Number Ten in the Township of Etobicoke, as grantees, which is registered in the Registry Office for the Registry Division of Toronto Boroughs and York South (formerly the Registry Division of the East and West Riding of the County of York) as No. 731 Etobicoke;
- (g) "Instrument No. 9872" means an instrument dated the 28th day of April, 1910, between Martin Shaw and Annie Shaw of the Township of Etobicoke, as grantors and Edward P. Cave, George E. Farr and Albert D. Johnston, Trustees of School Section Number Ten in the Township of Etobicoke, as grantees, and registered in the Registry Office for the Registry Division of Toronto Boroughs and York South (formerly the Registry Division of the East and West Riding of the County of York) as No. 9872 Etobicoke;
- (h) "Instrument No. 9874" means an instrument dated the 2nd day of May, 1910, between the Municipal Corporation of the Township of Etobicoke, as grantor, and Edward P. Cave, George E. Farr and Albert D. Johnston, Trustees of School Section Number Ten in the Township of Etobicoke, as grantees, which is registered in the Registry Office for the Registry Division of Toronto Boroughs and York South (formerly the Registry Division of the East and West Riding of the County of York) as No. 9874 Etobicoke;
- (i) "New Village Green" means those lands that are described in Schedule B hereto;
- (j) "Old Village Green—Phase I" means those lands held by the Board in fee simple subject to the trust for special purposes set forth in Instrument No. 731, which lands are described in Instrument No. 731 as set forth in Schedule C hereto;

- (k) "Old Village Green—Phase II" means those lands held by the Board in fee simple subject to the trust for special purposes set forth in Instrument No. 9874 which lands are described in Instrument No. 9874 as set forth in Schedule D hereto;
- (l) "Right of Way" means the public right of way over the lands which are situate, lying and being in the Borough being 8 feet in width immediately adjoining the northerly limit of Lot 32, Concession "B", Northern Division of the Township of Etobicoke and extending from the road allowance between Concessions "A" and "B" in the Northern Division of the Township of Etobicoke, now known as Islington Avenue to Albion Road (formerly Weston Road);
- (m) "Road Widening Lands" means the lands being part of the Old Village Green—Phase I and the Old Village Green—Phase II taken from the Board by The Corporation of the Borough of Etobicoke to widen the road allowance between Concession "A" and "B" in the Northern Division of the Township of Etobicoke now known as Islington Avenue, which lands are described as set forth in Schedule E hereto.

2. The Old Village Green—Phase I less the Road Widening Lands is hereby vested in the Board to be held in fee simple subject to the reservations, limitations, provisos, and conditions expressed in the original grant thereof from the Crown. Lands vested in Board in fee simple

3. The trust for special purposes set forth in Instrument No. 731 is hereby terminated. Trust terminated

4. The Old Village Green—Phase II less the Road Widening Lands is hereby vested in the Board to be held in fee simple subject to the reservations, limitations, provisos and conditions expressed in the original grant thereof from the Crown. Lands vested in Board in fee simple

5. The trust for special purposes set forth in Instrument No. 9874 is hereby terminated. Trust terminated

6. The New Village Green, held by the Board in fee simple, subject to the reservations, limitations, provisos, and conditions expressed in the original grant thereof from the Crown and subject to the Easement, is hereby declared to be held by the Board in trust as a park for use and enjoyment by the public generally and the Board shall have no power to convey the New Village Green to be used for any other purpose whatever. Lands held by Board subject to trust

Right
of way
extinguished

7. The Right of Way is hereby extinguished.

Lands
vested in
Metropolitan
Toronto

8. The Road Widening Lands are hereby vested in the Metropolitan Corporation.

Lands
vested in
Board in
fee simple

9. The Board's Trust Lands are hereby vested in the Board to be held in fee simple subject to the reservations, limitations, provisos, and conditions expressed in the original grant thereof from the Crown.

Trust
terminated

10. The trust for special purposes set forth in Instrument No. 9872 is hereby terminated.

Commence-
ment

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

Short title

12. This Act may be cited as *The Board of Education for the Borough of Etobicoke Act, 1973*.

SCHEDULE A

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of Etobicoke, in the County of York and Province of Ontario, being composed of part of lot number thirty-three in concession lettered "B" Northern Division of the said Township of Etobicoke, and which may be more particularly described as follows: that is to say:

COMMENCING at a point in the southerly limit of the Albion Road where it is intersected by the southerly limit of said lot number thirty-three; thence westerly measured along the said southerly limit of the Albion Road thirty-nine feet to a stake; thence southerly on a course at right angles to the southerly limit of the said Albion Road sixty-three feet more or less to the southerly limit of said lot number thirty-three; thence easterly measured along the southerly limit of said lot number thirty-three sixty-seven feet more or less to the place of beginning.

SCHEDULE B

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Borough of Etobicoke (formerly the Township of Etobicoke), The Municipality of Metropolitan Toronto, and Province of Ontario, and being composed of Parts of Lots 32 and 33, Concession "B", Northern Division Fronting the Humber, and Parts of Lots 87, 88, 89, 90, 91 and 92, according to a plan on file in the Registry Office for the Registry Division for Toronto Boroughs and York South as Number 1946, which parcel of land may be more particularly described as follows:

PREMISING that the South Westerly limit of the Albion Road as widened by Part 29, according to a plan on file in the Registry Office for the Registry Division for Toronto Boroughs and York South as Number R S 1103, has an astronomical course of North $56^{\circ} 01' 20''$ West, relating all bearings hereon, thereto:

BEGINNING at the North Westerly angle of Lot 32, being a point in the Easterly limit of the Road Allowance between Concessions "A" and "B" (Islington Avenue);

THENCE North $72^{\circ} 17' 20''$ East following the limit between Lots 32 and 33 a distance of 27.00 feet more or less to its intersection with a line drawn parallel to and distant 27.00 feet measured Easterly at right angles to the original Easterly limit of Islington Avenue, the said point of intersection marking the Point of Commencement;

THENCE South $17^{\circ} 13' 40''$ East along the said parallel line a distance of 287.89 feet to a Standard Iron Bar being distant 50.00 feet measured Southerly thereon from the North Westerly angle of Lot 87, Registered Plan 1946;

THENCE North $71^{\circ} 46' 20''$ East being parallel to the Northerly limit of Registered Plan 1946 a distance 240.36 feet to a point;

THENCE North $18^{\circ} 47' 10''$ West a distance of 244.10 feet to a point;

THENCE South $70^{\circ} 14' 40''$ West a distance of 232.07 feet to its intersection with a line drawn parallel to and distant 27.00 feet measured Easterly at right angles to the original Easterly limit of Islington Avenue;

THENCE South $18^{\circ} 14' 40''$ East along the said parallel line a distance of 49.75 feet more or less to the Point of Commencement.

SCHEDULE C

ALL AND SINGULAR those certain parcels or tracts of land, and premises, situate, lying and being in the Township of Etobicoke, in the County of York, and Province of Ontario, in the Dominion of Canada and may be known and described as follows, that is to say, Being composed of a portion of lot number Thirty-two, in Concession Lettered "B" in said Township of Etobicoke—COMMENCING at the North-west angle of said Lot No. 32; thence Easterly along the limit between lots Numbered thirty-two, and thirty-three: fifteen rods to a stake; thence southerly and parallel with the concession line eight rods to a stake; thence westerly and parallel to the limit between said lots fifteen rods, to the eastern limit of the allowance for road between Concessions "B" and "A", where a stake is planted; thence northerly along said limit of road eight rods, to the place of beginning—Containing three-quarters of an acre—Also a lane eight feet wide extending from the north-east angle of said described $\frac{3}{4}$ of an acre; along the limit between said lots numbered 32, and 33 to the Albion Road.

SCHEDULE D

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of Etobicoke, in the County of York, and Province of Ontario being composed of a part of Lot number thirty-two in the Concession lettered "B", Northern Division of the said Township of Etobicoke, and which may be more particularly described as follows: that is to say: COMMENCING at a point in the easterly limit of the Road allowance between Concessions lettered "A" and "B" in the Northern Division of the said Township, at the distance of eight feet measured southerly along the said easterly limit from the northerly limit of said Lot number thirty-two; thence southerly along the said easterly limit of the said road allowance fourteen and one-half rods more or less to the South-westerly angle of a plot of land known as the "Village Green"; thence easterly measured along the southerly limit of the said "Village Green" twenty-one rods fifteen and one-half feet more or less to the westerly limit of the Public School site of School Section number ten; thence northerly measured along the westerly limit of said school site fourteen and one-half rods more or less to the southerly limit of a Right of Way, eight feet in width immediately adjoining the northerly limit of said Lot number thirty-two; thence westerly measured along the southerly limit of the said Right of Way twenty-one rods fifteen and one-half feet more or less to the place of beginning: Also any right or title that the said Municipal Corporation may hold in a public Right of Way eight feet in width immediately adjoining the northerly limit of said Lot number thirty-two and extending from the said Road Allowance between Concessions lettered "A" and "B", to the Albion Road.

SCHEDULE E

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Borough of Etobicoke (formerly the Township of Etobicoke), the Municipality of Metropolitan Toronto, and Province of Ontario, and being composed of Part of Lot 32, Concession "B", Northern Division Fronting the Humber, which parcel of land may be more particularly described as follows:

PREMISING that the South Westerly limit of the Albion Road as widened by Part 29, according to a plan on file in the Registry Office for the Registry Division for Toronto Boroughs and York South as Number R S 1103, has an astronomical course of North 56° 01' 20" West relating all bearings hereon, thereto:

COMMENCING at the North Westerly angle of Lot 32, being a point in the Easterly limit of the Road Allowance between Concessions "A" and "B" (Islington Avenue);

THENCE South $17^{\circ} 13' 40''$ East following the original Easterly limit of Islington Avenue a distance of 238.20 feet to the North Westerly angle of Lot 87, according to a plan on file in the Registry Office for the Registry Division for Toronto Boroughs and York South as Number 1946;

THENCE North $71^{\circ} 46' 20''$ East following the Northerly limit of the said Lot 87 a distance of 27.00 feet to an iron bar planted in a line drawn parallel to and distant 27.00 feet measured Easterly at right angles to the original Easterly limit of Islington Avenue;

THENCE North $17^{\circ} 13' 40''$ West along the said parallel line a distance of 237.89 feet to its intersection with the Northerly limit of Lot 32;

THENCE South $72^{\circ} 17' 20''$ West along the last mentioned limit a distance of 27.00 feet more or less to the Point of Commencement.

An Act respecting The Board of Education
for the Borough of Etobicoke

1st Reading

March 28th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. MACBETH

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the County of Hastings

MR. ROLLINS



BILL Pr13

1973

An Act respecting the County of Hastings

WHEREAS The Corporation of the County of Hastings ^{Preamble} hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1. In this Act,

Inter-
tation

- (a) "council" means the council of the County;
- (b) "County" means The Corporation of the County of Hastings;
- (c) "local municipality" means a town, village or township in the County that is not separated therefrom for municipal purposes;
- (d) "municipal electors" means the persons entitled to vote at a municipal election;
- (e) "vote" or "votes" means the vote or votes of a member of the council.

2. —(1) Notwithstanding subsections 1 and 2 of section 27 of *The Municipal Act*, membership on the council and the votes of such members shall be as follows:

County
council:
composition
of and
votes on
R.S.O. 1970,
c. 284

- 1. Where a local municipality has less than 2,500 municipal electors, the reeve only shall be a member of council and shall have one vote.
- 2. Where a local municipality has not less than 2,500 and not more than 5,000 municipal electors, the reeve and the deputy reeve shall be members of the council and each shall have one vote.

3. Where a local municipality has more than 5,000 but not more than 7,500 municipal electors, the reeve and the deputy reeve shall be members of the council and the reeve shall have two votes and the deputy reeve shall have one vote.
4. Where a local municipality has more than 7,500 municipal electors, the reeve and the deputy reeve shall be members of the council and each shall have two votes.

Application (2) Subsection 1 applies with respect to the composition of and votes on the council for the year 1975 and subsequent years.

Application of R.S.O. 1970, c. 284 **3.** Subsection 2 of section 34 and section 202 of *The Municipal Act* apply *mutatis mutandis*.

Commencement **4.** This Act comes into force on the day it receives Royal Assent.

Short title **5.** This Act may be cited as *The County of Hastings Act, 1973*.





An Act respecting
the County of Hastings

1st Reading

2nd Reading

3rd Reading

MR. ROLLINS

(Private Bill)

BILL Pr13

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the County of Hastings

MR. ROLLINS



BILL Pr13

1973

An Act respecting the County of Hastings

WHEREAS The Corporation of the County of Hastings ^{Preamble} hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1. In this Act,

^{Interpre-}
^{tation}

- (a) "council" means the council of the County;
- (b) "County" means The Corporation of the County of Hastings;
- (c) "local municipality" means a town, village or township in the County that is not separated therefrom for municipal purposes;
- (d) "municipal electors" means the persons entitled to vote at a municipal election;
- (e) "vote" or "votes" means the vote or votes of a member of the council.

2.—(1) Notwithstanding subsections 1 and 2 of section 27 ^{County} of *The Municipal Act*, membership on the council and the ^{council:} ^{composition} ^{of and} ^{votes on} ^{R.S.O. 1970,} ^{c. 284} votes of such members shall be as follows:

- 1. Where a local municipality has less than 2,500 municipal electors, the reeve only shall be a member of council and shall have one vote.
- 2. Where a local municipality has not less than 2,500 and not more than 5,000 municipal electors, the reeve and the deputy reeve shall be members of the council and each shall have one vote.

3. Where a local municipality has more than 5,000 but not more than 7,500 municipal electors, the reeve and the deputy reeve shall be members of the council and the reeve shall have two votes and the deputy reeve shall have one vote.
4. Where a local municipality has more than 7,500 municipal electors, the reeve and the deputy reeve shall be members of the council and each shall have two votes.

Application (2) Subsection 1 applies with respect to the composition of and votes on the council for the year 1975 and subsequent years.

Application of R.S.O. 1970, c. 284 3. Subsection 2 of section 34 and section 202 of *The Municipal Act* apply *mutatis mutandis*.

Commencement 4. This Act comes into force on the day it receives Royal Assent.

Short title 5. This Act may be cited as *The County of Hastings Act, 1973*.



An Act Respecting
the County of Hastings

1st Reading

April 18th, 1973

2nd Reading

October 4th, 1973

3rd Reading

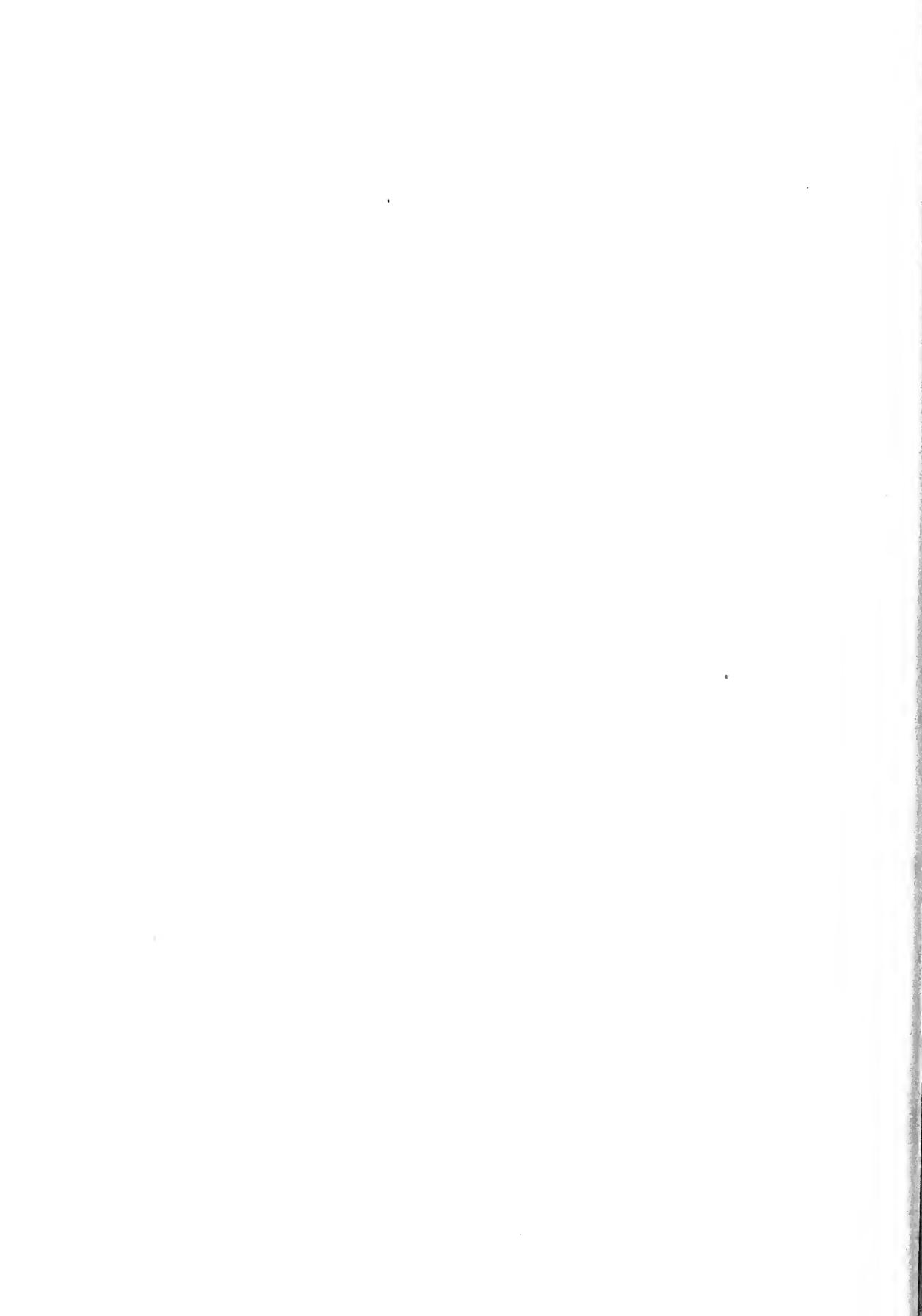
October 4th, 1973

MR. ROLLINS

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Town of Espanola

• MR. LANE



BILL Pr14

1973

An Act respecting the Town of Espanola

WHEREAS The Corporation of the Town of Espanola,^{Preamble} herein called the Corporation, hereby applies for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the application;

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

1. The council of the Corporation is hereby authorized to pass a by-law, without obtaining the approval of the Ontario Municipal Board, authorizing the borrowing of a sum not exceeding \$150,000 upon debentures of the Corporation, payable in not more than fifteen years, for the purpose of paying the cost of an addition to the Espanola Memorial Community Centre.^{By-law authorized}

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 1 and the debentures to be issued thereunder.^{Application of R.S.O. 1970, c. 323, ss. 55-58}

3. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 64 of *The Ontario Municipal Board Act* authorizing the construction mentioned in section 1 and authorizing the Corporation to issue debentures under section 1.^{Order of O.M.B. deemed issued}

4. This Act comes into force on the day it receives Royal Assent.^{Commencement}

5. This Act may be cited as *The Town of Espanola Act*, 1973.^{Short title}

An Act respecting
the Town of Espanola

1st Reading

2nd Reading

3rd Reading

MR. LANE

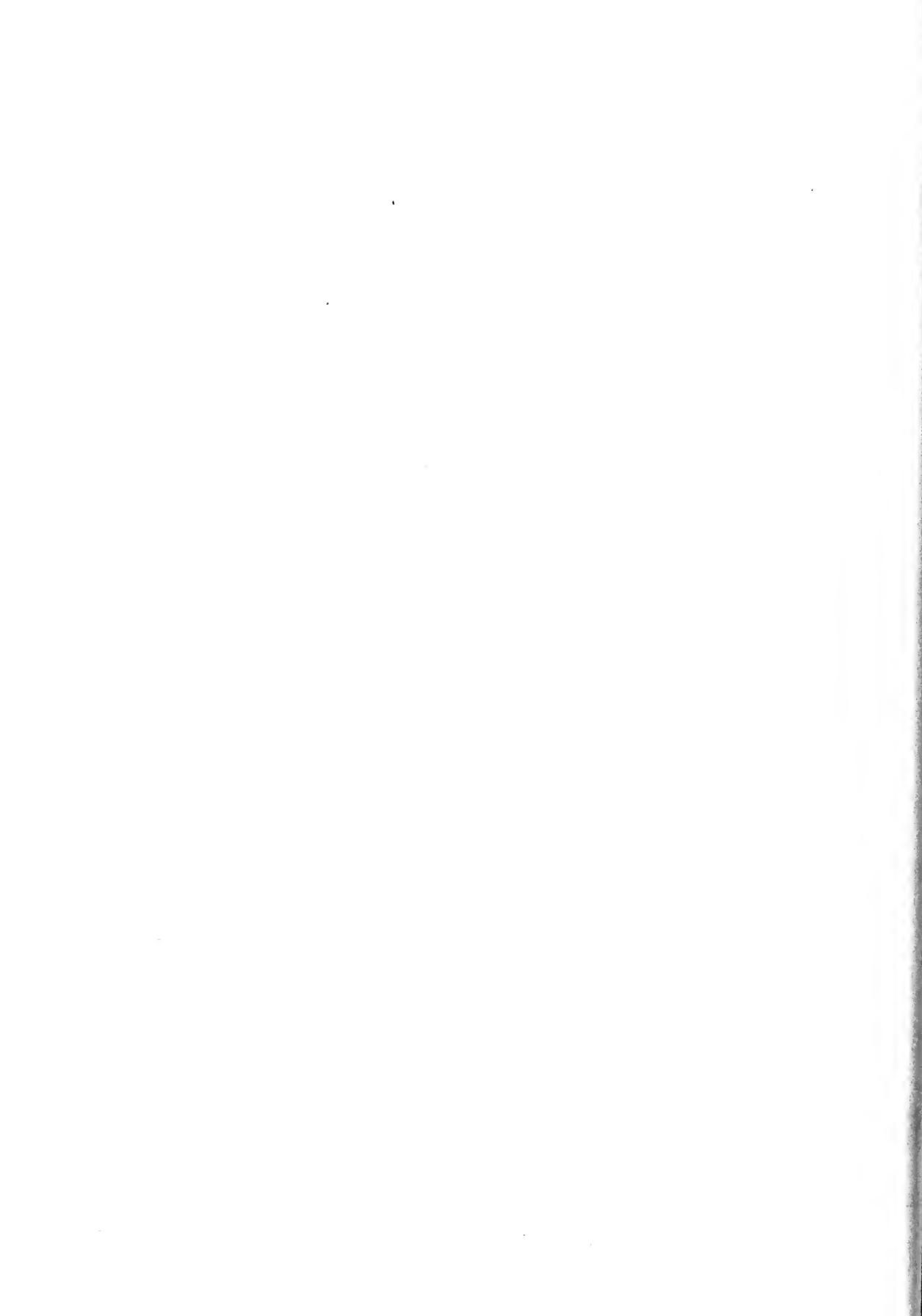
(Private Bill)

BILL Pr14

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Town of Espanola

MR. LANE



BILL Pr14

1973

An Act respecting the Town of Espanola

WHEREAS The Corporation of the Town of Espanola,^{Preamble} herein called the Corporation, hereby applies for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the application;

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

1. The council of the Corporation is hereby authorized to pass a by-law, without obtaining the approval of the Ontario Municipal Board, authorizing the borrowing of a sum not exceeding \$150,000 upon debentures of the Corporation, payable in not more than fifteen years, for the purpose of paying the cost of an addition to the Espanola Memorial Community Centre.^{By-law authorized}

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 1 and the debentures to be issued thereunder.^{Application of R.S.O. 1970, c. 323, ss. 55-58}

3. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 64 of *The Ontario Municipal Board Act* authorizing the construction mentioned in section 1 and authorizing the Corporation to issue debentures under section 1.^{Order of O.M.B. deemed issued}

4. This Act comes into force on the day it receives Royal Assent.^{Commencement}

5. This Act may be cited as *The Town of Espanola Act*,^{Short title} 1973.

An Act respecting
the Town of Espanola

1st Reading

March 28th, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

MR. LANE

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting Bridge Street
United Church Foundation**

MR. ROLLINS



BILL Pr15

1973

An Act respecting Bridge Street United Church Foundation

WHEREAS Alastair Donald Cameron, of the City of Belleville, in the County of Hastings, retired Bank Manager, Ronald William Cass, of the City of Belleville, in the County of Hastings, Lawyer, Douglas Gordon Burr, of the City of Belleville, in the County of Hastings, Insurance Agent, Jacob Carroll Anderson, of the City of Belleville, in the County of Hastings, Judge, Joseph George Demeza, of the City of Belleville, in the County of Hastings, School Superintendent, Harold Milton Davis, of the City of Belleville, in the County of Hastings, retired Minister, Robert John Ord, of the City of Belleville, in the County of Hastings, Lawyer, John Henry Canning, of the City of Belleville, in the County of Hastings, Accountant, John William Deacon, of the City of Belleville, in the County of Hastings, Real Estate Agent, Phyllis Irene Berry, of the City of Belleville, in the County of Hastings, Housewife, Donald George Williams, of the Township of Sidney, in the County of Hastings, Life Underwriter, and John Dale O'Flynn, of the Township of Ameliasburgh, in the County of Prince Edward, Lawyer, hereby represent that it is desirable to incorporate a charitable foundation; and whereas the applicants hereby apply for special legislation to effect such purpose; and whereas it is expedient to grant the application;

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

1.—(1) Alastair Donald Cameron, Ronald William Cass, Douglas Gordon Burr, Jacob Carroll Anderson, Joseph George Demeza, Harold Milton Davis, Robert John Ord, John Henry Canning, John William Deacon, Phyllis Irene Berry, Donald George Williams and John Dale O'Flynn and all persons who, from time to time, are members of the congregation of Bridge Street United Church, Belleville, Ontario, are hereby constituted a body politic and corporate under the name of Bridge Street United Church Foundation, hereinafter called the Foundation.

Head office (2) The head office of the Foundation shall be in the City of Belleville, in the County of Hastings.

Powers of Foundation **2.** The Foundation has the power for charitable purposes, to engage in religious, educational and charitable activities of all kinds and, without in any way limiting the generality of the foregoing,

(a) to support the purposes, aims and objectives of said Bridge Street United Church, and those of such other congregations of The United Church of Canada as may, from time to time, be considered advisable by the Board of Directors;

(b) to support the purposes, aims and objectives of The United Church of Canada;

(c) to support the purposes, aims and objectives of such universities and other educational institutions in Ontario and elsewhere as may, from time to time, be considered advisable by the Board of Directors;

(d) as permitted by the by-laws of The United Church of Canada, to take such steps, by personal or written appeals, campaigns, public meetings or otherwise, as may, from time to time be deemed advisable for the purpose of procuring contributions to the funds of the Foundation;

(e) to print and publish any newspapers, periodicals, books or leaflets that may be considered advisable for the promotion of the objects of the Foundation; and

1925, c. 125

(f) to exercise any of the powers from time to time afforded the Foundation by this Act, *The United Church of Canada Act* or any other applicable Act of the Province of Ontario (but such powers shall not include any powers granted by any such Act exclusively to The United Church of Canada) only in furtherance of the carrying out of the aforesaid charitable purposes.

Property

R.S.O. 1970,
c. 225

3.—(1) The Foundation has, in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, the power to purchase or otherwise acquire, take or receive by gift, deed, bequest or devise or otherwise any real or personal property necessary for its actual use and occupation or for carrying on its undertaking absolutely or in trust and to hold and enjoy any estate or property whatso-

ever and to sell, grant, convey, mortgage, hypothecate, pledge, charge, lease and otherwise dispose of the same or any part thereof from time to time as occasion may require, and to acquire other estate and property in addition thereto without license in mortmain and without limitation as to the period of holding.

(2) The property vested in the Foundation and any property ^{Tax exemption} leased to and occupied by the Foundation are not liable for taxation for provincial, municipal or school purposes and they are exempt from every description of such taxation, so long as the same are actually used and occupied for the purposes of the Foundation.

(3) The Foundation has power, ^{Borrowing powers}

- (a) to borrow money on its credit in such amounts, on such terms and from such persons, firms, and corporations, including chartered banks, as may be determined by the Board of Directors;
- (b) to make, draw and endorse promissory notes or bills of exchange;
- (c) to mortgage, hypothecate, pledge or charge any or all of its personal and real property to secure any moneys so borrowed or the fulfillment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it,

provided that the total indebtedness of the Foundation shall not exceed \$50,000 without the prior written consent of the Executive or Sub-Executive of the General Council of The United Church of Canada.

4. The funds of the Foundation not immediately required ^{Investment powers} for its purposes and the proceeds of all property that have come into the Foundation, subject to any trusts affecting the same, may be invested and reinvested in trustee investments and in any shares, bonds or debentures in which Canadian life insurance companies are permitted to invest their funds, whether or not they are investments in which trustees are authorized to invest trust funds, without being restricted as to the proportion of the funds of the Foundation which are invested in any class of such investments and all its property and revenue shall be applied for the attainment of the objects for which the Foundation is constituted and to the payment of expenses incurred for objects legitimately connected with or depending on the purposes aforesaid.

Members of
Foundation

5.—(1) The members of the Foundation shall consist of those persons who, from time to time, are members of the congregation of the said Bridge Street United Church.

Idem

(2) Any person who becomes a member of the said Bridge Street United Church shall automatically become a member of the Foundation and any member of the Foundation who ceases to be a member of Bridge Street United Church shall automatically cease to be a member of the Foundation.

Board of
Directors

6.—(1) There shall be a Board of Directors of the Foundation that shall consist of the persons named in section 1 who shall hold office until their successors are elected or appointed, as may be provided in the by-laws of the Foundation and members of the Board of Directors shall serve without remuneration but may be reimbursed for their expenses properly incurred in carrying out their duties as members of the Board of Directors.

Idem

(2) The Board of Directors of the Foundation shall consist of one person who is appointed as a director of the Foundation by the Executive or Sub-Executive of the General Council of The United Church of Canada and eleven persons who are elected as directors by the members of the Foundation at a general meeting, provided that those persons who are so elected must be proposed from the members of the Foundation by the Congregational Board of the said Bridge Street United Church.

Management
of
Foundation

7.—(1) The Board of Directors has the control, management and government of the Foundation and has power to make by-laws, rules and regulations not contrary to law or to the provisions of this Act,

- (a) for the management of the Foundation;
- (b) for determining the number of members of the Board of Directors that shall constitute a quorum;
- (c) respecting the election or appointment of members of the Board of Directors;
- (d) regulating all matters pertaining to meetings of the Board of Directors;
- (e) for determining the number of members of the Foundation which shall constitute a quorum;
- (f) regulating all matters pertaining to meetings of the members of the Foundation; and

(g) for all other matters relating to the Foundation.

(2) All by-laws of the Foundation shall be submitted to the Executive or Sub-Executive of the General Council of The United Church of Canada for its review before being confirmed by the members of the Foundation, and the Executive or Sub-Executive shall make such submissions in relation to such review of the by-laws within thirty days after the submission of the by-laws.

(3) It is the intention of this section to make provision for the Executive or the Sub-Executive to make such representations to the Board of Directors as it considers necessary to ensure that the by-laws are in keeping with the spirit and purposes of the Foundation as set out in section 2, but it is not the intention of the review to be a judicial review, giving the Executive or the Sub-Executive of the Church the power to enforce its views.

8.—(1) The Board of Directors shall elect from among their number a President, one or more Vice-Presidents, a Secretary and a Treasurer (provided that one person may hold the office of Secretary and Treasurer, and if this is the case he shall be called the Secretary-Treasurer) and may, from time to time, appoint such other officers as are considered desirable.

(2) The officers elected or appointed under subsection 1 shall perform such duties as may be required of them, from time to time, by the Board of Directors.

9. A member shall not, as such, be held answerable or responsible for any act, default, obligation or liability of the Foundation or for any engagement, claim, payment, loss, injury, transaction, matter or thing related to or connected with the Foundation.

10. All property vested in the Foundation shall, as far as application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public use of Ontario.

11. Real property vested in the Foundation is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose, and no power to expropriate real property hereinafter conferred extends to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

- Vesting of property on dissolution of Foundation** **12.** Upon dissolution or winding up of the Foundation all of its property, both real and personal, shall vest in the trustees of Bridge Street United Church, Belleville, Ontario, provided that if the said Bridge Street United Church shall not exist as an organized body, all of the said property shall vest in The United Church of Canada subject to such trusts and for such purposes as the Conference within the bounds of which the said Bridge Street United Church was formerly located may determine under the by-laws, rules and regulations of the General Council of The United Church of Canada.
- Effect of merger** **13.** In the event that the congregation of Bridge Street United Church merges with another church congregation in a manner required by the rules and regulations of The United Church of Canada, the members of the uniting congregations shall become members of the Foundation.
- Interpretation** **14.** Wherever in this Act reference is made to The United Church of Canada, such reference shall be deemed to extend to The United Church of Canada and its successors.
- Commencement** **15.** This Act comes into force on the day it receives Royal Assent.
- Short title** **16.** This Act may be cited as *The Bridge Street United Church Foundation Act, 1973*.



Library of Congress

An Act respecting Drug Street
United Church Foundation

1st Reading

2nd Reading

3rd Reading

MR. ROLLINS

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting Bridge Street
United Church Foundation**

MR. ROLLINS

(Reprinted as amended by the Private Bills Committee)

BILL Pr15

1973

An Act respecting Bridge Street United Church Foundation

WHEREAS Alastair Donald Cameron, of the City of Belleville, in the County of Hastings, retired Bank Manager, Ronald William Cass, of the City of Belleville, in the County of Hastings, Lawyer, Douglas Gordon Burr, of the City of Belleville, in the County of Hastings, Insurance Agent, Jacob Carroll Anderson, of the City of Belleville, in the County of Hastings, Judge, Joseph George Demeza, of the City of Belleville, in the County of Hastings, School Superintendent, Harold Milton Davis, of the City of Belleville, in the County of Hastings, retired Minister, Robert John Ord, of the City of Belleville, in the County of Hastings, Lawyer, John Henry Canning, of the City of Belleville, in the County of Hastings, Accountant, John William Deacon, of the City of Belleville, in the County of Hastings, Real Estate Agent, Phyllis Irene Berry, of the City of Belleville, in the County of Hastings, Housewife, Donald George Williams, of the Township of Sidney, in the County of Hastings, Life Underwriter, and John Dale O'Flynn, of the Township of Ameliasburgh, in the County of Prince Edward, Lawyer, hereby represent that it is desirable to incorporate a charitable foundation; and whereas the applicants hereby apply for special legislation to effect such purpose; and whereas it is expedient to grant the application;

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

1.—(1) Alastair Donald Cameron, Ronald William Cass, Douglas Gordon Burr, Jacob Carroll Anderson, Joseph George Demeza, Harold Milton Davis, Robert John Ord, John Henry Canning, John William Deacon, Phyllis Irene Berry, Donald George Williams and John Dale O'Flynn and all persons who, from time to time, are members of the congregation of Bridge Street United Church, Belleville, Ontario, are hereby constituted a body politic and corporate under the name of Bridge Street United Church Foundation, hereinafter called the Foundation.

Head office (2) The head office of the Foundation shall be in the City of Belleville, in the County of Hastings.

Powers of Foundation **2.** The Foundation has the power for charitable purposes, to engage in religious, educational and charitable activities of all kinds and, without in any way limiting the generality of the foregoing,

(a) to support the purposes, aims and objectives of said Bridge Street United Church, and those of such other congregations of The United Church of Canada as may, from time to time, be considered advisable by the Board of Directors;

(b) to support the purposes, aims and objectives of The United Church of Canada;

(c) to support the purposes, aims and objectives of such universities and other educational institutions in Ontario and elsewhere as may, from time to time, be considered advisable by the Board of Directors;

(d) as permitted by the by-laws of The United Church of Canada, to take such steps, by personal or written appeals, campaigns, public meetings or otherwise, as may, from time to time be deemed advisable for the purpose of procuring contributions to the funds of the Foundation;

(e) to print and publish any newspapers, periodicals, books or leaflets that may be considered advisable for the promotion of the objects of the Foundation; and

1925, c. 125 (f) to exercise any of the powers from time to time afforded the Foundation by this Act, *The United Church of Canada Act* or any other applicable Act of the Province of Ontario (but such powers shall not include any powers granted by any such Act exclusively to The United Church of Canada) only in furtherance of the carrying out of the aforesaid charitable purposes.

Property **3.**—(1) The Foundation has, in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, the power to purchase or otherwise acquire, take or receive by gift, deed, bequest or devise or otherwise any real or personal property necessary for its actual use and occupation or for carrying on its undertaking absolutely or in trust and to hold and enjoy any estate or property whatso-

R.S.O. 1970,
c. 225

ever and to sell, grant, convey, mortgage, hypothecate, pledge, charge, lease and otherwise dispose of the same or any part thereof from time to time as occasion may require, and to acquire other estate and property in addition thereto without license in mortmain and without limitation as to the period of holding.

(2) The Foundation has power,

**Borrowing
powers**

- (a) to borrow money on its credit in such amounts, on such terms and from such persons, firms, and corporations, including chartered banks, as may be determined by the Board of Directors;
- (b) to make, draw and endorse promissory notes or bills of exchange;
- (c) to mortgage, hypothecate, pledge or charge any or all of its personal and real property to secure any moneys so borrowed or the fulfillment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it,

provided that the total indebtedness of the Foundation shall not exceed \$50,000 without the prior written consent of the Executive or Sub-Executive of the General Council of The United Church of Canada.

4. The funds of the Foundation not immediately required for its purposes and the proceeds of all property that have come into the Foundation, subject to any trusts affecting the same, may be invested and reinvested in trustee investments and in any shares, bonds or debentures in which Canadian life insurance companies are permitted to invest their funds, whether or not they are investments in which trustees are authorized to invest trust funds, without being restricted as to the proportion of the funds of the Foundation which are invested in any class of such investments and all its property and revenue shall be applied for the attainment of the objects for which the Foundation is constituted and to the payment of expenses incurred for objects legitimately connected with or depending on the purposes aforesaid.

**Investment
powers**

5.—(1) The members of the Foundation shall consist of those persons who, from time to time, are members of the congregation of the said Bridge Street United Church.

**Members of
Foundation**

(2) Any person who becomes a member of the said Bridge Street United Church shall automatically become a member of the Foundation and any member of the Foundation who

Idem

ceases to be a member of Bridge Street United Church shall automatically cease to be a member of the Foundation.

Board of
Directors

6.—(1) There shall be a Board of Directors of the Foundation that shall consist of the persons named in section 1 who shall hold office until their successors are elected or appointed, as may be provided in the by-laws of the Foundation and members of the Board of Directors shall serve without remuneration but may be reimbursed for their expenses properly incurred in carrying out their duties as members of the Board of Directors.

Idem

(2) The Board of Directors of the Foundation shall consist of one person who is appointed as a director of the Foundation by the Executive or Sub-Executive of the General Council of The United Church of Canada and eleven persons who are elected as directors by the members of the Foundation at a general meeting, provided that those persons who are so elected must be proposed from the members of the Foundation by the Congregational Board of the said Bridge Street United Church.

Management
of
Foundation

7.—(1) The Board of Directors has the control, management and government of the Foundation and has power to make by-laws, rules and regulations not contrary to law or to the provisions of this Act,

- (a) for the management of the Foundation;
- (b) for determining the number of members of the Board of Directors that shall constitute a quorum;
- (c) respecting the election or appointment of members of the Board of Directors;
- (d) regulating all matters pertaining to meetings of the Board of Directors;
- (e) for determining the number of members of the Foundation which shall constitute a quorum;
- (f) regulating all matters pertaining to meetings of the members of the Foundation; and
- (g) for all other matters relating to the Foundation.

Submission
of by-laws
for review

(2) All by-laws of the Foundation shall be submitted to the Executive or Sub-Executive of the General Council of The United Church of Canada for its review before being confirmed by the members of the Foundation, and the Execu-

tive or Sub-Executive shall make such submissions in relation to such review of the by-laws within thirty days after the submission of the by-laws.

(3) It is the intention of this section to make provision for ^{Purpose of review} the Executive or the Sub-Executive to make such representations to the Board of Directors as it considers necessary to ensure that the by-laws are in keeping with the spirit and purposes of the Foundation as set out in section 2, but it is not the intention of the review to be a judicial review, giving the Executive or the Sub-Executive of the Church the power to enforce its views.

8.—(1) The Board of Directors shall elect from among ^{Election of officers} their number a President, one or more Vice-Presidents, a Secretary and a Treasurer (provided that one person may hold the office of Secretary and Treasurer, and if this is the case he shall be called the Secretary-Treasurer) and may, from time to time, appoint such other officers as are considered desirable.

(2) The officers elected or appointed under subsection 1 ^{Duties of officers} shall perform such duties as may be required of them, from time to time, by the Board of Directors.

9. A member shall not, as such, be held answerable or ^{Liability of members, etc.} responsible for any act, default, obligation or liability of the Foundation or for any engagement, claim, payment, loss, injury, transaction, matter or thing related to or connected with the Foundation.

10. All property vested in the Foundation shall, as far as ^{Application of statute of limitations} application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public use of Ontario.

11. Upon dissolution or winding up of the Foundation ^{Vesting of property on dissolution of Foundation} all of its property, both real and personal, shall vest in the trustees of Bridge Street United Church, Belleville, Ontario, provided that if the said Bridge Street United Church shall not exist as an organized body, all of the said property shall vest in The United Church of Canada subject to such trusts and for such purposes as the Conference within the bounds of which the said Bridge Street United Church was formerly located may determine under the by-laws, rules and regulations of the General Council of The United Church of Canada.

12. In the event that the congregation of Bridge Street ^{Effect of merger} United Church merges with another church congregation in a

manner required by the rules and regulations of The United Church of Canada, the members of the uniting congregations shall become members of the Foundation.

**Interpre-
tation**

13. Wherever in this Act reference is made to The United Church of Canada, such reference shall be deemed to extend to The United Church of Canada and its successors.

**Commence-
ment**

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

Short title

15. This Act may be cited as *The Bridge Street United Church Foundation Act, 1973*.



An Act respecting Bridge Street
United Church Foundation

1st Reading

March 28th, 1973

2nd Reading

3rd Reading

MR. ROLLINS

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

BILL Pr15

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting Bridge Street
United Church Foundation**

MR. ROLLINS

BILL Pr15

1973

**An Act respecting Bridge Street
United Church Foundation**

WHEREAS Alastair Donald Cameron, of the City of Belleville, in the County of Hastings, retired Bank Manager, Ronald William Cass, of the City of Belleville, in the County of Hastings, Lawyer, Douglas Gordon Burr, of the City of Belleville, in the County of Hastings, Insurance Agent, Jacob Carroll Anderson, of the City of Belleville, in the County of Hastings, Judge, Joseph George Demeza, of the City of Belleville, in the County of Hastings, School Superintendent, Harold Milton Davis, of the City of Belleville, in the County of Hastings, retired Minister, Robert John Ord, of the City of Belleville, in the County of Hastings, Lawyer, John Henry Canning, of the City of Belleville, in the County of Hastings, Accountant, John William Deacon, of the City of Belleville, in the County of Hastings, Real Estate Agent, Phyllis Irene Berry, of the City of Belleville, in the County of Hastings, Housewife, Donald George Williams, of the Township of Sidney, in the County of Hastings, Life Underwriter, and John Dale O'Flynn, of the Township of Ameliasburgh, in the County of Prince Edward, Lawyer, hereby represent that it is desirable to incorporate a charitable foundation; and whereas the applicants hereby apply for special legislation to effect such purpose; and whereas it is expedient to grant the application;

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

1.—(1) Alastair Donald Cameron, Ronald William Cass, Douglas Gordon Burr, Jacob Carroll Anderson, Joseph George Demeza, Harold Milton Davis, Robert John Ord, John Henry Canning, John William Deacon, Phyllis Irene Berry, Donald George Williams and John Dale O'Flynn and all persons who, from time to time, are members of the congregation of Bridge Street United Church, Belleville, Ontario, are hereby constituted a body politic and corporate under the name of Bridge Street United Church Foundation, hereinafter called the Foundation.

Head office (2) The head office of the Foundation shall be in the City of Belleville, in the County of Hastings.

Powers of Foundation **2.** The Foundation has the power for charitable purposes, to engage in religious, educational and charitable activities of all kinds and, without in any way limiting the generality of the foregoing,

(a) to support the purposes, aims and objectives of said Bridge Street United Church, and those of such other congregations of The United Church of Canada as may, from time to time, be considered advisable by the Board of Directors;

(b) to support the purposes, aims and objectives of The United Church of Canada;

(c) to support the purposes, aims and objectives of such universities and other educational institutions in Ontario and elsewhere as may, from time to time, be considered advisable by the Board of Directors;

(d) as permitted by the by-laws of The United Church of Canada, to take such steps, by personal or written appeals, campaigns, public meetings or otherwise, as may, from time to time be deemed advisable for the purpose of procuring contributions to the funds of the Foundation;

(e) to print and publish any newspapers, periodicals, books or leaflets that may be considered advisable for the promotion of the objects of the Foundation; and

1925, c. 125 (f) to exercise any of the powers from time to time afforded the Foundation by this Act, *The United Church of Canada Act* or any other applicable Act of the Province of Ontario (but such powers shall not include any powers granted by any such Act exclusively to The United Church of Canada) only in furtherance of the carrying out of the aforesaid charitable purposes.

Property **3.**—(1) The Foundation has, in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, the power to purchase or otherwise acquire, take or receive by gift, deed, bequest or devise or otherwise any real or personal property necessary for its actual use and occupation or for carrying on its undertaking absolutely or in trust and to hold and enjoy any estate or property whatsoever.

R.S.O. 1970,
c. 225

ever and to sell, grant, convey, mortgage, hypothecate, pledge, charge, lease and otherwise dispose of the same or any part thereof from time to time as occasion may require, and to acquire other estate and property in addition thereto without license in mortmain and without limitation as to the period of holding.

(2) The Foundation has power,

Borrowing
powers

- (a) to borrow money on its credit in such amounts, on such terms and from such persons, firms, and corporations, including chartered banks, as may be determined by the Board of Directors;
- (b) to make, draw and endorse promissory notes or bills of exchange;
- (c) to mortgage, hypothecate, pledge or charge any or all of its personal and real property to secure any moneys so borrowed or the fulfillment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it,

provided that the total indebtedness of the Foundation shall not exceed \$50,000 without the prior written consent of the Executive or Sub-Executive of the General Council of The United Church of Canada.

4. The funds of the Foundation not immediately required for its purposes and the proceeds of all property that have come into the Foundation, subject to any trusts affecting the same, may be invested and reinvested in trustee investments and in any shares, bonds or debentures in which Canadian life insurance companies are permitted to invest their funds, whether or not they are investments in which trustees are authorized to invest trust funds, without being restricted as to the proportion of the funds of the Foundation which are invested in any class of such investments and all its property and revenue shall be applied for the attainment of the objects for which the Foundation is constituted and to the payment of expenses incurred for objects legitimately connected with or depending on the purposes aforesaid.

Investment
powers

5.—(1) The members of the Foundation shall consist of those persons who, from time to time, are members of the congregation of the said Bridge Street United Church.

Members of
Foundation

(2) Any person who becomes a member of the said Bridge Street United Church shall automatically become a member of the Foundation and any member of the Foundation who

Idem

ceases to be a member of Bridge Street United Church shall automatically cease to be a member of the Foundation.

Board of
Directors

6.—(1) There shall be a Board of Directors of the Foundation that shall consist of the persons named in section 1 who shall hold office until their successors are elected or appointed, as may be provided in the by-laws of the Foundation and members of the Board of Directors shall serve without remuneration but may be reimbursed for their expenses properly incurred in carrying out their duties as members of the Board of Directors.

Idem

(2) The Board of Directors of the Foundation shall consist of one person who is appointed as a director of the Foundation by the Executive or Sub-Executive of the General Council of The United Church of Canada and eleven persons who are elected as directors by the members of the Foundation at a general meeting, provided that those persons who are so elected must be proposed from the members of the Foundation by the Congregational Board of the said Bridge Street United Church.

Management
of
Foundation

7.—(1) The Board of Directors has the control, management and government of the Foundation and has power to make by-laws, rules and regulations not contrary to law or to the provisions of this Act,

- (a) for the management of the Foundation;
- (b) for determining the number of members of the Board of Directors that shall constitute a quorum;
- (c) respecting the election or appointment of members of the Board of Directors;
- (d) regulating all matters pertaining to meetings of the Board of Directors;
- (e) for determining the number of members of the Foundation which shall constitute a quorum;
- (f) regulating all matters pertaining to meetings of the members of the Foundation; and
- (g) for all other matters relating to the Foundation.

Submission
of by-laws
for review

(2) All by-laws of the Foundation shall be submitted to the Executive or Sub-Executive of the General Council of The United Church of Canada for its review before being confirmed by the members of the Foundation, and the Execu-

tive or Sub-Executive shall make such submissions in relation to such review of the by-laws within thirty days after the submission of the by-laws.

(3) It is the intention of this section to make provision for the Executive or the Sub-Executive to make such representations to the Board of Directors as it considers necessary to ensure that the by-laws are in keeping with the spirit and purposes of the Foundation as set out in section 2, but it is not the intention of the review to be a judicial review, giving the Executive or the Sub-Executive of the Church the power to enforce its views. ^{Purpose of review}

8.—(1) The Board of Directors shall elect from among their number a President, one or more Vice-Presidents, a Secretary and a Treasurer (provided that one person may hold the office of Secretary and Treasurer, and if this is the case he shall be called the Secretary-Treasurer) and may, from time to time, appoint such other officers as are considered desirable. ^{Election of officers}

(2) The officers elected or appointed under subsection 1 shall perform such duties as may be required of them, from time to time, by the Board of Directors. ^{Duties of officers}

9. A member shall not, as such, be held answerable or responsible for any act, default, obligation or liability of the Foundation or for any engagement, claim, payment, loss, injury, transaction, matter or thing related to or connected with the Foundation. ^{Liability of members, etc.}

10. All property vested in the Foundation shall, as far as application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public use of Ontario. ^{Application of statute of limitations}

11. Upon dissolution or winding up of the Foundation all of its property, both real and personal, shall vest in the trustees of Bridge Street United Church, Belleville, Ontario, provided that if the said Bridge Street United Church shall not exist as an organized body, all of the said property shall vest in The United Church of Canada subject to such trusts and for such purposes as the Conference within the bounds of which the said Bridge Street United Church was formerly located may determine under the by-laws, rules and regulations of the General Council of The United Church of Canada. ^{Vesting of property on dissolution of Foundation}

12. In the event that the congregation of Bridge Street United Church merges with another church congregation in a ^{Effect of merger}

manner required by the rules and regulations of The United Church of Canada, the members of the uniting congregations shall become members of the Foundation.

Interpre-
tation

13. Wherever in this Act reference is made to The United Church of Canada, such reference shall be deemed to extend to The United Church of Canada and its successors.

Commence-
ment

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

Short title

15. This Act may be cited as *The Bridge Street United Church Foundation Act, 1973*.



An Act respecting Bridge Street
United Church Foundation

1st Reading

March 28th, 1973

2nd Reading

April 12th, 1973

3rd Reading

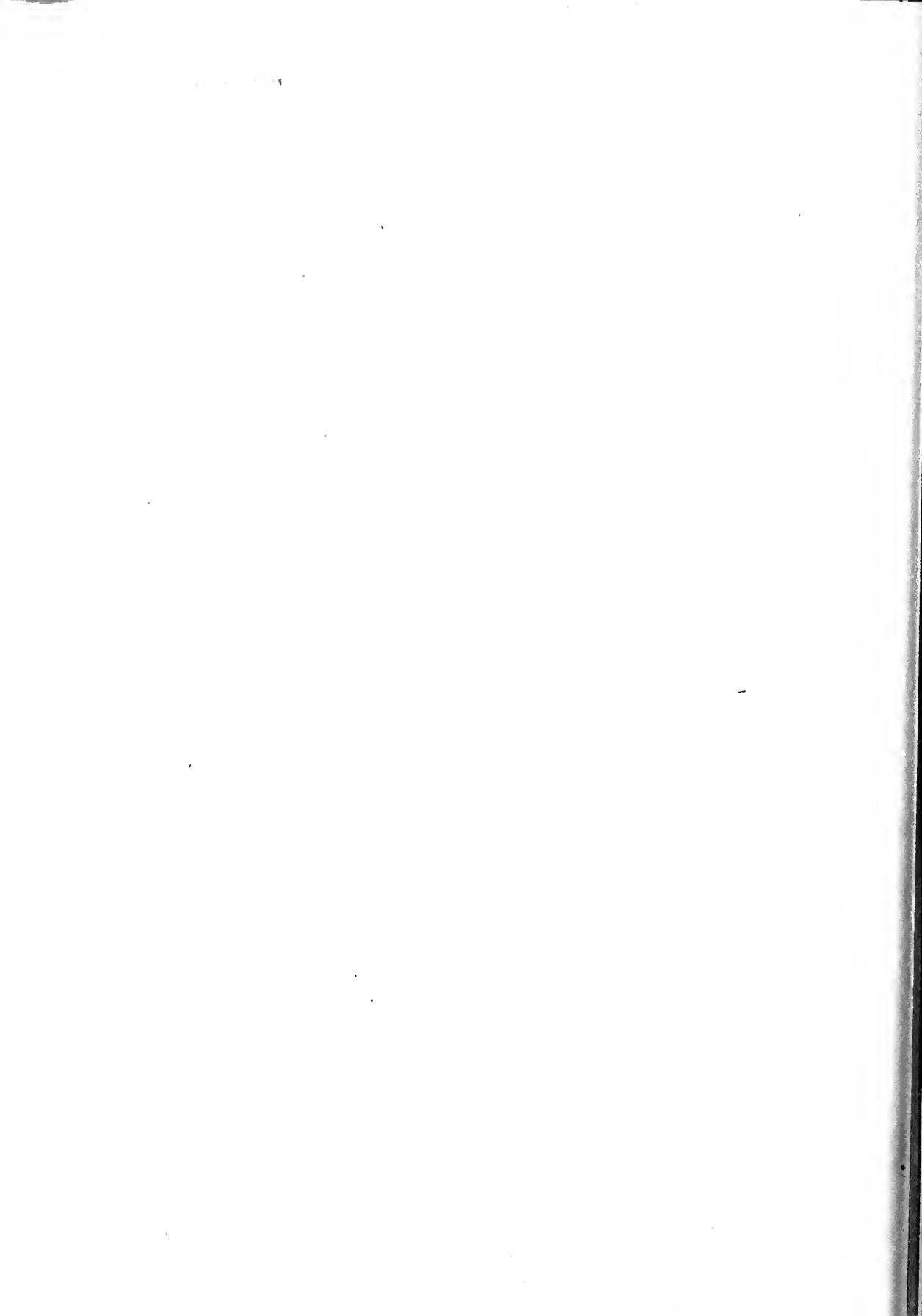
April 12th, 1973

Mr. ROLLINS

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
The Tillson Spur Line Railway Company**

MR. PARROTT



BILL Pr16

1973

**An Act respecting
The Tillson Spur Line Railway Company**

WHEREAS The Tillson Spur Line Railway Company, ^{Preamble} herein called the Company, hereby represents that it is a body corporate under the laws of the Province of Ontario, incorporated on the 4th day of May, 1891, by the Statutes of Ontario, 1891, chapter 95, for the purpose of constructing and operating a short connecting spur railway line in the Town of Tillsonburg; and whereas the Company has disposed of all its assets, effects and properties, real and personal and is now inoperative; and whereas the applicant hereby applies to have the Company dissolved; and whereas it is expedient to grant the application;

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

1. The Tillson Spur Line Railway Company is hereby dissolved. <sup>Tillson Spur
Line Railway
Co. dissolved</sup>
2. This Act comes into force on the day it receives Royal Assent. <sup>Commence-
ment</sup>
3. This Act may be cited as *The Tillson Spur Line Railway Company Act, 1973*. ^{Short title}

An Act respecting
The Tillson Spur Line Railway Company

1st Reading

2nd Reading

3rd Reading

MR. PARROTT

(Private Bill)

BILL Pr16

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
The Tillson Spur Line Railway Company**

MR. PARROTT



BILL Pr16

1973

**An Act respecting
The Tillson Spur Line Railway Company**

WHEREAS The Tillson Spur Line Railway Company, ^{Preamble} herein called the Company, hereby represents that it is a body corporate under the laws of the Province of Ontario, incorporated on the 4th day of May, 1891, by the Statutes of Ontario, 1891, chapter 95, for the purpose of constructing and operating a short connecting spur railway line in the Town of Tillsonburg; and whereas the Company has disposed of all its assets, effects and properties, real and personal and is now inoperative; and whereas the applicant hereby applies to have the Company dissolved; and whereas it is expedient to grant the application;

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

1. The Tillson Spur Line Railway Company is hereby dissolved. <sup>Tillson Spur
Line Railway
Co. dissolved</sup>
2. This Act comes into force on the day it receives Royal Assent. <sup>Commence-
ment</sup>
3. This Act may be cited as *The Tillson Spur Line Railway Company Act, 1973*. ^{Short title}

An Act respecting
The Tillson Spur Line Railway Company

1st Reading

March 28th, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

MR. PARROTT

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Peterborough

MR. TURNER



BILL Pr17

1973

An Act respecting the City of Peterborough

WHEREAS The Corporation of the City of Peterborough ^{Preamble} hereby represents that on the 23rd day of October, 1972 the council of The Corporation of the City of Peterborough gave first and second readings to By-law Number 1972-116, entitled "A by-law to authorize The Corporation of the City of Peterborough to enter into an agreement with Border Transit Limited granting to Border Transit Limited the exclusive right to operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five years from the 1st day of January, 1974 and obligating the Corporation to pay annually to Border Transit Limited such amount of money as may be necessary to provide Border Transit Limited with a profit in the operation of such buses to the extent set forth in the said agreement"; that the by-law has been assented to by the municipal electors for the City of Peterborough; and whereas the Corporation hereby applies for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the application:

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

1. The council of The Corporation of the City of Peter- ^{Agreement} borough is hereby authorized to give third reading to and ^{authorized} finally pass By-law Number 1972-116, as set forth in the Schedule hereto, and to enter into the agreement forming part of the by-law.

2. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

3. This Act may be cited as *The City of Peterborough Act*, ^{Short title} 1973.

SCHEDULE

BY-LAW NUMBER 1972- 116

A BY-LAW to authorize The Corporation of the City of Peterborough to enter into an agreement with Border Transit Limited granting to Border Transit Limited the exclusive right to operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five years from the 1st day of January, 1974 and obligating the Corporation to pay annually to Border Transit Limited such amount of money as may be necessary to provide Border Transit Limited with a profit in the operation of such buses to the extent set forth in the said agreement.

The Corporation of the City of Peterborough by the Council thereof enacts as follows :

1. That The Corporation of the City of Peterborough enter into the agreement with Border Transit Limited set forth as a schedule to this by-law and the Mayor and Clerk are hereby authorized and directed to sign and affix the seal of the Corporation thereto.

READ A FIRST AND SECOND TIME this 23rd day of October, 1972.

P. D. GALVIN,
Mayor.

S. HENDRY,
Clerk.

READ A THIRD TIME and finally passed this day of
1973.

Mayor.

Clerk.

SCHEDULE

THIS AGREEMENT made in duplicate this 3rd day of October, 1972.

BETWEEN :

THE CORPORATION OF THE CITY OF PETERBOROUGH,
hereinafter called the Corporation

OF THE FIRST PART

—and—

BORDER TRANSIT LIMITED,
hereinafter called the Company

OF THE SECOND PART

WHEREAS the parties hereto entered into an Agreement dated the 5th day of May, 1969 which Agreement expires on the 31st day of December, 1973.

AND WHEREAS the parties hereto are desirous of entering into a further agreement upon the terms and conditions hereinafter set forth ;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and other good and valuable consideration, the parties hereto hereby agree as follows:

1. In this agreement,

- (a) "deficit", "depreciation", "net profit" and "capital assets" are used with reference only to the maintenance and operation of buses by the Company for the conveyance of passengers within the limits of the City of Peterborough in accordance with the terms of this agreement and other operations presently carried on by the Company within the limits of the City of Peterborough;
- (b) "capital assets" does not include motor vehicles other than buses and service trucks;
- (c) "undepreciated capital cost" means the original capital cost less accumulated depreciation allowed under this agreement.

2. Subject to the due performance by the Company of its obligations under this agreement, the Corporation hereby grants to the Company the exclusive right to maintain and operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five years from and including the first day of January, 1974 to and including the thirty-first day of December, 1978. The franchise hereby granted relates only to the picking up, conveyance and discharge of passengers within the limits of the City of Peterborough and does not extend or apply to the operation of buses operating between any point within the City of Peterborough and points outside the City of Peterborough where passengers are not conveyed from one point within the City of Peterborough to another and does not apply to passengers conveyed within the City of Peterborough by taxicab or ambulance. Without restricting the generality of the foregoing, it is understood and agreed that the Company shall have the exclusive right to pick up, convey and discharge students within the limits of the City of Peterborough and the exclusive right to enter into any contract for the conveyance of students within the limits of the said City of Peterborough, provided however, that the Peterborough County Board of Education and the Peterborough-Victoria-Northumberland and Durham County Separate School Board shall have the right to pick up, convey and discharge students within the City of Peterborough who are in attendance at their schools, on buses owned, operated or subcontracted for by the said Boards on condition that it is done without charge to such students.

3. During the period of this agreement the Company shall maintain and operate an adequate number of buses of reasonably modern design and type for the conveyance of passengers within the City of Peterborough on such routes and at such times as the Corporation shall by resolution determine and in the meantime on such routes and at such times as are set forth in the schedule presently on file with the Clerk of the Corporation and initialled by both parties. All buses so used shall be kept at all times in a good and sufficient state of repair, shall be kept clean inside and out and shall be lighted and heated at such hours and at such periods of the year as may be necessary. The Corporation agrees to consult with the Company with respect to proposed changes in routes and schedules but the decision of the Corporation in this regard shall be final. The Corporation will give the Company reasonable notice of any changes in routes and schedules and the Company shall cause any such changes to be properly advertised and posted.

4. During the term of this Agreement the Company shall pay to the Corporation an annual licence fee of \$100.00 on the 1st day of January in each year. The Company shall obtain such licences and permits as may be necessary to carry out its obligations under this Agreement.

5. The rate of fares for conveyance of passengers shall be:

Adult Fare—20¢ cash or 3 tickets for 50¢
 Senior Citizens—20¢ cash or 5 tickets for 50¢
 Blind—no charge
 Children under 58 inches in height—10¢ cash or 6 tickets for 50¢

such fares shall not be changed, altered or otherwise varied by the Company without the consent of the Council of the Corporation as expressed by resolution.

6. During each of the years 1974, 1975, 1976, 1977 and 1978, the Corporation will pay the Company a subsidy sufficient in amount to provide the Company with a net profit in each of such years after payment of Federal and Ontario corporation income taxes of \$18,500.00. The Company's accountant will prepare quarterly statements of profit and loss for the first three quarters in each of such years and the Corporation will make payments to the Company on account of the said subsidy in the amount of any deficit incurred during any of the said quarter-yearly periods, the payments to be made within 45 days of the receipt of the statements. The final annual payments on account of the subsidy, if necessary, will be made within 30 days of the receipt by the Corporation of complete financial statements for the year prepared by the Company's auditors. If the payments by the Corporation to the Company on account of the subsidy result in the Company making a net profit in any year after payment of Federal and Ontario corporation income taxes of more than \$18,500.00 the Company shall forthwith pay the Corporation a sum equal to the difference between the amount of such net profit and the sum of \$18,500.00. For the purpose of calculating net profit the Company may claim a depreciation allowance on its capital assets in the amount actually allowed by the Department of National Revenue in calculating Federal corporation income taxes subject to the proviso that the depreciation allowance for motor vehicles shall not exceed 15% per annum. No allowance shall be made for corporation income tax payable by the Company with respect to the recapture of depreciation and no allowance shall be made for any amount paid for managerial or executive salaries and expenses (including director's and officer's fees) in excess of \$17,500.00 per annum without the consent of the Council of the Corporation as expressed by resolution. The Corporation's auditors shall have the right at all reasonable time during the currency of this agreement to examine and verify such of the Company's books of account, vouchers and records as they may deem necessary.

7. No revenue producing operation presently carried on by the Company within the limits of the City of Peterborough shall be discontinued without the consent of the Council of the Corporation as expressed by resolution.

8. The Company shall not be entitled to purchase capital assets of any kind at a cost in excess of \$2,000.00 without the consent of the City Administrator or at a cost in excess of \$5,000.00 without the consent of the Council of the Corporation as expressed by resolution.

9. In the event that either party does not fully perform its obligations hereunder and fails to correct the default within 72 hours of receiving a

written demand to do so the other party may forthwith terminate this agreement by giving the defaulting party a notice in writing to this effect. Such notice may be personally served or delivered by registered mail.

10. The Company may apply in writing to the Council of the Corporation for a further renewal or extension of the franchise granted hereunder and such application shall be filed with the Clerk of the Corporation on or before the 1st day of June, 1977.

11. The Company will indemnify and save harmless the Corporation from any and all claims or demands made or brought against the Corporation by any person or persons for damages arising out of the maintenance and operation of buses by the Company for the conveyance of passengers within the limits of the City of Peterborough or other operations carried on by the Company within the limits of the City of Peterborough. The Company shall maintain public liability insurance coverage in the minimum amount of \$1,000,000.00 for any one occurrence and shall file proof of such insurance with the clerk of the Corporation.

12. The Corporation shall during the said term by by-law provide sufficient bus stops as the Company may require to conduct its business of carrying passengers as may be agreed upon between the parties hereto and shall adequately mark said bus stops. The Company shall post such signs and notices at bus stops as shall be required by the Corporation.

13. The Corporation shall during said term by by-law regulate traffic in the City of Peterborough to enable the Company to operate its buses efficiently.

14. Upon the expiration of this agreement or upon the termination of this agreement by either party pursuant to clause 9 hereof, the Corporation shall for a period of two months thereafter have the sole, irrevocable and exclusive option to purchase all the capital assets of the Company free of encumbrances at a price to be agreed upon by the parties or upon their failure to agree, at a price to be determined under the provisions of *The Arbitrations Act*. It is agreed that in determining the price to be paid to the Company:

- (a) nothing shall be taken into account or allowed for the franchise hereby granted;
- (b) the price of motor vehicles shall be the undepreciated capital cost or the market value thereof whichever is the lesser and the parties agree the undepreciated capital cost of motor vehicles on December 31, 1971 was \$90,000.00;
- (c) the price of all other capital assets of the Company shall be the actual market value thereof at the date of exercise of the option.

The said option may be exercised by the Corporation giving written notice of such to the Company delivered by registered mail at its place of business in the City of Peterborough and upon the exercise of such option all the capital assets of the Company shall forthwith become the property of the Corporation and the Company agrees to execute all such instruments and assurances as may be necessary to effectively transfer title in the said capital assets to the Corporation. Upon the price being determined as aforesaid it shall immediately become due and payable by the Corporation to the Company together with interest thereon at the rate of six per cent per annum calculated from the date of the exercise of the option. In the event the Corporation fails to exercise the option within the said period of two

months, then the Corporation will immediately buy from the Company and the Company will immediately sell to the Corporation all buses and service trucks then being used by the Company in connection with its operations in the City of Peterborough, at the undepreciated capital cost or the market value thereof whichever is the lesser.

15. The Company shall not be liable for damages arising out of the cessation or interruption of the bus service herein caused by fire, flood, act of God, strike or other circumstance beyond the control of the Company.

16. The Company shall not assign this agreement and/or sell its capital assets to any person or corporation without the express consent of the Council of the Corporation as expressed by resolution provided, however, that such consent of the Corporation shall not be unreasonably withheld, and provided also that upon being advised by the Company of its intention to assign this agreement and/or sell its said capital assets the Corporation shall immediately become entitled to the sole, irrevocable and exclusive option for a period of two months thereafter to purchase all the said capital assets of the Company at the price and upon the terms and conditions set forth in clause 14 hereof and upon the exercise of such option by the Corporation the franchise hereby granted shall immediately be terminated.

17. If at any time during or after the term of the agreement any dispute, difference or question shall arise between the parties hereto, or any of their representatives, touching this agreement, or any part thereof, or the construction meaning or effect of this agreement or any part thereof, or anything herein contained, or the rights or liabilities of the parties, or their representatives, under this agreement or otherwise, in relation to the premises, and if said matter cannot be settled by the parties hereto by negotiation, then every such dispute, difference or question shall be referred to a single arbitrator, if the parties agree upon one, otherwise to three arbitrators, one to be appointed by each party to the reference, and the third arbitrator to be a Judge of any County of the Province of Ontario and to be appointed by the parties hereto in writing before they enter upon the business of the reference. If either party shall refuse or neglect to appoint an arbitrator within thirty days after the other party shall have appointed an arbitrator, and shall have served a written notice upon the first mentioned party requiring such party to make such appointment, then the arbitrator first appointed shall, at the request of the party appointing him, proceed to hear and determine the matter in difference as if he were a single arbitrator appointed by both parties for the purpose, and the award or determination which shall be final and binding on the parties hereto their successors and assigns, and shall not be subject to appeal to any Court or Courts.

18. Matters relating to routes, rates and the efficient operation of the Company requiring a policy decision shall be referred to a standing committee of Council.

19. This agreement shall enure to the benefit of and be binding upon the parties hereto, their respective successors and assigns.

IN WITNESS WHEREOF the said parties hereto have hereunto affixed their Corporate seals attested by the hands of their proper signing officers in that behalf.

THE CORPORATION OF THE CITY OF PETERBOROUGH:

Mayor.

Clerk.

BORDER TRANSIT LIMITED:

President.

Secretary.





An Act respecting
the City of Peterborough

1st Reading

2nd Reading

3rd Reading

MR. TURNER

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Peterborough

MR. TURNER

(Reprinted as amended by the Private Bills Committee)



BILL Pr17

1973

**An Act respecting
the City of Peterborough**

WHEREAS The Corporation of the City of Peterborough ^{Preamble} hereby represents that on the 23rd day of October, 1972 the council of The Corporation of the City of Peterborough gave first and second readings to By-law Number 1972-116, entitled "A by-law to authorize The Corporation of the City of Peterborough to enter into an agreement with Border Transit Limited granting to Border Transit Limited the exclusive right to operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five years from the 1st day of January, 1974 and obligating the Corporation to pay annually to Border Transit Limited such amount of money as may be necessary to provide Border Transit Limited with a profit in the operation of such buses to the extent set forth in the said agreement"; that the by-law has been assented to by the municipal electors for the City of Peterborough; and whereas the Corporation hereby applies for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the application:

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

1. The council of The Corporation of the City of Peter- <sup>Agreement
authorized</sup> borough is hereby authorized to give third reading to and finally pass By-law Number 1972-116, as set forth in the Schedule hereto, and to enter into the agreement forming part of the by-law.
2. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup> Assent.
3. This Act may be cited as *The City of Peterborough Act*, ^{Short title} 1973.

SCHEDULE

BY-LAW NUMBER 1972-116

A BY-LAW to authorize The Corporation of the City of Peterborough to enter into an agreement with Border Transit Limited granting to Border Transit Limited the exclusive right to operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five years from the 1st day of January, 1974 and obligating the Corporation to pay annually to Border Transit Limited such amount of money as may be necessary to provide Border Transit Limited with a profit in the operation of such buses to the extent set forth in the said agreement.

The Corporation of the City of Peterborough by the Council thereof enacts as follows:

1. That The Corporation of the City of Peterborough enter into the agreement with Border Transit Limited set forth as a schedule to this by-law and the Mayor and Clerk are hereby authorized and directed to sign and affix the seal of the Corporation thereto.

READ A FIRST AND SECOND TIME this 23rd day of October, 1972.

P. D. GALVIN,
Mayor.

S. HENDRY,
Clerk.

READ A THIRD TIME and finally passed this day of 1973.

Mayor.

Clerk.

Schedule



THIS AGREEMENT made in duplicate this 24th day of October, 1972.

BETWEEN:

THE CORPORATION OF THE CITY OF PETERBOROUGH,
hereinafter called the Corporation

OF THE FIRST PART

—and—

BORDER TRANSIT LIMITED,
hereinafter called the Company

OF THE SECOND PART

WHEREAS the parties hereto entered into an Agreement dated the 5th day of May, 1969 relating to the conveyance of passengers by bus which Agreement expires on the 31st day of December, 1973.

AND WHEREAS the parties hereto are desirous of entering into a further agreement upon the terms and conditions hereinafter set forth;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and other good and valuable consideration, the parties hereto hereby agree as follows:

1. In this agreement,

- (a) "deficit", "depreciation", "net profit" and "capital assets" are used with reference only to the maintenance and operation of buses by the Company for the conveyance of passengers within the limits of the City of Peterborough in accordance with the terms of this agreement and other operations presently carried on by the Company within the limits of the City of Peterborough,
- (b) "capital assets" does not include motor vehicles other than buses and service trucks,
- (c) "undepreciated capital cost" means the original capital cost less the accumulated depreciation allowed under this agreement.

2. Subject to the due performance by the Company of its obligations under this agreement, the Corporation hereby grants to the Company the exclusive right to maintain and operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five years from and including the first day of January, 1974 to and including the thirty-first day of December, 1978. The franchise hereby granted relates only to the picking up, conveyance and discharge of passengers within the limits of the City of Peterborough and does not extend or apply to the operation of buses operating between any point within the City of Peterborough and points outside the City of Peterborough where passengers are not conveyed from one point within the City of Peterborough to another and does not apply to passengers conveyed within the City of Peterborough by taxicab or ambulance. Without restricting the generality of the foregoing, it is understood and agreed that the Company shall have the exclusive right to pick up, convey and discharge students within the limits of the City of Peterborough and the exclusive right to enter into any contract for the conveyance of students within the limits of the said City of Peterborough, provided however, that the Peterborough County Board of Education and the Peterborough-Victoria-Northumberland and Durham County Roman Catholic Separate School Board shall have the right to pick up, convey and discharge students within the City of Peterborough who are in attendance at their schools, on buses owned, operated or subcontracted for by the said Boards on condition that it is done without charge to such students.

3. During the period of this agreement the Company shall maintain and operate an adequate number of buses for the conveyance of passengers within the City of Peterborough on such routes and at such times as the Corporation shall by resolution determine and in the meantime on such routes and at such times as are set forth in the schedule presently on file with the Clerk of the Corporation and initialled by both parties. All buses so used shall be kept at all times in a good and sufficient state of repair, shall be kept clean inside and out and shall be lighted and heated at such hours and at such periods of the year as may be necessary. All buses shall be of reasonably modern design and type as may be agreed upon by the Corporation and the Company. The Corporation agrees to consult with the Company with respect to proposed changes in routes and schedules but the decision of the Corporation in this regard shall be final. The Corporation will give the Company reasonable notice of any changes in routes and schedules and the Company shall cause any such changes to be properly advertised and posted.

4. During the term of this Agreement the Company shall pay to the Corporation an annual licence fee of \$100.00 on the 1st day of January in each year. The Company shall maintain such licences and permits as may be necessary to carry out its obligations under this Agreement.

5. The rate of fares for conveyance of passengers shall be:

Adult Fare—20¢ cash or 3 tickets for 50¢

Senior Citizens—20¢ cash or 5 tickets for 50¢

Blind—no charge

Children under 58 inches in height—10¢ cash or 6 tickets for 50¢

Such fares shall not be changed, altered or otherwise varied by the Company without the consent of the Council of the Corporation as expressed by resolution.

6. During each of the years 1974, 1975, 1976, 1977 and 1978, the Corporation will pay the Company a subsidy sufficient in amount to provide the Company with a net profit in each of such years after payment of Federal and Ontario corporation income taxes of \$18,500.00. The Company's auditor will prepare quarterly statements of profit and loss for each of the first three quarters in each of such years and the Corporation will make payments to the Company on account of the said subsidy in the amount of any deficit incurred during any of the said quarter-yearly periods, the payments to be made not later than 45 days following the receipt of the statements. The final annual payments on account of the subsidy, if necessary, will be made within 30 days of the receipt of the Corporation of complete financial statements for the year prepared by the Company's auditors. If the payments by the Corporation to the Company on account of the subsidy result in the Company making a net profit in any year after payment of Federal and Ontario corporation income taxes of more than \$18,500.00 the Company shall forthwith pay the Corporation a sum equal to the difference between the amount of such net profit and the sum of \$18,500.00. For the purpose of calculating net profit the Company may claim all reasonable and proper expenses including a depreciation allowance on its capital assets in the amount actually allowed by the Department of National Revenue in calculating Federal corporation income taxes subject to the proviso that the depreciation allowance for motor vehicles shall not exceed 20% per annum calculated on the declining balance. No allowance shall be made for corporation income tax payable by the Company with respect to the recapture of depreciation and no allowance shall be made for any amount paid for the full time manager's salary and expenses in excess of \$13,000.00 or executive salaries and expenses (including directors' and officers' remuneration) in excess of \$7,000.00 per annum without the consent of the Council of the Corporation as expressed by resolution. The Corporation's auditors shall have the right at all reasonable times during the currency of this agreement to examine and verify such of the Company's books of account, vouchers and records as are related to the performance of the Company's obligation under this Agreement.

7. No profitable revenue producing operation presently carried on by the Company within the limits of the City of Peterborough shall be discontinued without the consent of the Council of the Corporation as expressed by resolution.

8. The Company shall not be entitled to purchase a capital asset of any kind at a cost in excess of \$2,000.00 and less than \$5,000.00 without the consent of the City Administrator or at a cost in excess of \$5,000.00 without the consent of the Council of the Corporation as expressed by resolution.

9. In the event that either party does not fully perform its obligations hereunder and fails to correct the default within 10 days of receiving a written demand to do so, or in the case of a cessation of service for reasons other than a strike or act of God within 72 hours of the receipt of the demand, the other party may forthwith terminate this Agreement by giving the defaulting party a notice in writing to this effect. Such notice may be personally served or delivered by registered mail to the Corporation at the City Hall, Peterborough, or the Company at 38 Hunter Street East, Peterborough. In the event this Agreement is so terminated on a date other than the 31st day of December in any year, the amount of the subsidy referred to in paragraph 6 hereof for the year in which the termination occurs shall be reduced proportionately and in such event the amount of net profit where referred to in paragraph 6 hereof shall be reduced by the proportion that the period of the year remaining after the date of termination bears to the whole of the year and any amount payable by either the Corporation or the Company thereunder shall be adjusted accordingly.

10. The Company may apply in writing to the Council of the Corporation for a further renewal or extension of the franchise granted hereunder and such application shall be filed with the Clerk of the Corporation on or before the 1st day of June, 1977.

11. The Company will indemnify and save harmless the Corporation from any and all claims or demands made or brought against the Corporation by any person or persons for damages arising out of the maintenance and operation of buses by the Company for the conveyance of passengers within the limits of the City of Peterborough or other operations carried on by the Company within the limits of the City of Peterborough. The Company shall maintain public liability insurance coverage in the minimum amount of \$1,000,000.00 for any one occurrence and shall file proof of such insurance with the Clerk of the Corporation.

12. The Corporation shall during the said term by by-law provide sufficient bus stops as the Company may require to conduct its business of carrying passengers as may be agreed upon between the parties hereto and the Company shall adequately mark and maintain said bus stops at its expense. The Company shall post such signs and notices at bus stops as shall be required by the Corporation or as shall be mutually agreed upon.

13. The Corporation shall during said term by by-law regulate traffic in the City of Peterborough to enable the Company to operate its buses efficiently.

14. Upon the expiration of this Agreement or upon the termination of this Agreement by either party pursuant to clause 9 hereof, the Corporation shall for a period of two months thereafter have the sole, irrevocable and exclusive option to purchase all the capital assets of the Company free of encumbrances at a price to be agreed upon by the parties or upon their failure to agree, at a price to be determined under the provisions of *The Arbitrations Act*. It is agreed that in determining the price to be paid to the Company:

- (a) nothing shall be taken into account or allowed for the franchise hereby granted;
- (b) the price of buses and service trucks shall be the undepreciated capital cost thereof and the parties agree the undepreciated capital cost of buses and service trucks on December 31, 1971 was \$90,000.00;
- (c) the price of all other capital assets of the Company shall be the actual market value thereof at the date of exercise of the option;

The said option may be exercised by the Corporation giving written notice of such to the Company delivered by registered mail at its place of business in the City of Peterborough and upon the exercise of such option all the capital assets of the Company shall forthwith become the property of the Corporation and the Company agrees to execute all such instruments and assurances as may be necessary to effectively transfer title in the said capital assets to the Corporation. Upon the price being determined as aforesaid it shall immediately become due and payable by the Corporation to the Company together with interest thereon at the rate of six per cent per annum calculated from the date of the exercise of the option. In the event the Corporation fails to exercise the option within the said period of two months, then the Corporation will immediately buy from the Company and the Company will immediately sell to the Corporation all buses and service trucks then being used by the Company in connection with its operations in the City of Peterborough, at the undepreciated capital cost thereof.

15. The Company shall not be liable for damages arising out of the cessation or interruption of the bus service herein caused by fire, flood, act of God, strike or other circumstance beyond the control of the Company.

16. The Company shall not assign this Agreement and/or sell its capital assets to any person or corporation without the express consent of the Council of the Corporation as expressed by resolution provided, however, that such consent of the Corporation shall not be unreasonably withheld, and provided also that upon being advised by the Company of its intention to assign this Agreement and/or sell its said capital assets the Corporation shall immediately become entitled to the sole, irrevocable and exclusive option for a period of two months thereafter to purchase all the said capital assets of the Company at the price and upon the terms and conditions set forth in clause 14 hereof and upon the exercise of such option by the Corporation the franchise hereby granted shall immediately be terminated.

17. If at any time during or after the term of the Agreement any dispute, difference or question shall arise between the parties hereto, or any of their representatives, touching this Agreement, or any part thereof, or the construction meaning or effect of this Agreement or any part thereof, or anything herein contained, or the rights or liabilities of the parties, or their representatives, under this Agreement or otherwise, in relation to the premises, and if said matter cannot be settled by the parties hereto by negotiation, then every such dispute, difference or question shall be referred to a single arbitrator, if the parties agree upon one, otherwise to three arbitrators, one to be appointed by each party to the reference, and the third arbitrator to be a Judge of any County of the Province of Ontario and to be appointed by the parties hereto in writing before they enter upon the business of the reference. If either party shall refuse or neglect to appoint an arbitrator within thirty days after the other party shall have appointed an arbitrator, and shall have served a written notice upon the first mentioned party requiring such party to make such appointment, then the arbitrator first appointed shall, at the request of the party appointing him, proceed to hear and determine the matter in difference as if he were a single arbitrator appointed by both parties for the purpose, and the award or determination which shall be final and binding on the parties hereto their successors and assigns, and shall not be subject to appeal to any Court or Courts.

18. Matters relating to routes, rates and the efficient operation of the Company requiring a policy decision shall be referred to a standing committee of Council.

19. This agreement shall enure to the benefit of and be binding upon the parties hereto, their respective successors and assigns.

IN WITNESS WHEREOF the said parties hereto have hereunto affixed their Corporate seals attested by the hands of their proper signing officers in that behalf.

THE CORPORATION OF THE CITY OF PETERBOROUGH:

Mayor.

Clerk.

BORDER TRANSIT LIMITED:

President.

Secretary.



An Act respecting
the City of Peterborough

1st Reading

April 9th, 1973

2nd Reading

3rd Reading

MR. TURNER

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

BILL Pr17

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Peterborough

MR. TURNER



BILL Pr17

1973

**An Act respecting
the City of Peterborough**

WHEREAS The Corporation of the City of Peterborough ^{Preamble} hereby represents that on the 23rd day of October, 1972 the council of The Corporation of the City of Peterborough gave first and second readings to By-law Number 1972-116, entitled "A by-law to authorize The Corporation of the City of Peterborough to enter into an agreement with Border Transit Limited granting to Border Transit Limited the exclusive right to operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five years from the 1st day of January, 1974 and obligating the Corporation to pay annually to Border Transit Limited such amount of money as may be necessary to provide Border Transit Limited with a profit in the operation of such buses to the extent set forth in the said agreement"; that the by-law has been assented to by the municipal electors for the City of Peterborough; and whereas the Corporation hereby applies for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the application:

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

1. The council of The Corporation of the City of Peter- ^{Agreement} borough is hereby authorized to give third reading to and ^{authorized} finally pass By-law Number 1972-116, as set forth in the Schedule hereto, and to enter into the agreement forming part of the by-law.

2. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

3. This Act may be cited as *The City of Peterborough Act*, ^{Short title} 1973.

SCHEDULE

BY-LAW NUMBER 1972-116

A BY-LAW to authorize The Corporation of the City of Peterborough to enter into an agreement with Border Transit Limited granting to Border Transit Limited the exclusive right to operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five years from the 1st day of January, 1974 and obligating the Corporation to pay annually to Border Transit Limited such amount of money as may be necessary to provide Border Transit Limited with a profit in the operation of such buses to the extent set forth in the said agreement.

The Corporation of the City of Peterborough by the Council thereof enacts as follows:

- 1. That The Corporation of the City of Peterborough enter into the agreement with Border Transit Limited set forth as a schedule to this by-law and the Mayor and Clerk are hereby authorized and directed to sign and affix the seal of the Corporation thereto.

READ A FIRST AND SECOND TIME this 23rd day of October, 1972.

P. D. GALVIN,
Mayor.

S. HENDRY,
Clerk.

READ A THIRD TIME and finally passed this day of 1973.

Mayor.

Clerk.

Schedule

THIS AGREEMENT made in duplicate this 24th day of October, 1972.

BETWEEN:

THE CORPORATION OF THE CITY OF PETERBOROUGH,
hereinafter called the Corporation

OF THE FIRST PART

—and—

BORDER TRANSIT LIMITED,
hereinafter called the Company

OF THE SECOND PART

WHEREAS the parties hereto entered into an Agreement dated the 5th day of May, 1969 relating to the conveyance of passengers by bus which Agreement expires on the 31st day of December, 1973.

AND WHEREAS the parties hereto are desirous of entering into a further agreement upon the terms and conditions hereinafter set forth;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and other good and valuable consideration, the parties hereto hereby agree as follows:

1. In this agreement,
 - (a) "deficit", "depreciation", "net profit" and "capital assets" are used with reference only to the maintenance and operation of buses by the Company for the conveyance of passengers within the limits of the City of Peterborough in accordance with the terms of this agreement and other operations presently carried on by the Company within the limits of the City of Peterborough,
 - (b) "capital assets" does not include motor vehicles other than buses and service trucks,
 - (c) "undepreciated capital cost" means the original capital cost less the accumulated depreciation allowed under this agreement.

2. Subject to the due performance by the Company of its obligations under this agreement, the Corporation hereby grants to the Company the exclusive right to maintain and operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five years from and including the first day of January, 1974 to and including the thirty-first day of December, 1978. The franchise hereby granted relates only to the picking up, conveyance and discharge of passengers within the limits of the City of Peterborough and does not extend or apply to the operation of buses operating between any point within the City of Peterborough and points outside the City of Peterborough where passengers are not conveyed from one point within the City of Peterborough to another and does not apply to passengers conveyed within the City of Peterborough by taxicab or ambulance. Without restricting the generality of the foregoing, it is understood and agreed that the Company shall have the exclusive right to pick up, convey and discharge students within the limits of the City of Peterborough and the exclusive right to enter into any contract for the conveyance of students within the limits of the said City of Peterborough, provided however, that the Peterborough County Board of Education and the Peterborough-Victoria-Northumberland and Durham County Roman Catholic Separate School Board shall have the right to pick up, convey and discharge students within the City of Peterborough who are in attendance at their schools, on buses owned, operated or subcontracted for by the said Boards on condition that it is done without charge to such students.

3. During the period of this agreement the Company shall maintain and operate an adequate number of buses for the conveyance of passengers within the City of Peterborough on such routes and at such times as the Corporation shall by resolution determine and in the meantime on such routes and at such times as are set forth in the schedule presently on file with the Clerk of the Corporation and initialled by both parties. All buses so used shall be kept at all times in a good and sufficient state of repair, shall be kept clean inside and out and shall be lighted and heated at such hours and at such periods of the year as may be necessary. All buses shall be of reasonably modern design and type as may be agreed upon by the Corporation and the Company. The Corporation agrees to consult with the Company with respect to proposed changes in routes and schedules but the decision of the Corporation in this regard shall be final. The Corporation will give the Company reasonable notice of any changes in routes and schedules and the Company shall cause any such changes to be properly advertised and posted.

4. During the term of this Agreement the Company shall pay to the Corporation an annual licence fee of \$100.00 on the 1st day of January in each year. The Company shall maintain such licences and permits as may be necessary to carry out its obligations under this Agreement.

5. The rate of fares for conveyance of passengers shall be:

Adult Fare—20¢ cash or 3 tickets for 50¢

Senior Citizens—20¢ cash or 5 tickets for 50¢

Blind—no charge

Children under 58 inches in height—10¢ cash or 6 tickets for 50¢

Such fares shall not be changed, altered or otherwise varied by the Company without the consent of the Council of the Corporation as expressed by resolution.

6. During each of the years 1974, 1975, 1976, 1977 and 1978, the Corporation will pay the Company a subsidy sufficient in amount to provide the Company with a net profit in each of such years after payment of Federal and Ontario corporation income taxes of \$18,500.00. The Company's auditor will prepare quarterly statements of profit and loss for each of the first three quarters in each of such years and the Corporation will make payments to the Company on account of the said subsidy in the amount of any deficit incurred during any of the said quarter-yearly periods, the payments to be made not later than 45 days following the receipt of the statements. The final annual payments on account of the subsidy, if necessary, will be made within 30 days of the receipt of the Corporation of complete financial statements for the year prepared by the Company's auditors. If the payments by the Corporation to the Company on account of the subsidy result in the Company making a net profit in any year after payment of Federal and Ontario corporation income taxes of more than \$18,500.00 the Company shall forthwith pay the Corporation a sum equal to the difference between the amount of such net profit and the sum of \$18,500.00. For the purpose of calculating net profit the Company may claim all reasonable and proper expenses including a depreciation allowance on its capital assets in the amount actually allowed by the Department of National Revenue in calculating Federal corporation income taxes subject to the proviso that the depreciation allowance for motor vehicles shall not exceed 20% per annum calculated on the declining balance. No allowance shall be made for corporation income tax payable by the Company with respect to the recapture of depreciation and no allowance shall be made for any amount paid for the full time manager's salary and expenses in excess of \$13,000.00 or executive salaries and expenses (including directors' and officers' remuneration) in excess of \$7,000.00 per annum without the consent of the Council of the Corporation as expressed by resolution. The Corporation's auditors shall have the right at all reasonable times during the currency of this agreement to examine and verify such of the Company's books of account, vouchers and records as are related to the performance of the Company's obligation under this Agreement.

7. No profitable revenue producing operation presently carried on by the Company within the limits of the City of Peterborough shall be discontinued without the consent of the Council of the Corporation as expressed by resolution.

8. The Company shall not be entitled to purchase a capital asset of any kind at a cost in excess of \$2,000.00 and less than \$5,000.00 without the consent of the City Administrator or at a cost in excess of \$5,000.00 without the consent of the Council of the Corporation as expressed by resolution.

9. In the event that either party does not fully perform its obligations hereunder and fails to correct the default within 10 days of receiving a written demand to do so, or in the case of a cessation of service for reasons other than a strike or act of God within 72 hours of the receipt of the demand, the other party may forthwith terminate this Agreement by giving the defaulting party a notice in writing to this effect. Such notice may be personally served or delivered by registered mail to the Corporation at the City Hall, Peterborough, or the Company at 38 Hunter Street East, Peterborough. In the event this Agreement is so terminated on a date other than the 31st day of December in any year, the amount of the subsidy referred to in paragraph 6 hereof for the year in which the termination occurs shall be reduced proportionately and in such event the amount of net profit where referred to in paragraph 6 hereof shall be reduced by the proportion that the period of the year remaining after the date of termination bears to the whole of the year and any amount payable by either the Corporation or the Company thereunder shall be adjusted accordingly.

10. The Company may apply in writing to the Council of the Corporation for a further renewal or extension of the franchise granted hereunder and such application shall be filed with the Clerk of the Corporation on or before the 1st day of June, 1977.

11. The Company will indemnify and save harmless the Corporation from any and all claims or demands made or brought against the Corporation by any person or persons for damages arising out of the maintenance and operation of buses by the Company for the conveyance of passengers within the limits of the City of Peterborough or other operations carried on by the Company within the limits of the City of Peterborough. The Company shall maintain public liability insurance coverage in the minimum amount of \$1,000,000.00 for any one occurrence and shall file proof of such insurance with the Clerk of the Corporation.

12. The Corporation shall during the said term by by-law provide sufficient bus stops as the Company may require to conduct its business of carrying passengers as may be agreed upon between the parties hereto and the Company shall adequately mark and maintain said bus stops at its expense. The Company shall post such signs and notices at bus stops as shall be required by the Corporation or as shall be mutually agreed upon.

13. The Corporation shall during said term by by-law regulate traffic in the City of Peterborough to enable the Company to operate its buses efficiently.

14. Upon the expiration of this Agreement or upon the termination of this Agreement by either party pursuant to clause 9 hereof, the Corporation shall for a period of two months thereafter have the sole, irrevocable and exclusive option to purchase all the capital assets of the Company free of encumbrances at a price to be agreed upon by the parties or upon their failure to agree, at a price to be determined under the provisions of *The Arbitrations Act*. It is agreed that in determining the price to be paid to the Company:

- (a) nothing shall be taken into account or allowed for the franchise hereby granted;
- (b) the price of buses and service trucks shall be the undepreciated capital cost thereof and the parties agree the undepreciated capital cost of buses and service trucks on December 31, 1971 was \$90,000.00;
- (c) the price of all other capital assets of the Company shall be the actual market value thereof at the date of exercise of the option;

The said option may be exercised by the Corporation giving written notice of such to the Company delivered by registered mail at its place of business in the City of Peterborough and upon the exercise of such option all the capital assets of the Company shall forthwith become the property of the Corporation and the Company agrees to execute all such instruments and assurances as may be necessary to effectively transfer title in the said capital assets to the Corporation. Upon the price being determined as aforesaid it shall immediately become due and payable by the Corporation to the Company together with interest thereon at the rate of six per cent per annum calculated from the date of the exercise of the option. In the event the Corporation fails to exercise the option within the said period of two months, then the Corporation will immediately buy from the Company and the Company will immediately sell to the Corporation all buses and service trucks then being used by the Company in connection with its operations in the City of Peterborough, at the undepreciated capital cost thereof.

15. The Company shall not be liable for damages arising out of the cessation or interruption of the bus service herein caused by fire, flood, act of God, strike or other circumstance beyond the control of the Company.

16. The Company shall not assign this Agreement and/or sell its capital assets to any person or corporation without the express consent of the Council of the Corporation as expressed by resolution provided, however, that such consent of the Corporation shall not be unreasonably withheld, and provided also that upon being advised by the Company of its intention to assign this Agreement and/or sell its said capital assets the Corporation shall immediately become entitled to the sole, irrevocable and exclusive option for a period of two months thereafter to purchase all the said capital assets of the Company at the price and upon the terms and conditions set forth in clause 14 hereof and upon the exercise of such option by the Corporation the franchise hereby granted shall immediately be terminated.

17. If at any time during or after the term of the Agreement any dispute, difference or question shall arise between the parties hereto, or any of their representatives, touching this Agreement, or any part thereof, or the construction meaning or effect of this Agreement or any part thereof, or anything herein contained, or the rights or liabilities of the parties, or their representatives, under this Agreement or otherwise, in relation to the premises, and if said matter cannot be settled by the parties hereto by negotiation, then every such dispute, difference or question shall be referred to a single arbitrator, if the parties agree upon one, otherwise to three arbitrators, one to be appointed by each party to the reference, and the third arbitrator to be a Judge of any County of the Province of Ontario and to be appointed by the parties hereto in writing before they enter upon the business of the reference. If either party shall refuse or neglect to appoint an arbitrator within thirty days after the other party shall have appointed an arbitrator, and shall have served a written notice upon the first mentioned party requiring such party to make such appointment, then the arbitrator first appointed shall, at the request of the party appointing him, proceed to hear and determine the matter in difference as if he were a single arbitrator appointed by both parties for the purpose, and the award or determination which shall be final and binding on the parties hereto their successors and assigns, and shall not be subject to appeal to any Court or Courts.

18. Matters relating to routes, rates and the efficient operation of the Company requiring a policy decision shall be referred to a standing committee of Council.

19. This agreement shall enure to the benefit of and be binding upon the parties hereto, their respective successors and assigns.

IN WITNESS WHEREOF the said parties hereto have hereunto affixed their Corporate seals attested by the hands of their proper signing officers in that behalf.

THE CORPORATION OF THE CITY OF PETERBOROUGH:

Mayor.

Clerk.

BORDER TRANSIT LIMITED:

President.

Secretary.



An Act respecting
the City of Peterborough

1st Reading

April 9th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. TURNER

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Town of Tillsonburg

MR. PARROTT

BILL Pr18

1973

**An Act respecting
the Town of Tillsonburg**

WHEREAS The Corporation of the Town of Tillsonburg ^{Preamble} hereby represents that it is desirous of establishing a Parks, Community Centre and Recreation Commission for the better development and supervision of its public parks, its recreation facilities and its community centre or centres and for such purposes to charge the Commission with the duties and responsibilities and give it the powers and privileges of the Tillsonburg Board of Arena and Parks Management, established under *The Public Parks Act* and *The Community Centres Act*, and of the Tillsonburg Recreation Commission, established under *The Department of Education Act*; and whereas the applicant hereby applies for special legislation in respect of such matters; and whereas it is expedient to grant the application;

R.S.O. 1970,
cc. 384, 73,
111

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,

Interpre-
tation

- (a) "Commission" means The Tillsonburg Parks, Community Centre and Recreation Commission;
- (b) "council" means the council of the Town;
- (c) "Town" means The Corporation of the Town of Tillsonburg.

2.—(1) Notwithstanding *The Ministry of Community and Social Services Act*, *The Public Parks Act* and *The Community Centres Act*, there shall be a commission which shall be known as The Tillsonburg Parks, Community Centre and Recreation Commission, and shall be composed of,

Parks,
Community
Centre and
Recreation
Commission
established

- (a) the head of the council;

(b) two members of council to be appointed by the council; and

(c) six other persons appointed by the council who shall be qualified electors of the Town but not members of council.

Substitute
for head of
council

(2) The head of the council, with the approval of council, may annually appoint a substitute, who is a member of the council, to act for him.

Term of
office

(3) The members of the Commission who are not members of the council shall hold office for three years, provided that, on the first appointment, the council shall designate which member shall hold office,

(a) until the 1st day of January of the year next following the date of his appointment;

(b) until the 1st day of January of the second year next following the date of his appointment; and

(c) until the 1st day of January of the third year next following the date of his appointment,

respectively, so that one-third of such members shall retire each year.

Appointment
of council
members

(4) The members of the Commission who are members of council shall be appointed biennially to correspond with their term of office.

Reappoint-
ment

(5) The members of the Commission shall hold office until their successors are appointed, and are eligible for reappointment.

Vacancy

(6) Where a member ceases to be a member of the Commission before the expiration of his term of office, the council shall appoint another eligible person for the unexpired portion of that term.

When
appointments
to be made

(7) The first appointments of members of the Commission shall be made by the council immediately upon the coming into force of this Act, and thereafter the appointments shall be made annually at the first meeting of the council in any year, and any vacancy arising from any cause other than the expiration of the term for which the member was appointed shall be filled at the first meeting of the council held after the vacancy occurs.

(8) A majority of the members of the Commission constitute a quorum.

(9) At its first meeting in every year, the Commission shall elect a chairman and a vice-chairman from among the members of the Commission, and in the absence of the chairman, the vice-chairman shall preside and the Commission shall appoint a secretary, who may, but need not, be a member of the Commission.

(10) The chairman, vice-chairman and secretary shall hold office at the pleasure of the Commission or for such a period as the Commission may prescribe.

(11) When the chairman, vice-chairman or secretary is absent or unable to act, the Commission may appoint a chairman or secretary *pro tempore*.

(12) The Commission may engage such employees and consultants as it deems expedient.

(13) The Treasurer of the Town shall be the treasurer of the Commission.

3. Except as otherwise provided in this Act, *The Ministry of Community and Social Services Act* and the regulations made thereunder, *The Community Centres Act* and the regulations made thereunder and *The Public Parks Act*, except the provisions constituting a Board of Park Management as a corporation and authorizing such a Board to acquire and hold land, apply to the Commission as if it had been established in accordance with such Acts and regulations.

4.—(1) When the first members of the Commission have been appointed, The Tillsonburg Board of Arena and Parks Management and the Tillsonburg Recreation Commission are dissolved, and the assets and liabilities thereof become the assets and liabilities of the Town.

(2) All by-laws hereinbefore passed in so far as they are inconsistent with the provisions of this Act are hereby repealed or amended so as to give full force and effect to this Act.

5. The Commission may contract and may sue and be sued in its own name, and the members thereof are not personally liable for torts committed by other members of the Commission or its servants or agents or on any contract made by the Commission.

6.—(1) The Commission shall, on or before the 15th day of February in each year, submit to the council an itemized

R.S.O. 1970, c. 384 estimate of its financial requirements for the year, and, subject to the provisions of *The Public Parks Act*, the council may amend such estimate and shall pay out of the moneys appropriated for the Commission such amounts as may be requisitioned from time to time by the Commission.

Application of moneys for designated purpose (2) Where any moneys have been included in the estimates of the Commission for a designated purpose, they shall be used by the Commission only for such designated purpose and not otherwise.

Powers and duties of Commission 7. The Commission shall operate, maintain, manage and develop on behalf of the Town all recreational centres, parks, playgrounds and other real property of a like nature vested in or leased by the Town and used or designed for recreational purposes and shall be in charge of, manage and make available for recreational purposes all recreational equipment, recreational facilities and other personal property belonging to the Town and used or designed for recreational purposes.

Idem 8. The Commission shall operate, maintain and manage on behalf of the Town all properties which are now or which may hereafter be established as community centres pursuant to *The Community Centres Act*, or the regulations made thereunder.

R.S.O. 1970, c. 73

Commencement 9. This Act comes into force on the day it receives Royal Assent.

Short title 10. This Act may be cited as *The Town of Tillsonburg Act, 1973*.

An Act respecting
the Town of Tillsonburg

1st Reading

March 28th, 1973

2nd Reading

3rd Reading

MR. PARROTT

(Private Bill)

BILL Pr18

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Town of Tillsonburg

MR. PARROTT



BILL Pr18

1973

**An Act respecting
the Town of Tillsonburg**

WHEREAS The Corporation of the Town of Tillsonburg ^{Preamble} hereby represents that it is desirous of establishing a Parks, Community Centre and Recreation Commission for the better development and supervision of its public parks, its recreation facilities and its community centre or centres and for such purposes to charge the Commission with the duties and responsibilities and give it the powers and privileges of the Tillsonburg Board of Arena and Parks Management, established under *The Public Parks Act* and *The Community Centres Act*, and of the Tillsonburg Recreation Commission, established under *The Department of Education Act*; and whereas the applicant hereby applies for special legislation in respect of such matters; and whereas it is expedient to grant the application;

R.S.O. 1970,
cc. 384, 73,
111

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,

Interpre-
tation

- (a) "Commission" means The Tillsonburg Parks, Community Centre and Recreation Commission;
- (b) "council" means the council of the Town;
- (c) "Town" means The Corporation of the Town of Tillsonburg.

2.—(1) Notwithstanding *The Ministry of Community and Social Services Act*, *The Public Parks Act* and *The Community Centres Act*, there shall be a commission which shall be known as The Tillsonburg Parks, Community Centre and Recreation Commission, and shall be composed of,

Parks,
Community
Centre and
Recreation
Commission
established

- (a) the head of the council;

(b) two members of council to be appointed by the council; and

(c) six other persons appointed by the council who shall be qualified electors of the Town but not members of council.

Substitute for head of council

(2) The head of the council, with the approval of council, may annually appoint a substitute, who is a member of the council, to act for him.

Term of office

(3) The members of the Commission who are not members of the council shall hold office for three years, provided that, on the first appointment, the council shall designate which member shall hold office,

(a) until the 1st day of January of the year next following the date of his appointment;

(b) until the 1st day of January of the second year next following the date of his appointment; and

(c) until the 1st day of January of the third year next following the date of his appointment,

respectively, so that one-third of such members shall retire each year.

Appointment of council members

(4) The members of the Commission who are members of council shall be appointed biennially to correspond with their term of office.

Reappointment

(5) The members of the Commission shall hold office until their successors are appointed, and are eligible for reappointment.

Vacancy

(6) Where a member ceases to be a member of the Commission before the expiration of his term of office, the council shall appoint another eligible person for the unexpired portion of that term.

When appointments to be made

(7) The first appointments of members of the Commission shall be made by the council immediately upon the coming into force of this Act, and thereafter the appointments shall be made annually at the first meeting of the council in any year, and any vacancy arising from any cause other than the expiration of the term for which the member was appointed shall be filled at the first meeting of the council held after the vacancy occurs.

(8) A majority of the members of the Commission constitutes a quorum.

(9) At its first meeting in every year, the Commission shall elect a chairman and a vice-chairman from among the members of the Commission, and in the absence of the chairman, the vice-chairman shall preside and the Commission shall appoint a secretary, who may, but need not, be a member of the Commission.

(10) The chairman, vice-chairman and secretary shall hold office at the pleasure of the Commission or for such a period as the Commission may prescribe.

(11) When the chairman, vice-chairman or secretary is absent or unable to act, the Commission may appoint a chairman or secretary *pro tempore*.

(12) The Commission may engage such employees and consultants as it deems expedient.

(13) The Treasurer of the Town shall be the treasurer of the Commission.

3. Except as otherwise provided in this Act, *The Ministry of Community and Social Services Act* and the regulations made thereunder, *The Community Centres Act* and the regulations made thereunder and *The Public Parks Act*, except the provisions constituting a Board of Park Management as a corporation and authorizing such a Board to acquire and hold land, apply to the Commission as if it had been established in accordance with such Acts and regulations.

4.—(1) When the first members of the Commission have been appointed, The Tillsonburg Board of Arena and Parks Management and the Tillsonburg Recreation Commission are dissolved, and the assets and liabilities thereof become the assets and liabilities of the Town.

(2) All by-laws hereinbefore passed in so far as they are inconsistent with the provisions of this Act are hereby repealed or amended so as to give full force and effect to this Act.

5. The Commission may contract and may sue and be sued in its own name, and the members thereof are not personally liable for torts committed by other members of the Commission or its servants or agents or on any contract made by the Commission.

6.—(1) The Commission shall, on or before the 15th day of February in each year, submit to the council an itemized

R.S.O. 1970,
c. 384 estimate of its financial requirements for the year, and, subject to the provisions of *The Public Parks Act*, the council may amend such estimate and shall pay out of the moneys appropriated for the Commission such amounts as may be requisitioned from time to time by the Commission.

Application
of moneys
for desig-
nated purpose (2) Where any moneys have been included in the estimates of the Commission for a designated purpose, they shall be used by the Commission only for such designated purpose and not otherwise.

Powers and
duties of
Commission 7. The Commission shall operate, maintain, manage and develop on behalf of the Town all recreational centres, parks, playgrounds and other real property of a like nature vested in or leased by the Town and used or designed for recreational purposes and shall be in charge of, manage and make available for recreational purposes all recreational equipment, recreational facilities and other personal property belonging to the Town and used or designed for recreational purposes.

Idem 8. The Commission shall operate, maintain and manage on behalf of the Town all properties which are now or which may hereafter be established as community centres pursuant to *The Community Centres Act*, or the regulations made thereunder.

R.S.O. 1970,
c. 73

Commence-
ment 9. This Act comes into force on the day it receives Royal Assent.

Short title 10. This Act may be cited as *The Town of Tillsonburg Act, 1973*.

An Act respecting
the Town of Tillsonburg

1st Reading

March 28th, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

MR. PARROTT

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the County of Bruce

MR. GAUNT

BILL Pr19

1973

An Act respecting the County of Bruce

WHEREAS The Corporation of the County of Bruce^{Preamble} hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1. In this Act,

Interpre-
tation

- (a) "council" means the council of the County;
- (b) "County" means The Corporation of the County of Bruce;
- (c) "local municipality" means a town, village or township in the County that is not separated therefrom for municipal purposes;
- (d) "vote" or "votes" means the vote or votes of a member of the council.

2.—(1) Notwithstanding subsections 1 and 2 of section 27 of *The Municipal Act*, membership on the council and the votes of such members shall be as follows:

County
council:
composition
of and
votes on
R.S.O. 1970,
c. 284

- 1. Subject to the provisions contained in paragraph 2, the council shall be composed of the reeves only of the local municipalities comprising the County.
- 2. In the event that a reeve is, for any reason, unable to attend one or more sessions of the council, the deputy-reeve, or, if there be no deputy-reeve, such other member of the council of the local municipality represented by such reeve as the local council may by resolution appoint, shall be entitled to sit on the council and exercise the voting rights of the absent reeve, as a member of council but not as a member of any standing or special committee thereof.

3. Except as provided in paragraph 4, each member of the council shall have as many votes as the reeve and deputy-reeve, if any, would both have had, pursuant to the provisions of section 27 of *The Municipal Act*, had this Act not been enacted.
4. Each member shall have one vote only in each division for the election of warden, and one vote only in each division for the election of each member of the county road committee.

Application (2) Subsection 1 applies with respect to the composition of and votes on the council for the year 1973 from and after the date this Act comes into force and subsequent years.

Application of R.S.O. 1970, c. 284, s. 202 **3.** Section 202 of *The Municipal Act* applies *mutatis mutandis*.

Commencement **4.** This Act comes into force on the day it receives Royal Assent.

Short title **5.** This Act may be cited as *The County of Bruce Act, 1973*.



An Act respecting
the County of Bruce

1st Reading

2nd Reading

3rd Reading

MR. GAUNT

(Private Bill)

1973

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the County of Bruce

MR. GAUNT

(Reprinted as amended by the Private Bills Committee)

BILL Pr19

1973

An Act respecting the County of Bruce

WHEREAS The Corporation of the County of Bruce ^{Preamble} hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1. In this Act,

Interpre-
tation

- (a) "council" means the council of the County;
- (b) "County" means The Corporation of the County of Bruce;
- (c) "local municipality" means a town, village or township in the County that is not separated therefrom for municipal purposes;
- (d) "vote" or "votes" means the vote or votes of a member of the council.

2.—(1) Notwithstanding subsections 1 and 2 of section 27 of *The Municipal Act*, membership on the council and the votes of such members shall be as follows:

County
council:
composition
of and
votes on
R.S.O. 1970,
c. 284

- 1. Subject to the provisions contained in paragraph 2, the council shall be composed of the reeves only of the local municipalities comprising the County.
- 2. In the event that a reeve is, for any reason, unable to attend one or more sessions of the council, the deputy-reeve, or, if there be no deputy-reeve, such other member of the council of the local municipality represented by such reeve as the local council may by resolution appoint, shall be entitled to sit on the council and exercise the voting rights of the absent reeve, as a member of council but not as a member of any standing or special committee thereof, and

any such resolution shall be filed with the clerk of the council before the first meeting in each year of the council.

- 3. Except as provided in paragraph 4, each member of the council shall have as many votes as the reeve and deputy-reeve, if any, would both have had, pursuant to the provisions of section 27 of *The Municipal Act*, had this Act not been enacted.
- 4. Each member shall have one vote only in each division for the election of warden, and one vote only in each division for the election of each member of the county road committee.

Application (2) Subsection 1 applies with respect to the composition of and votes on the council for the year 1973 from and after the date this Act comes into force and subsequent years.

Application of R.S.O. 1970, c. 284, s. 202 **3.** Section 202 of *The Municipal Act* applies *mutatis mutandis*.

Commencement **4.** This Act comes into force on the day it receives Royal Assent.

Short title **5.** This Act may be cited as *The County of Bruce Act, 1973*.

100

111

An Act respecting
the County of Bruce

1st Reading

March 28th, 1973

2nd Reading

3rd Reading

MR. GAUNT

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

BILL Pr19

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the County of Bruce

MR. GAUNT



BILL Pr19

1973

An Act respecting the County of Bruce

WHEREAS The Corporation of the County of Bruce ^{Preamble} hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1. In this Act,

Inter-
pre-
ta-
tion

- (a) "council" means the council of the County;
- (b) "County" means The Corporation of the County of Bruce;
- (c) "local municipality" means a town, village or township in the County that is not separated therefrom for municipal purposes;
- (d) "vote" or "votes" means the vote or votes of a member of the council.

2.—(1) Notwithstanding subsections 1 and 2 of section 27 of *The Municipal Act*, membership on the council and the votes of such members shall be as follows:

County
council:
composition
of and
votes on
R.S.O. 1970,
c. 284

- 1. Subject to the provisions contained in paragraph 2, the council shall be composed of the reeves only of the local municipalities comprising the County.
- 2. In the event that a reeve is, for any reason, unable to attend one or more sessions of the council, the deputy-reeve, or, if there be no deputy-reeve, such other member of the council of the local municipality represented by such reeve as the local council may by resolution appoint, shall be entitled to sit on the council and exercise the voting rights of the absent reeve, as a member of council but not as a member of any standing or special committee thereof, and

any such resolution shall be filed with the clerk of the council before the first meeting in each year of the council.

3. Except as provided in paragraph 4, each member of the council shall have as many votes as the reeve and deputy-reeve, if any, would both have had, pursuant to the provisions of section 27 of *The Municipal Act*, had this Act not been enacted.
4. Each member shall have one vote only in each division for the election of warden, and one vote only in each division for the election of each member of the county road committee.

Application (2) Subsection 1 applies with respect to the composition of and votes on the council for the year 1973 from and after the date this Act comes into force and subsequent years.

Application of R.S.O. 1970, c. 284, s. 202 **3.** Section 202 of *The Municipal Act* applies *mutatis mutandis*.

Commence-
ment **4.** This Act comes into force on the day it receives Royal Assent.

Short title **5.** This Act may be cited as *The County of Bruce Act, 1973*.

111

1000

An Act respecting
the County of Bruce

1st Reading

March 28th, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

MR. GAUNT

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting Hobin Homes, Limited

MR. HANDLEMAN



BILL Pr20

1973

An Act respecting Hobin Homes, Limited

WHEREAS Clemence T. Hobin hereby represents that ^{Preamble} Hobin Homes, Limited was incorporated by letters patent dated the 17th day of September, 1954; that the Provincial Secretary by order dated the 19th day of February, 1969, and made under the authority of subsection 2 of section 326 of *The Corporations Act*, being chapter 71 of the Revised Statutes of Ontario, 1960, cancelled the letters patent of the corporation and declared it to be dissolved on the 26th day of March, 1969; that notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act* was sent to each of the persons of record on the files of the Department of Financial and Commercial Affairs of whom one, Clemence T. Hobin, a director and shareholder of the corporation, is the applicant herein; although the said notice of default was sent to each of the directors of the corporation it was not or apparently was not received by all of them, and in any event, that through inadvertence the necessary annual returns for the corporation were not filed, and the funds for renewal of the charter and the required documentation in connection with the revival of the corporation were apparently not received within the time provided by statute; that the corporation at the time of its dissolution was and is now actively carrying on the business authorized by its letters patent; and whereas the applicant hereby applies for special legislation reviving the corporation; and whereas it is expedient to grant the application;

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

1. Hobin Homes, Limited, incorporated by letters patent dated the 17th day of September, 1954, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property,

Hobin
Homes,
Limited
revived

rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

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

Short title

3. This Act may be cited as *The Hobin Homes, Limited Act, 1973*.

11

11

An Act respecting
Hobin Homes, Limited

1st Reading

2nd Reading

3rd Reading

MR. HANDLEMAN

(Private Bill)

BILL Pr20

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting Hobin Homes, Limited

MR. HANDLEMAN



BILL Pr20

1973

An Act respecting Hobin Homes, Limited

WHEREAS Clemence T. Hobin hereby represents that ^{Preamble} Hobin Homes, Limited was incorporated by letters patent dated the 17th day of September, 1954; that the Provincial Secretary by order dated the 19th day of February, 1969, and made under the authority of subsection 2 of section 326 of *The Corporations Act*, being chapter 71 of the Revised Statutes of Ontario, 1960, cancelled the letters patent of the corporation and declared it to be dissolved on the 26th day of March, 1969; that notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act* was sent to each of the persons of record on the files of the Department of Financial and Commercial Affairs of whom one, Clemence T. Hobin, a director and shareholder of the corporation, is the applicant herein; although the said notice of default was sent to each of the directors of the corporation it was not or apparently was not received by all of them, and in any event, that through inadvertence the necessary annual returns for the corporation were not filed, and the funds for renewal of the charter and the required documentation in connection with the revival of the corporation were apparently not received within the time provided by statute; that the corporation at the time of its dissolution was and is now actively carrying on the business authorized by its letters patent; and whereas the applicant hereby applies for special legislation reviving the corporation; and whereas it is expedient to grant the application;

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

1. Hobin Homes, Limited, incorporated by letters patent dated the 17th day of September, 1954, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property,

Hobin
Homes,
Limited
revived

rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

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

Short title

3. This Act may be cited as *The Hobin Homes, Limited Act, 1973*.

An Act respecting
Hobin Homes, Limited

1st Reading

April 9th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. HANDLEMAN

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of London

MR. WALKER

ILL Pr21

1973

An Act respecting the City of London

WHEREAS The Corporation of the City of London, herein called ^{Preamble} the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application:

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

- 1.—(1) Notwithstanding section 209 of *The Municipal Act*, the ^{Deputy Mayor} council of the City of London may by by-law establish the permanent office of deputy mayor, the holder of which shall be a member of council, and any such by-law shall provide for the manner of his appointment or election. ^{R.S.O. 1970, c. 284}
- (2) When the head of the council is absent from the municipality or absent through illness or his office is vacant, the deputy mayor shall act in his place and, while so acting, shall have and may exercise all the rights, powers and authority of the head of the council as set out in section 210 of *The Municipal Act*. ^{Powers}
- (3) The deputy mayor may be paid such annual or other remuneration as the council may determine. ^{Remuneration}
- 2.—(1) Subsection 3 of section 2 of *The City of London Act, 1951*, ^{s. 2 (3), re-enacted} being chapter 107, is repealed and the following substituted therefor:
 - (3) Appointments of commissioners shall be made effective ^{term of office} on the 1st day of January in each year, and the persons holding office on the day this subsection comes into force shall hold office in the following manner: one commissioner designated by Council shall hold office until the 31st day of December, 1974, and two commissioners designated by Council shall hold office until the 31st day of December 1973; and, commencing with the appointments effective on the 1st day of January, 1974, and on the 1st day of January, 1975, one commissioner shall be appointed in each of such years and in

each year thereafter for a term of two years, and the third commissioner shall be appointed effective on the 1st day of January, 1974, for a term of one or two years as designated by Council and on the expiration of his designated term, his appointment thereafter, if a member of Council, shall be for one or two-year term as Council may deem expedient, and if not a member of Council, the term shall be for a two-year period. A commissioner shall hold office until his successor is appointed, but whenever the office of commissioner becomes vacant during his term of office, the Council shall appoint in the manner hereinbefore provided, some qualified person to hold office for the remainder of the term for which his immediate predecessor was appointed.

s. 2 (6a),
repealed

(2) Subsection 6a of the said section 2, as enacted by the Statutes of Ontario, 1972, chapter 181, section 1, is repealed.

Relief from
parking
requirements

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

Agreements

(2) Every agreement referred to in subsection 1 is subject to the approval of the Ontario Municipal Board, given either before or after the execution thereof, and shall provide for the payment to the Corporation of a sum of money therein set out, either in a lump sum or by instalments, together with interest at a rate therein specified, and shall set forth the basis upon which the payment is computed.

Disposition
of moneys

R.S.O. 1970,
cc. 470, 284

(3) All moneys paid or to be paid pursuant to an agreement referred to in subsection 1 shall be paid into a special account and may be invested in such securities as a trustee may invest in under *The Trustee Act*, and the earnings derived from the investment of such moneys shall be paid into such special account, and the moneys in such special account shall be expended for the same purposes, and in the same manner as a reserve fund provided for in paragraph 72 of section 35 of *The Municipal Act* and for such street purposes as the council may determine.

Registration
of subdivision
agreements
R.S.O. 1970,
cc. 349, 409

4. Agreements entered into by the Corporation imposed as a condition to the approval of a plan of subdivision under section 33 of *The Planning Act* may be registered against the land and the Corporation shall be entitled to enforce the provisions thereof against the owner and, subject to the provisions of *The Registry Act*, any and all subsequent owners of the land.

5.—(1) The Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs may designate the whole of the City of London or one or more areas within its boundaries to which the provisions of this section shall apply. ^{Designation by Treasurer}

(2) As a condition of development or redevelopment of land, buildings or structures within the City or any area or areas thereof designated by the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs under subsection 1, the council of the Corporation may include provisions applicable to specified lands in by-laws passed under section 35 of *The Planning Act* or may pass special by-laws, prohibiting, requiring or regulating the provision, establishment, construction, maintenance or use of the following facilities and matters or any of them: ^{Power to pass by-laws}

1. The widening of highways that abut upon land that is the subject-matter of a change of land use in such by-law and the provision that land, other than land occupied by buildings and structures, shall be dedicated to provide for such widening of highways.
2. Subject to *The Public Transportation and Highway Improvement Act*, access to and from the land and any highway that abuts thereon and the construction of access ramps and curbing including the number, location, height and width of such access ramps and the direction of traffic thereon. ^{R.S.O. 1970, c. 201}
3. Off-street vehicular parking and loading areas and the surfacing thereof and surfacing of access driveways.
4. The removal of snow from driveways, parking areas and walkways.
5. The grading or change in elevation or contour of private land and the disposal of storm, surface and waste water from such land and from any buildings or structures erected thereon.
6. The conveyance, without cost, to the Corporation of easements necessary for the construction, maintenance or improvement of any existing or newly required watercourses, ditches and land drainage works or for the construction, maintenance or improvement of sanitary sewerage facilities situated on the land or adjacent thereto.
7. The floodlighting of any buildings, structures or land.

8. Walls, fences, hedges and planting of trees or shrubs to provide adequate landscaping of the lands or protection to adjoining lands.
9. Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other wastes.
10. The submission by the owner to the Corporation for approval of a plan or plans showing the location of the buildings, structures and other matters required under this subsection.

Provisions
of by-law

(3) A by-law passed under the provisions of subsection 2 may,

- (a) provide that all works required by the by-law shall be carried out and maintained by the owner of the land at his risk and expense and to the satisfaction of the Corporation, and that in default of such owner carrying out or maintaining any such works, after notice to the owner, the same may be carried out or maintained by the Corporation at the expense of the owner and, for such purpose, the Corporation shall have the right of access to the lands;
- (b) provide that any expense, costs and damages which the Corporation may be put to or suffer for or by reason of, or on account of, the performance of any such works may be recovered in action in any court of competent jurisdiction, or that the council of the Corporation may direct that the same be added by the clerk of the Corporation to the collector's roll and collected in like manner as municipal taxes; and
- (c) prohibit the issuance of building permits until the plans referred to in paragraph 10 of subsection 2 have been approved and until the agreements referred to in subsection 4 have been entered into.

Agreements

(4) Where a by-law has been passed under the provisions of subsection 2, the Corporation may require that the owner of the land shall enter into one or more agreements with the Corporation dealing with the matters referred to in subsection 2.

Idem

(5) Where the whole or part of the City of London has been designated by the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs under subsection 1, the Corporation may enter into agreements referred to in sub-

section 4 and such agreements may be registered against the land and the Corporation shall be entitled to enforce the provisions thereof against the owner and, subject to the provisions of *The Registry Act*, any and all subsequent owners of the land. ^{R.S.O. 1970, c. 409}

(6) Where the Corporation fails to approve the plan referred to in paragraph 10 of subsection 2 within thirty days of it having been submitted to it by the owner or where the owner of the land is not satisfied as to the terms of the agreement referred to in subsection 4 or where the Corporation has refused to enter into such an agreement with the owner, the owner of the land may require the plans or agreement to be referred to the Ontario Municipal Board by written notice to the secretary of the Board and to the clerk of the Corporation and the Board shall then hear and determine the question as to the suitability of the plans or the provisions of the agreement and the Board shall have the power to settle and determine the details of the plan and approve the same, and settle and determine the provisions of the agreement and direct that the Corporation enter into such agreement and the decision of the Board shall be final. ^{Appeal to O.M.B.}

(7) The provisions of section 35 of *The Planning Act*, except subsections 1, 2, 4, 6, 8, 21, 29, 30, 31 and 32, apply *mutatis mutandis* to any by-law under this section. ^{Application of R.S.O. 1970, c. 349, s. 35}

6. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

7. This Act may be cited as *The City of London Act, 1973* (No. 2). ^{Short title}

Bill 1971
An Act respecting the City of London

1st Reading

April 6th, 1973

2nd Reading

3rd Reading

MR. WALKER

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of London

MR. WALKER

(Reprinted as amended by the Private Bills Committee)

An Act respecting the City of London

WHEREAS The Corporation of the City of London, herein called ^{Preamble} the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application:

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

1.—(1) Notwithstanding section 28 of *The Municipal Act*, the council of the City of London may by by-law establish the permanent office of deputy mayor, the holder of which shall be a member of council, and any such by-law shall provide for the manner of his appointment. ^{Deputy Mayor R.S.O. 1970, c. 284}

(2) When the head of the council is absent from the municipality or absent through illness or his office is vacant, the deputy mayor shall act in his place and, while so acting, shall have and may exercise all the rights, powers and authority of the head of the council as set out in section 210 of *The Municipal Act*. ^{Powers}

(3) The deputy mayor may be paid such annual or other remuneration as the council may determine. ^{Remuneration}

2.—(1) Subsection 3 of section 2 of *The City of London Act, 1951*, ^{s. 2(3), re-enacted} being chapter 107, is repealed and the following substituted therefor:

(3) Appointments of commissioners shall be made effective ^{term of office} on the 1st day of January in each year, and the persons holding office on the day this subsection comes into force shall hold office in the following manner: one commissioner designated by Council shall hold office until the 31st day of December, 1974, and two commissioners designated by Council shall hold office until the 31st day of December 1973; and, commencing with the appointments effective on the 1st day of January, 1974, and on the 1st day of January, 1975, one commissioner shall be appointed in each of such years and in

each year thereafter for a term of two years, and the third commissioner shall be appointed effective on the 1st day of January, 1974, for a term of one or two years as designated by Council and on the expiration of his designated term, his appointment thereafter, if a member of Council, shall be for a one or two-year term as Council may deem expedient, and if not a member of Council, the term shall be for a two-year period. A commissioner shall hold office until his successor is appointed, but whenever the office of commissioner becomes vacant during his term of office, the Council shall appoint, in the manner hereinbefore provided, some qualified person to hold office for the remainder of the term for which his immediate predecessor was appointed.

s. 2 (6a),
repealed

(2) Subsection 6a of the said section 2, as enacted by the Statutes of Ontario, 1972, chapter 181, section 1, is repealed.

Relief from
parking
requirements

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

Agreements

(2) Every agreement referred to in subsection 1 is subject to the approval of the Ontario Municipal Board, given either before or after the execution thereof, and shall provide for the payment to the Corporation of a sum of money therein set out, either in a lump sum or by instalments, together with interest at a rate therein specified, and shall set forth the basis upon which the payment is computed.

Disposition
of moneys

(3) All moneys paid or to be paid pursuant to an agreement referred to in subsection 1 shall be paid into a special account and may be invested in such securities as a trustee may invest in under *The Trustee Act*, and the earnings derived from the investment of such moneys shall be paid into such special account, and the moneys in such special account shall be expended for the same purposes, and in the same manner, as a reserve fund provided for in paragraph 72 of section 352 of *The Municipal Act* and for such street purposes as the council may determine.

R.S.O. 1970,
cc. 470, 284

Audit
of
fund

(4) The city auditor in his annual report shall report on the activities and position of any special account established under this section.

Registration
of agreement
imposes
lien on
land

(5) Any such agreement containing a description of the lands affected sufficient for registration, may be registered

in the appropriate land registry office, and, when so registered, the amounts payable under such an agreement until paid shall be a lien upon the lands described therein, and may be collected in the same manner and with the same remedies as provided by *The Municipal Act* for the collection of real property taxes, and, upon payment in full of the moneys to be paid under the agreement, or upon termination of the agreement, there shall be registered in the appropriate land registry office against such lands, a certificate of the clerk of the Corporation stating that the moneys to be paid under the agreement have been fully paid or that the agreement has been terminated.

R.S.O. 1970,
c. 284

4. This Act comes into force on the day it receives Royal Assent. <sup>Commence-
ment</sup>

5. This Act may be cited as *The City of London Act, 1973* (Short title (No. 2)).

123456

An Act respecting the City of London

1st Reading

April 6th, 1973

2nd Reading

3rd Reading

MR. WALKER

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

BILL Pr21

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of London

MR. WALKER



An Act respecting the City of London

WHEREAS The Corporation of the City of London, herein called ^{Preamble} the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application:

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

1.—(1) Notwithstanding section 28 of *The Municipal Act*, the ^{Deputy Mayor} council of the City of London may by by-law establish the ^{R.S.O. 1970, c. 284} permanent office of deputy mayor, the holder of which shall be a member of council, and any such by-law shall provide for the manner of his appointment.

(2) When the head of the council is absent from the ^{Powers} municipality or absent through illness or his office is vacant, the deputy mayor shall act in his place and, while so acting, shall have and may exercise all the rights, powers and authority of the head of the council as set out in section 210 of *The Municipal Act*.

(3) The deputy mayor may be paid such annual or other ^{Remuneration} remuneration as the council may determine.

2.—(1) Subsection 3 of section 2 of *The City of London Act, 1951*, ^{s. 2 (3), re-enacted} being chapter 107, is repealed and the following substituted therefor:

(3) Appointments of commissioners shall be made effective ^{term of office} on the 1st day of January in each year, and the persons holding office on the day this subsection comes into force shall hold office in the following manner: one commissioner designated by Council shall hold office until the 31st day of December, 1974, and two commissioners designated by Council shall hold office until the 31st day of December 1973; and, commencing with the appointments effective on the 1st day of January, 1974, and on the 1st day of January, 1975, one commissioner shall be appointed in each of such years and in

each year thereafter for a term of two years, and the third commissioner shall be appointed effective on the 1st day of January, 1974, for a term of one or two years as designated by Council and on the expiration of his designated term, his appointment thereafter, if a member of Council, shall be for a one or two-year term as Council may deem expedient, and if not a member of Council, the term shall be for a two-year period. A commissioner shall hold office until his successor is appointed, but whenever the office of commissioner becomes vacant during his term of office, the Council shall appoint, in the manner hereinbefore provided, some qualified person to hold office for the remainder of the term for which his immediate predecessor was appointed.

s. 2 (6a),
repealed

(2) Subsection 6a of the said section 2, as enacted by the Statutes of Ontario, 1972, chapter 181, section 1, is repealed.

Relief from
parking
requirements

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

Agreements

(2) Every agreement referred to in subsection 1 is subject to the approval of the Ontario Municipal Board, given either before or after the execution thereof, and shall provide for the payment to the Corporation of a sum of money therein set out, either in a lump sum or by instalments, together with interest at a rate therein specified, and shall set forth the basis upon which the payment is computed.

Disposition
of moneys

R.S.O. 1970,
cc. 470, 284

(3) All moneys paid or to be paid pursuant to an agreement referred to in subsection 1 shall be paid into a special account and may be invested in such securities as a trustee may invest in under *The Trustee Act*, and the earnings derived from the investment of such moneys shall be paid into such special account, and the moneys in such special account shall be expended for the same purposes, and in the same manner, as a reserve fund provided for in paragraph 72 of section 352 of *The Municipal Act* and for such street purposes as the council may determine.

Audit
of
fund

(4) The city auditor in his annual report shall report on the activities and position of any special account established under this section.

Registration
of agreement
imposes
lien on
land

(5) Any such agreement containing a description of the lands affected sufficient for registration, may be registered

in the appropriate land registry office, and, when so registered, the amounts payable under such an agreement until paid shall be a lien upon the lands described therein, and may be collected in the same manner and with the same remedies as provided by *The Municipal Act* for the collection of real property taxes, and, upon payment in full of the moneys to be paid under the agreement, or upon termination of the agreement, there shall be registered in the appropriate land registry office against such lands, a certificate of the clerk of the Corporation stating that the moneys to be paid under the agreement have been fully paid or that the agreement has been terminated.

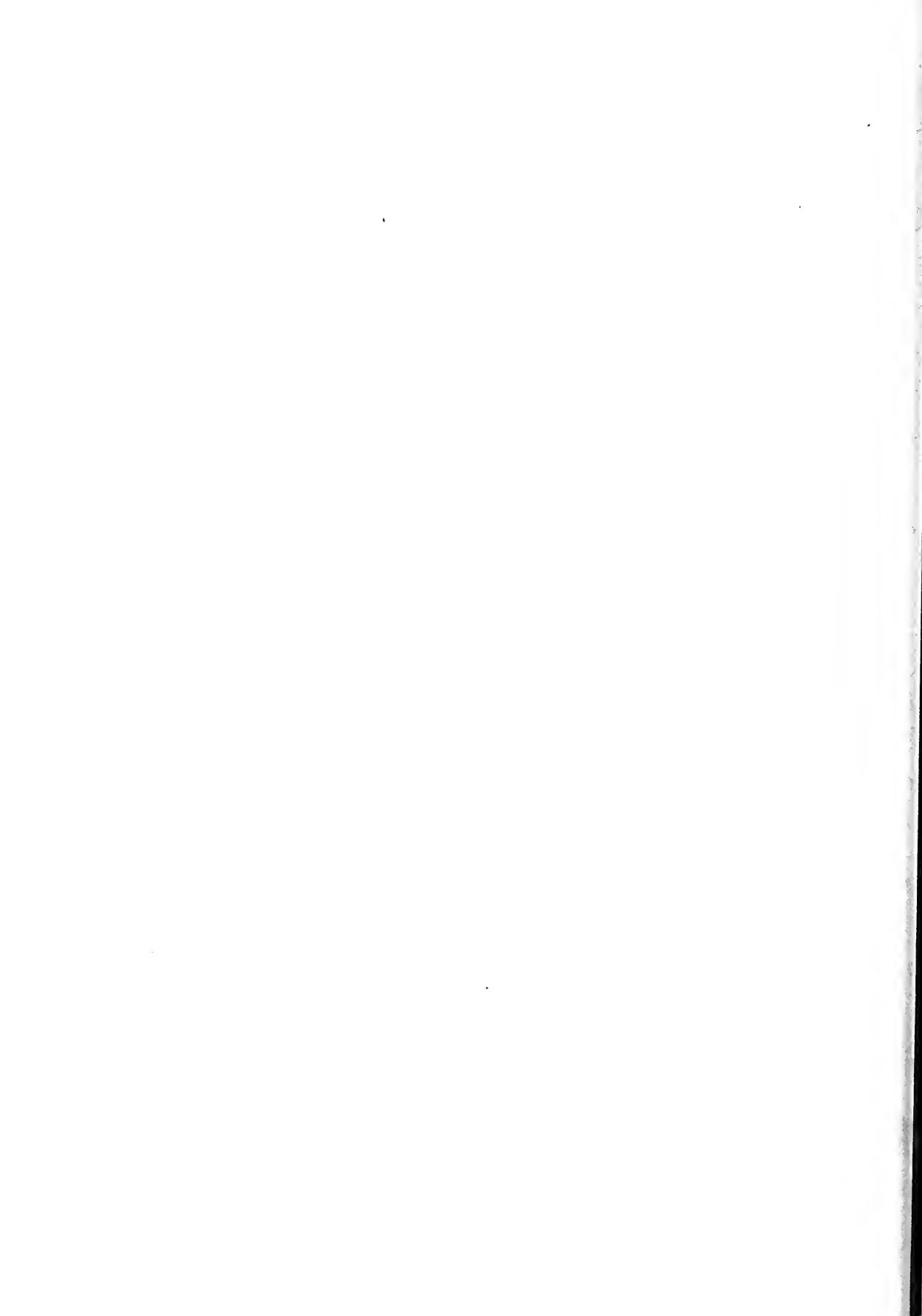
R.S.O. 1970,
c. 284

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

Commence-
ment

5. This Act may be cited as *The City of London Act, 1973* (No. 2).

Short title



An Act respecting the City of London

1st Reading

April 6th, 1973

2nd Reading

May 17th, 1973

3rd Reading

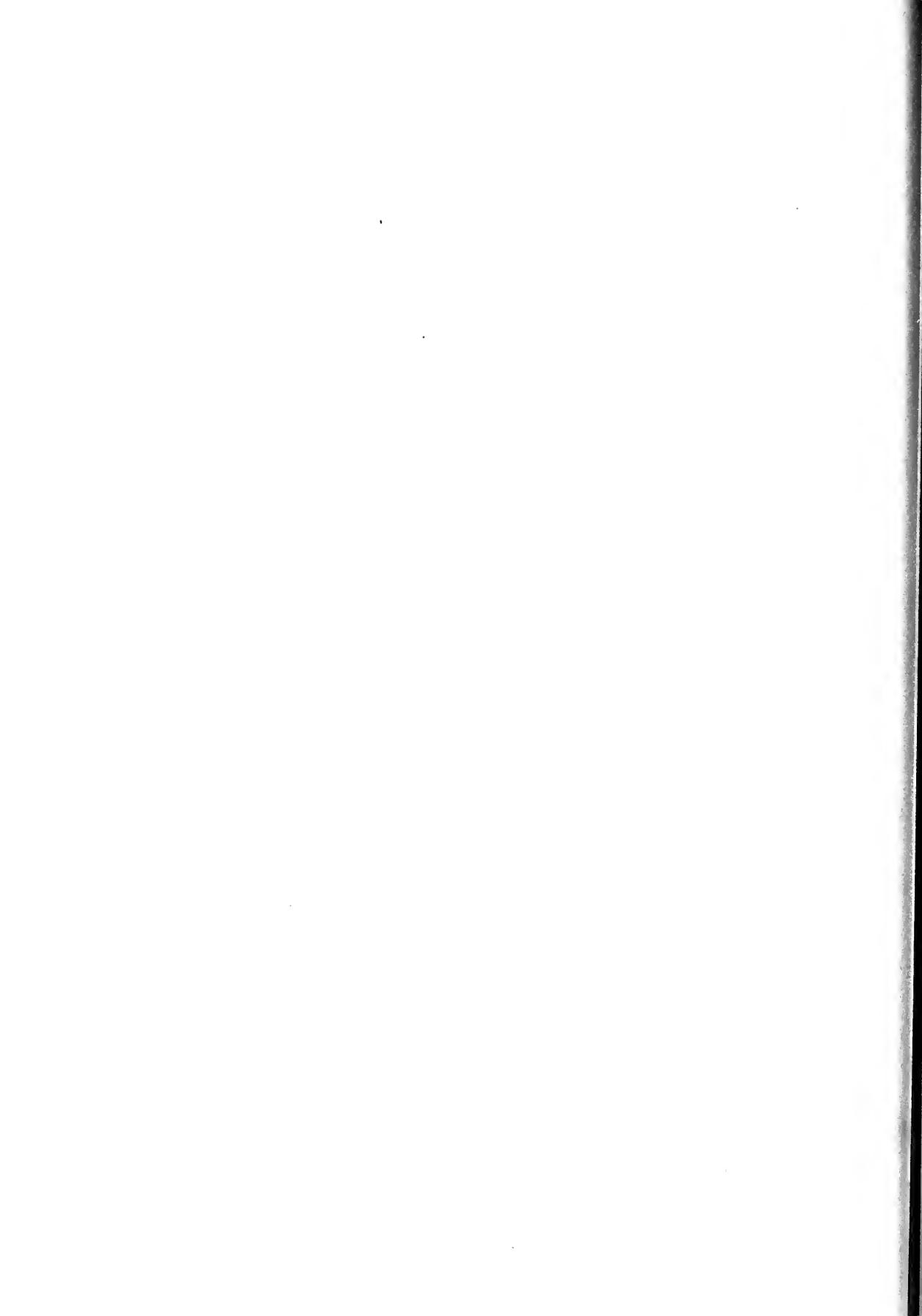
May 17th, 1973

MR. WALKER

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Township of Gloucester

MR. HANDLEMAN



BILL Pr22

1973

An Act respecting the Township of Gloucester

WHEREAS The Corporation of the Township of Gloucester, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1.—(1) By-laws may be passed by the council of the Corporation for prohibiting, requiring or regulating the provision, establishment, construction, preservation and maintenance of the following facilities within the Township of Gloucester, or within any defined area or areas thereof, as a condition precedent to the development or redevelopment of any land, and for regulating and controlling such facilities:

1. Access ramps between private land and the travelled portion of a public street, lane or highway, the location thereof and the direction of traffic thereon.
2. The grading of private lands and the disposal of storm and waste water therefrom.
3. Floodlighting of any building or structure.
4. Garbage vaults and central garbage storage and collection areas.
5. Surfacing of parking areas.
6. Walls, fences, hedges and planting of trees or shrubs, to provide a buffer zone between land use zones.

(2) A by-law passed under subsection 1 may,

Provisions
of by-law

- (a) provide that, without cost, easements necessary for public utilities serving the proposed development shall be conveyed to the Corporation;

- (b) prohibit the issuance of building permits until all requirements of the by-law have been met or an agreement as hereinafter provided has been executed and registered and, in the case of undeveloped commercial or multi-family blocks or the redevelopment thereof, until site plans have been submitted to and approved by the Corporation;
- (c) provide that all works required by the by-law or of any nature incidental or necessary to the development shall be carried out by the owner of the lands being developed at his risk and expense and, where such works are on a road allowance, to the satisfaction of the Corporation;
- (d) provide that the owner of the lands for which development or redevelopment is proposed shall pay to the Corporation development charges at the same rate as that required to be paid by the owner of lands within the Township of Gloucester, which are developed under the terms of a subdivision agreement for a registered plan of subdivision, as established from time to time by by-law of the Corporation; and
- (e) provide that any loss, costs and damages, which the Corporation may suffer, be at or be put to for or by reason or on account of the construction, maintenance or existence of such works, shall constitute a lien and charge upon such lands and shall be collectable in the same manner as municipal taxes.

Park levy

2.—(1) By-laws may be passed by the council of the Corporation requiring, as a condition precedent to the issuance of a building permit for the development or redevelopment of any land within the Township of Gloucester or within any defined area thereof, by the erection thereon of multiple family residential units, that five acres of land per one thousand persons of population shall be conveyed to the Corporation for park purposes.

Method of calculation

(2) In calculating the population of the units referred to in subsection 1, each bachelor, one bedroom, and two bedroom apartment shall be deemed to accommodate two, two and three persons respectively, and each additional bedroom shall be deemed to accommodate one additional person.

Cash payment in lieu of conveyance

(3) The council of the Corporation may authorize, in lieu of the conveyance for park purposes required under subsection 1, the acceptance by the Corporation of money to the value of such land required to be conveyed, and subsection

11 of section 33 of *The Planning Act* applies *mutatis mutandis* to all moneys received under this subsection.

(4) Land conveyed or money paid in lieu thereof pursuant to section 33 of *The Planning Act* shall be deducted from the conveyance or payment required under subsections 1 and 3. R.S.O. 1970, c. 349, requirements deducted

3. By-laws may be passed by the council of the Corporation for requiring that any person who makes an application to council requesting the enactment of a by-law to amend its restricted area by-laws shall pay to the Corporation part or all of the expenses incurred by the Corporation in processing the application, preparing the proposed by-law and in the giving of notice of the enactment or proposed enactment of the amending by-law to the owners of lands affected or to be affected by the by-law as required by the Rules of Procedure of the Ontario Municipal Board, whether such notice is given by publication in a newspaper or by the mailing of notice and in the latter case, the cost of giving notice shall include the cost of preparation of the required mailing list and the said by-law may provide that the applicant shall provide security for the estimated expenses of the Corporation prior to the enactment of the by-law for which application has been made. Payment of by-law amendment expenses

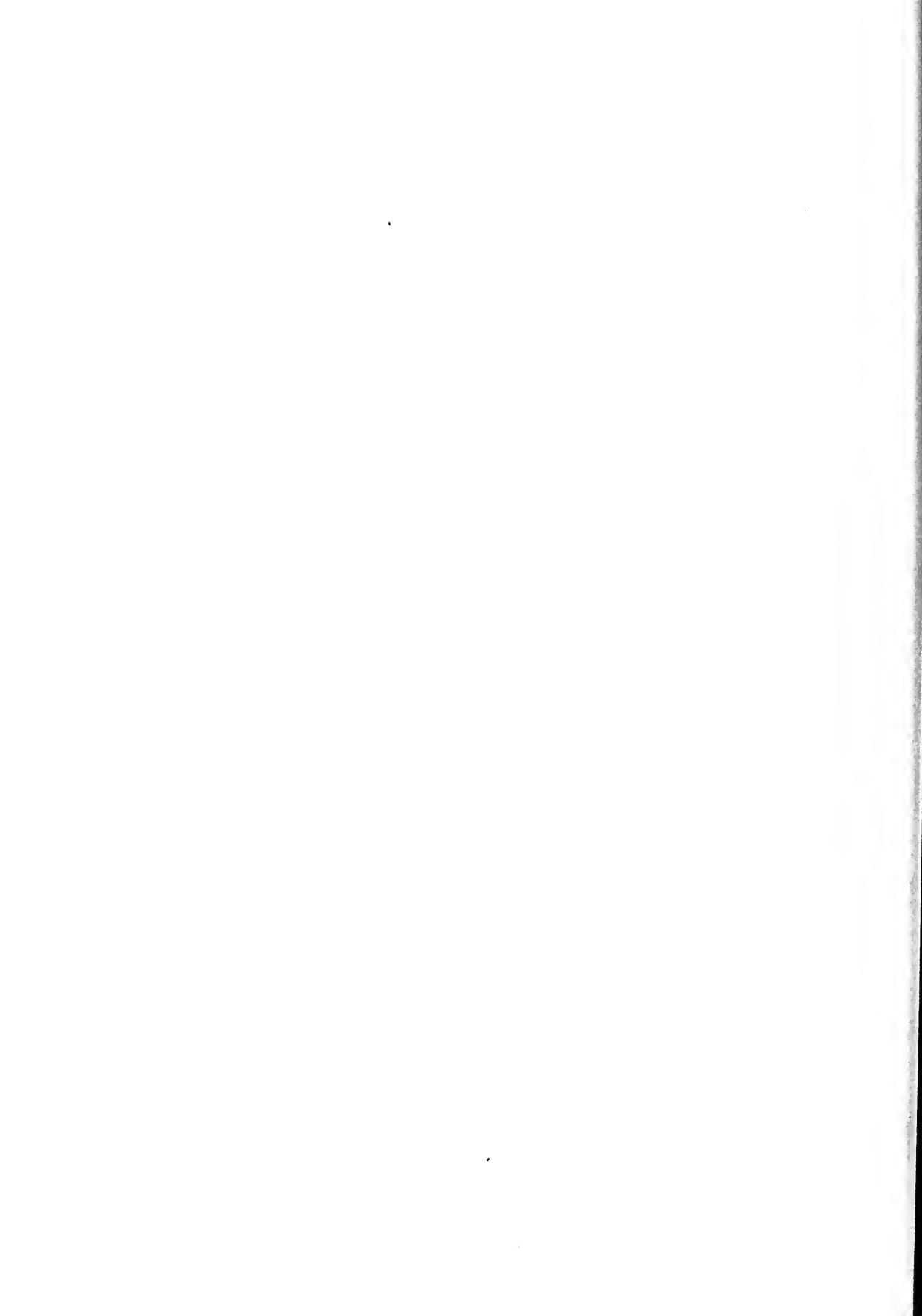
4. The Corporation may enter into agreements providing for fulfillment by the owner of the lands of all or any of the conditions and requirements imposed by by-law enacted under the authority of this Act and such agreements, when registered on the title of the land, shall run with the land to the benefit of the Corporation. Agreements

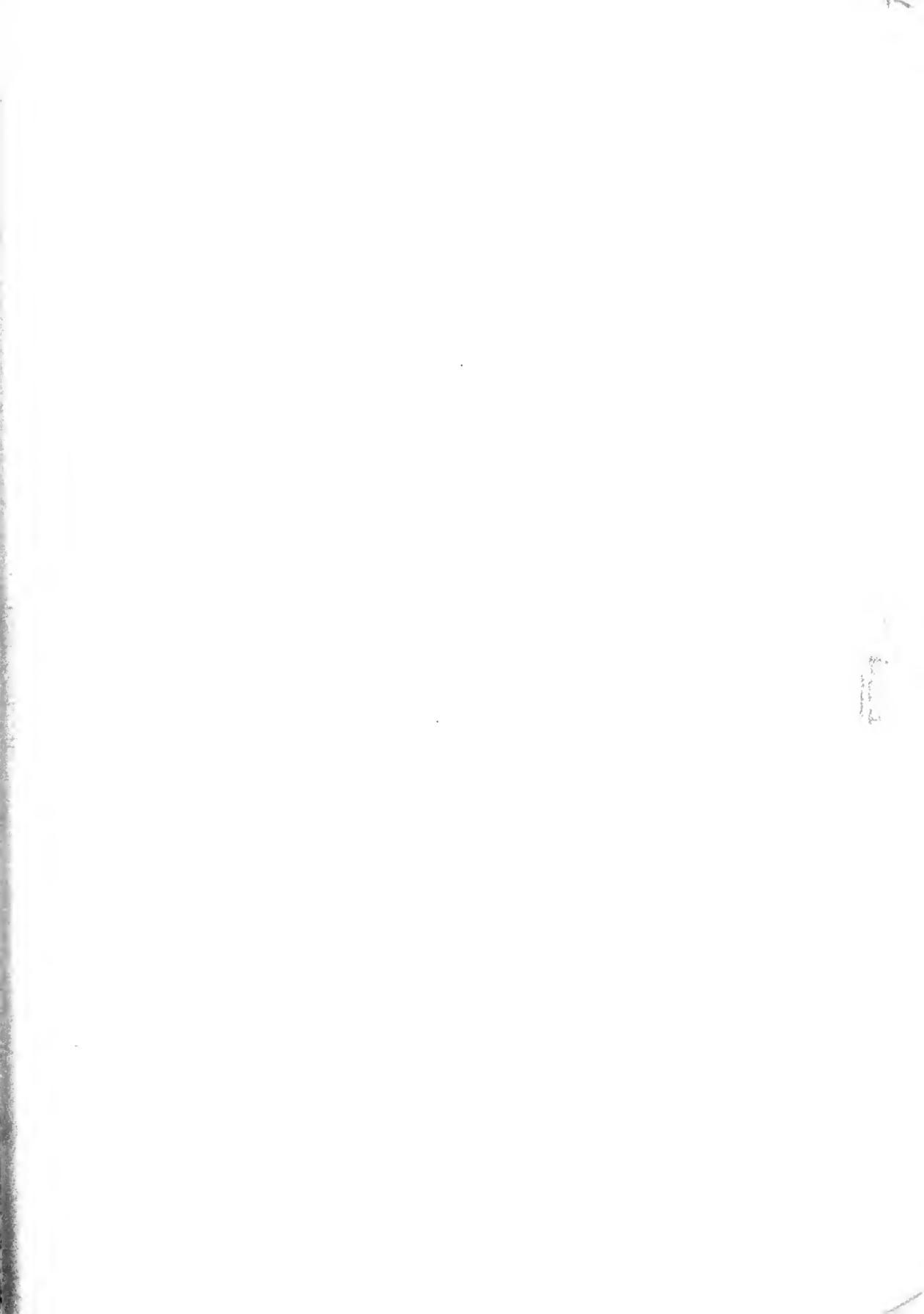
5. Any person aggrieved by the provisions of a by-law or an amending by-law passed under the authority of section 1 or 2 may, within thirty days after the passage of the by-law or amending by-law, appeal to the Ontario Municipal Board, and the Board shall hear the appeal and dismiss the same or direct that the by-law or amending by-law be amended in accordance with its order. Appeal to O.M.B.

6. Where an appeal has been made to the Ontario Municipal Board in respect of a by-law passed under section 1 or 2, a copy of the decision of the Board with respect to the appeal shall be supplied by the Board to the person who appealed and to each person who appeared in person or by counsel at the hearing of the appeal and who filed with the Board or the secretary of the Board a written request for notice of the decision. Copy of decision

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

8. This Act may be cited as *The Township of Gloucester Act, 1973*. Short title





An Act respecting the
Township of Gloucester

1st Reading

2nd Reading

3rd Reading

MR. HANDLEMAN

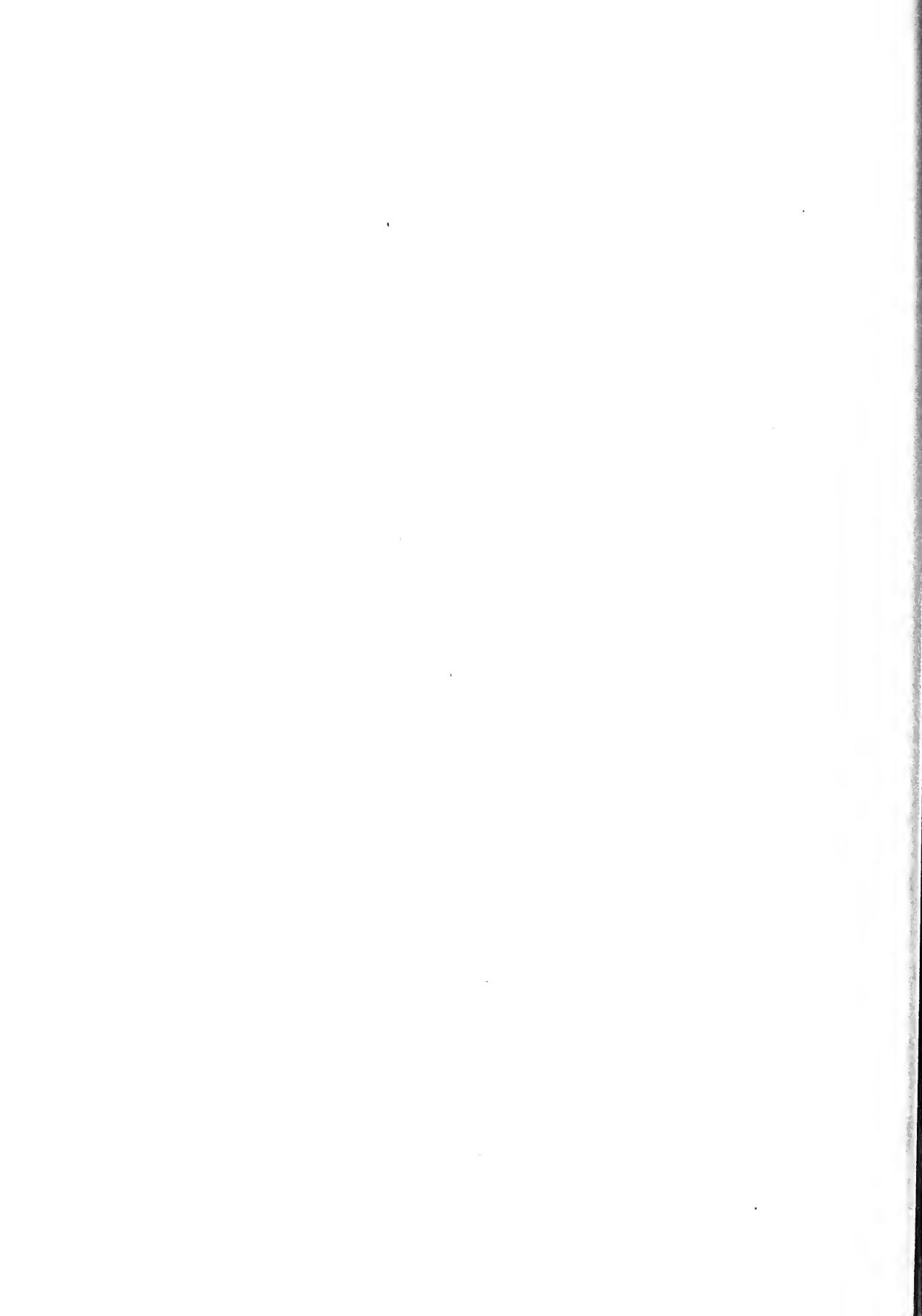
(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Township of Gloucester

MR. HANDLEMAN

(Reprinted as amended by the Private Bills Committee)



BILL Pr22

1973

An Act respecting the Township of Gloucester

WHEREAS The Corporation of the Township of Gloucester, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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-laws may be passed by the council of the Corporation for prohibiting, requiring or regulating the provision, establishment, construction, preservation and maintenance of the following facilities within the Township of Gloucester, or within any defined area or areas thereof, as a condition precedent to the development or redevelopment of any land, and for regulating and controlling such facilities:

Power to pass
by-laws

1. Access ramps between private land and the travelled portion of a public street, lane or highway, the location thereof and the direction of traffic thereon.
2. The grading of private lands and the disposal of storm and waste water therefrom.
3. Floodlighting of any building or structure.
4. Garbage vaults and central garbage storage and collection areas.
5. Surfacing of parking areas.
6. Walls, fences, hedges and planting of trees or shrubs, to provide a buffer zone between land use zones.

(2) A by-law passed under subsection 1 may,

Provisions
of by-law

- (a) provide that, without cost, easements necessary for public utilities serving the proposed development shall be conveyed to the Corporation;

- (b) prohibit the issuance of building permits until all requirements of the by-law have been met or an agreement as hereinafter provided has been executed and registered and, in the case of undeveloped commercial or multi-family blocks or the redevelopment thereof, until site plans have been submitted to and approved by the Corporation;
- (c) provide that all works required by the by-law or of any nature incidental or necessary to the development shall be carried out by the owner of the lands being developed at his risk and expense and, where such works are on a road allowance, to the satisfaction of the Corporation;
- (d) provide that the owner of the lands for which development or redevelopment is proposed shall pay to the Corporation development charges at the same rate as that required to be paid by the owner of lands within the Township of Gloucester, which are developed under the terms of a subdivision agreement for a registered plan of subdivision, as established from time to time by by-law of the Corporation; and
- (e) provide that any loss, costs and damages, which the Corporation may suffer, be at or be put to for or by reason or on account of the construction, maintenance or existence of such works, shall constitute a lien and charge upon such lands and shall be collectable in the same manner as municipal taxes.

Park levy

2.—(1) By-laws may be passed by the council of the Corporation requiring, as a condition precedent to the issuance of a building permit for the development or redevelopment of any land within the Township of Gloucester or within any defined area thereof, by the erection thereon of multiple family residential units, that five acres of land per one thousand persons of population shall be conveyed to the Corporation for park purposes.

Method of calculation

(2) In calculating the population of the units referred to in subsection 1, each bachelor, one bedroom, and two bedroom apartment shall be deemed to accommodate two, two and three persons respectively, and each additional bedroom shall be deemed to accommodate one additional person.

Cash payment in lieu of conveyance

(3) The council of the Corporation may authorize, in lieu of the conveyance for park purposes required under subsection 1, the acceptance by the Corporation of money to the value of such land required to be conveyed, and subsection

11 of section 33 of *The Planning Act* applies *mutatis mutandis* to all moneys received under this subsection.

(4) Land conveyed or money paid in lieu thereof pursuant to section 33 of *The Planning Act* shall be deducted from the conveyance or payment required under subsections 1 and 3. R.S.O. 1970, c. 349, requirements deducted

3. By-laws may be passed by the council of the Corporation for requiring that any person who makes an application to council requesting the enactment of a by-law to amend its restricted area by-laws shall pay to the Corporation part or all of the expenses incurred by the Corporation in processing the application, preparing the proposed by-law and in the giving of notice of the enactment or proposed enactment of the amending by-law to the owners of lands affected or to be affected by the by-law as required by the Rules of Procedure of the Ontario Municipal Board, whether such notice is given by publication in a newspaper or by the mailing of notice and in the latter case, the cost of giving notice shall include the cost of preparation of the required mailing list and the said by-law may provide that the applicant shall provide security for the estimated expenses of the Corporation prior to the enactment of the by-law for which application has been made. Payment of by-law amendment expenses

4. The Corporation may enter into agreements providing for fulfillment by the owner of the lands of all or any of the conditions and requirements imposed by by-law enacted under the authority of this Act and such agreements, when registered on the title of the land, shall run with the land to the benefit of the Corporation. Agreements

5. Any person aggrieved by the provisions of a by-law or an amending by-law passed under the authority of section 1, 2 or 3 may, within thirty days after the passage of the by-law or amending by-law, or within such extended period of time as the Ontario Municipal Board may allow, appeal to the Ontario Municipal Board, and the Board shall hear the appeal and dismiss the same or direct that the by-law or amending by-law be amended in accordance with its order. Appeal to O.M.B.

6. Where an appeal has been made to the Ontario Municipal Board in respect of a by-law passed under section 1, 2 or 3, a copy of the decision of the Board with respect to the appeal shall be supplied by the Board to the person who appealed and to each person who appeared in person or by counsel at the hearing of the appeal and who filed with the Board or the secretary of the Board a written request for notice of the decision. Copy of decision

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

8. This Act may be cited as *The Township of Gloucester Act, 1973*. Short title



An Act respecting the
Township of Gloucester

1st Reading

April 12th, 1973

2nd Reading

3rd Reading

MR. HANDLEMAN

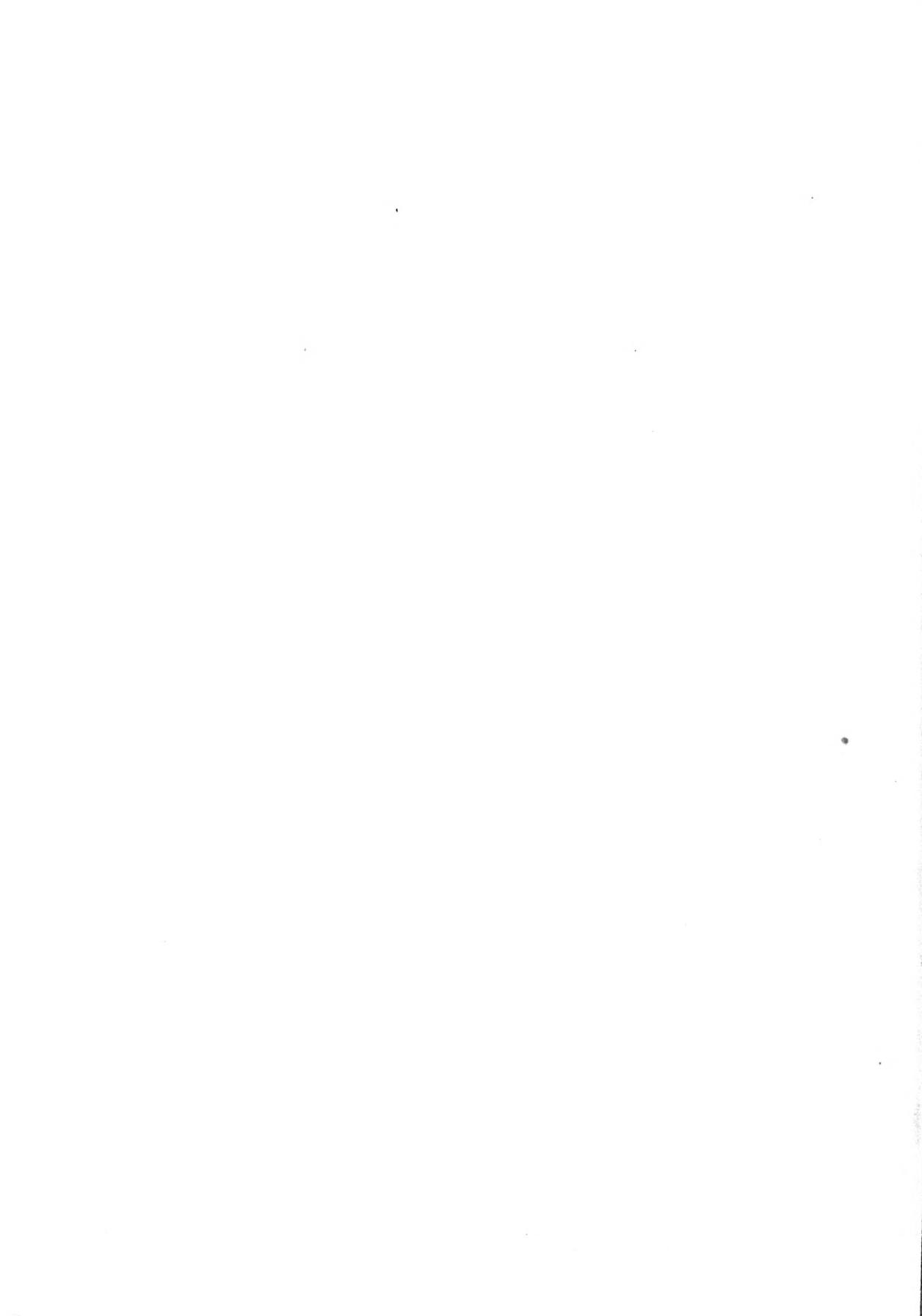
*(Reprinted as amended by the
Private Bills Committee)*

BILL Pr22

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Township of Gloucester

MR. HANDLEMAN



BILL Pr22

1973

**An Act respecting
the Township of Gloucester**

WHEREAS The Corporation of the Township of Gloucester, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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-laws may be passed by the council of the Corporation for prohibiting, requiring or regulating the provision, establishment, construction, preservation and maintenance of the following facilities within the Township of Gloucester, or within any defined area or areas thereof, as a condition precedent to the development or redevelopment of any land, and for regulating and controlling such facilities:

Power to pass
by-laws

1. Access ramps between private land and the travelled portion of a public street, lane or highway, the location thereof and the direction of traffic thereon.
2. The grading of private lands and the disposal of storm and waste water therefrom.
3. Floodlighting of any building or structure.
4. Garbage vaults and central garbage storage and collection areas.
5. Surfacing of parking areas.
6. Walls, fences, hedges and planting of trees or shrubs, to provide a buffer zone between land use zones.

(2) A by-law passed under subsection 1 may,

Provisions
of by-law

- (a) provide that, without cost, easements necessary for public utilities serving the proposed development shall be conveyed to the Corporation;

- (b) prohibit the issuance of building permits until all requirements of the by-law have been met or an agreement as hereinafter provided has been executed and registered and, in the case of undeveloped commercial or multi-family blocks or the redevelopment thereof, until site plans have been submitted to and approved by the Corporation;
- (c) provide that all works required by the by-law or of any nature incidental or necessary to the development shall be carried out by the owner of the lands being developed at his risk and expense and, where such works are on a road allowance, to the satisfaction of the Corporation;
- (d) provide that the owner of the lands for which development or redevelopment is proposed shall pay to the Corporation development charges at the same rate as that required to be paid by the owner of lands within the Township of Gloucester, which are developed under the terms of a subdivision agreement for a registered plan of subdivision, as established from time to time by by-law of the Corporation; and
- (e) provide that any loss, costs and damages, which the Corporation may suffer, be at or be put to for or by reason or on account of the construction, maintenance or existence of such works, shall constitute a lien and charge upon such lands and shall be collectable in the same manner as municipal taxes.

Park levy

2.—(1) By-laws may be passed by the council of the Corporation requiring, as a condition precedent to the issuance of a building permit for the development or redevelopment of any land within the Township of Gloucester or within any defined area thereof, by the erection thereon of multiple family residential units, that five acres of land per one thousand persons of population shall be conveyed to the Corporation for park purposes.

Method of calculation

(2) In calculating the population of the units referred to in subsection 1, each bachelor, one bedroom, and two bedroom apartment shall be deemed to accommodate two, two and three persons respectively, and each additional bedroom shall be deemed to accommodate one additional person.

Cash payment in lieu of conveyance

(3) The council of the Corporation may authorize, in lieu of the conveyance for park purposes required under subsection 1, the acceptance by the Corporation of money to the value of such land required to be conveyed, and subsection

11 of section 33 of *The Planning Act* applies *mutatis mutandis* to all moneys received under this subsection.

(4) Land conveyed or money paid in lieu thereof pursuant to section 33 of *The Planning Act* shall be deducted from the conveyance or payment required under subsections 1 and 3. R.S.O. 1970, c. 349, requirements deducted

3. By-laws may be passed by the council of the Corporation for requiring that any person who makes an application to council requesting the enactment of a by-law to amend its restricted area by-laws shall pay to the Corporation part or all of the expenses incurred by the Corporation in processing the application, preparing the proposed by-law and in the giving of notice of the enactment or proposed enactment of the amending by-law to the owners of lands affected or to be affected by the by-law as required by the Rules of Procedure of the Ontario Municipal Board, whether such notice is given by publication in a newspaper or by the mailing of notice and in the latter case, the cost of giving notice shall include the cost of preparation of the required mailing list and the said by-law may provide that the applicant shall provide security for the estimated expenses of the Corporation prior to the enactment of the by-law for which application has been made. Payment of by-law amendment expenses

4. The Corporation may enter into agreements providing for fulfillment by the owner of the lands of all or any of the conditions and requirements imposed by by-law enacted under the authority of this Act and such agreements, when registered on the title of the land, shall run with the land to the benefit of the Corporation. Agreements

5. Any person aggrieved by the provisions of a by-law or an amending by-law passed under the authority of section 1, 2 or 3 may, within thirty days after the passage of the by-law or amending by-law, or within such extended period of time as the Ontario Municipal Board may allow, appeal to the Ontario Municipal Board, and the Board shall hear the appeal and dismiss the same or direct that the by-law or amending by-law be amended in accordance with its order. Appeal to O.M.B.

6. Where an appeal has been made to the Ontario Municipal Board in respect of a by-law passed under section 1, 2 or 3, a copy of the decision of the Board with respect to the appeal shall be supplied by the Board to the person who appealed and to each person who appeared in person or by counsel at the hearing of the appeal and who filed with the Board or the secretary of the Board a written request for notice of the decision. Copy of decision

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

8. This Act may be cited as *The Township of Gloucester Act, 1973*. Short title





An Act respecting the
Township of Gloucester

1st Reading

April 12th, 1973

2nd Reading

May 17th, 1973

3rd Reading

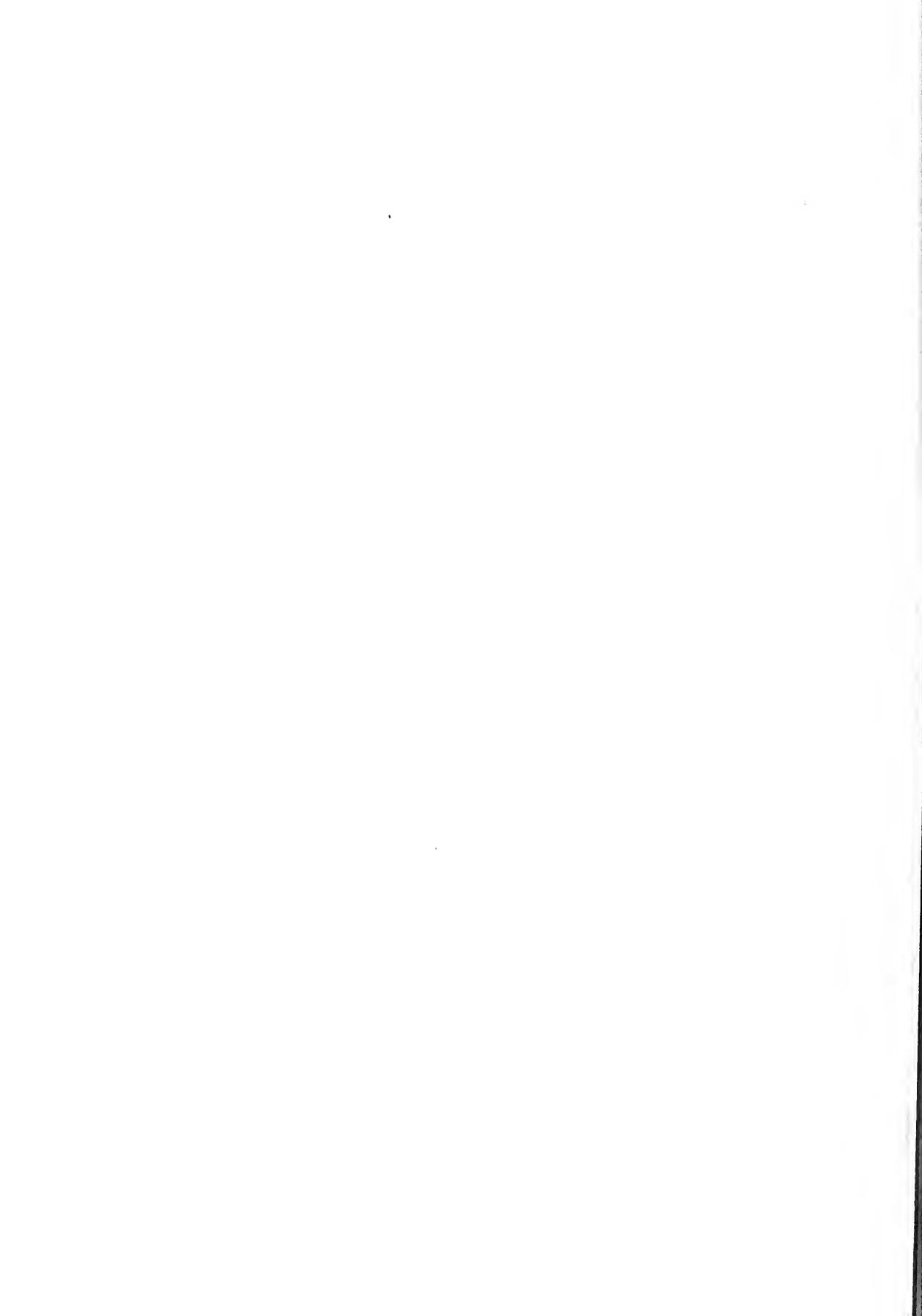
May 17th, 1973

MR. HANDLEMAN

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
The Board of Education for the City of London**

MR. WALKER



BILL Pr23

1973

**An Act respecting
The Board of Education for the City of London**

WHEREAS The Board of Education for the City of ^{Preamble} London hereby represents that by petition dated the 2nd day of December, 1963, the Board applied for special legislation vesting certain lands and premises in the name of The Board of Education for the City of London in fee simple, free from all trusts, conditions and limitations, which said lands were registered in the name of certain township school boards; and whereas the Legislature enacted *The London Board of Education Act, 1964*, ^{1964, c. 133} vesting certain lands in the name of The Board of Education for the City of London as prayed for in the said petition; and whereas it now appears that the legal descriptions of certain lands and premises were omitted from the Schedule to the said *The London Board of Education Act, 1964*, it being the intent of the Board at the time of the passing of the said Act that the said lands and premises be included in the Schedule to the said Act; and whereas The Board of Education for the City of London hereby applies for special legislation amending *The London Board of Education Act, 1964*; and whereas The Board of Education for the City of London has been authorized and directed to administer pursuant to the Annexation Order of the Ontario Municipal Board P.F.M. 7054-58 being dated the 3rd day of October, 1960, lands and premises formerly under the jurisdiction of public school boards in the Township of Westminster and the Township of London, in the County of Middlesex, titles to which lands and premises are presently registered in the respective public school boards and which lands and premises are now wholly within the limits of The Corporation of the City of London; and whereas it is expedient that the said lands and premises be vested in fee simple in the Board free from all trusts, conditions and limitations as may be declared in any of the respective deeds referred to herein; and whereas the applicant hereby applies for special legislation in respect of such matters; and whereas it is expedient to grant the application:

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

Lands
vested in
Board

1. The lands and premises described in the Schedule hereto are declared to be and to have been at all times since the 3rd day of October, 1960, vested in The Board of Education for the City of London in fee simple, clear and free from all rights, trusts, titles and interests other than those of The Board of Education for the City of London.

Registration

2. The Secretary of The Board of Education for the City of London shall register a copy of this Act within sixty days after it comes into force in the land registry office for the Registry Division of Middlesex East (33).

Commence-
ment

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

Short title

4. This Act may be cited as *The London Board of Education Act, 1973*.

SCHEDULE

BRICK STREET PUBLIC SCHOOL,
393 Commissioners Road, West,
London, Ontario.

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex, and being composed of part of the East half of Lot Number Thirty-five (35) in the First Concession of the said Township, more particularly described as follows:

Firstly:

COMMENCING at the intersection on the Southerly limit of the Base Line Road allowance across said Lot Number Thirty-five (35) with the Easterly limit of Topping Street as shown on Registered Plan Number 727 of the Township of Westminster; THENCE Southerly along the Easterly limit of said Topping Street, a distance of One Hundred and Fifty feet (150'); THENCE Easterly on a bearing North Eighty-three degrees Twenty-eight Minutes East (N 83° 28' E) and parallel to the said Base Line Road a distance of Three hundred and sixty-eight and One-tenths feet (368.1') to the point of commencement; THENCE Southerly Eighty-three degrees Twenty-eight minutes West (S 83° 28' W) a distance of Three hundred and Sixty-eight and One-tenths feet (368.1') to its intersection with the Easterly limit of said Topping Street; THENCE Southerly on a bearing of South Ten degrees Four minutes East (S 10° 04' E) along the Easterly limit of said Topping Street a distance of Four hundred and Seventy-six and Nine-tenths feet (476.9') to a point in the Northerly limit of Brick Street or the Commissioners Road crossing said Lot Number Thirty-five (35); THENCE on a bearing of North Eighty degrees Zero Minutes East (N 80° 00' E) a distance of One Hundred and Twenty-six and Nine-tenths feet (126.9') along the Northerly limit of Brick Street to a point; THENCE North Eight degrees Two minutes West (N 8° 2' W) a distance of Thirty-two feet (32') to a point; THENCE Northerly Eight degrees Zero minutes East (N 80° 00' E) and parallel to the said Commissioners Road a distance of Twenty-five feet (25') to a point; THENCE North Eight degrees Two minutes West (N 8° 2' W) a distance of Eighty-five and Nine-tenths feet (85.9') to a point; THENCE North Eighty-three degrees Twenty-eight minutes East (N 83° 28' E) and parallel to the said Base Line Road a distance of Two hundred and Eleven and Seven-Tenths feet (211.7') more or less, to its intersection with a straight line drawn Southerly and parallel to the Easterly limit of Topping Street from the point of commencement; THENCE North Ten degrees Four minutes West (N 10° 4' W) and parallel with the easterly limit of Topping Street a distance of Three hundred and Forty-nine and Eight-tenths feet (349.8') to the place of beginning.

Secondly:

COMMENCING in the Northerly limit of the Commissioners Road or Brick Street, at a point therein distant One hundred and Twenty-six and Nine-tenths feet (126.9') East of the East limit of Topping Street; THENCE North Eight degrees Two minutes West (N 8° 2' W) a distance of Thirty-two feet (32'); THENCE North Eighty degrees zero minutes East (80° 00' E) and parallel to the Commissioners Road or Brick Street, Twenty-five feet (25'); THENCE North Eight degrees Two minutes West (8° 2' W) and parallel to Topping Street Eighty-five and Nine-tenths feet (85.9'); THENCE North Eighty-three degrees Twenty-eight minutes East (N 83° 28' E) Two hundred and eleven and Seven-tenths feet (211.7') more or less to the point of

intersection with a line drawn parallel with the East limit of Topping Street as shown on Plan 727 from a point "A" which point "A" is ascertained by— COMMENCING at the intersection of the Southerly limit of the Base Line Road allowance across said Lot Number Thirty-five (35) with the Easterly limit of Topping Street as shown on Plan Number 727; THENCE Southerly along the Easterly limit of Topping Street One hundred and Fifty feet (150'); THENCE Easterly on a bearing North Eighty-three degrees Twenty-eight minutes East (N 83° 28' E) and parallel to the said Base Line Road, Three hundred and Sixty-eight and One-tenth feet (368.1') to such point "A"; THENCE southerly on a course South 10° zero Four minutes East to the Northerly limit of Commissioners Road or Brick Street; THENCE North Eighty degrees zero minutes West (N 80° 00' W) along the North limit of Commissioners Road or Brick Street, Two hundred and Forty and Five-tenths feet (240.5') to the place of beginning.

SUBJECT To an easement in favour of The Hydro-Electric Power Commission of Ontario as described in Instrument No. 60267.

BYRON NORTHVIEW PUBLIC SCHOOL,
1370 Commissioners Road,
London, Ontario.

Firstly:

ALL AND SINGULAR that tract of land and premises situate lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex, in the Province of Ontario, containing by admeasurement, one-eighth of an acre, be the same more or less being composed of part of Lots forty-five and forty-six broken front in the said Township of Westminster and may be known as follows, that is to say:

COMMENCING at a stake on the south side of the Commissioners Road and on the line between lots numbers forty-five and forty-six, then in an easterly direction parallel with the Commissioners Road thirty-three feet, then in a southerly direction parallel with the line between lots forty-five and forty-six eighty-two decimal five feet, then in a westerly direction parallel with the Commissioners Road, sixty-six feet, then in a northerly direction parallel with the line between lots forty-five and forty-six eighty-two decimal five feet to the Commissioners Road; then in an easterly direction parallel with the Commissioners Road thirty-three feet to the place of beginning.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London (formerly in the Township of Westminster), in the County of Middlesex and being composed of Lots Numbers 1 and 2 according to Registered Plan No. 668 for the said Township.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London (formerly in the Township of Westminster), in the County of Middlesex and Province of Ontario and being composed of part of Lot Eighty-nine (89) according to Registered Plan No. 563 for the said Township of Westminster, more particularly described as follows: COMMENCING at a point in the Southerly limit of Lot 90, Plan 563, distant Easterly One Hundred and Twenty-seven feet (127') Easterly from the South-westerly angle of the said Lot 90; THENCE Southerly and parallel to the limit between Lots 45 and 46, in the Broken Front Concession of the said Township of Westminster to a point in the Easterly production of the limit between Lots 2 and 3, Plan 668 for the said Township

of Westminster; THENCE Westerly along the said Easterly production of the limit between said Lots 2 and 3 a distance of One Hundred and Eleven decimal Two Feet (111.2') more or less to the South-east angle of said Lot 2, Plan 668; THENCE Northerly along the Easterly limits of said Lots 2 and 1, Plan 668 and Lot 136, Plan 563 a distance of Two Hundred and Seventy-six decimal Five Feet (276.5') to a point in the Easterly limit of said Lot 136, distant fifty-eight decimal eighty five feet (58.85') Southerly from the South-westerly angle of Lot 90, Plan 563; THENCE South eighty-seven degrees, thirteen and one-half minutes west ($87^{\circ} 13\frac{1}{2}'$ W) One Hundred and Eleven decimal Two feet (111.2') to the place of beginning.

FAIRMONT PUBLIC SCHOOL,
1040 Hamilton Road,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, (formerly in the Township of London), in the County of Middlesex, and being composed of part of Lot No. 7, Concession "B" in the said Township which parcel may be more particularly described as follows: PREMISING that all bearings are astronomic and are referred to the bearing of North 20 degrees, 44 minutes, 30 seconds West of the limit between Lots Number 7 and 8 being the Westerly limit of Block lettered "J" according to Registered Plan Number 790, COMMENCING where the Easterly limit of Block lettered "J" according to Registered Plan Number 790 intersects the Northerly limit of the Hamilton Road; THENCE North 4 degrees, 25 minutes, 40 seconds West, 276.87 feet to an iron bar; THENCE North 79 degrees, 3 minutes 50 seconds East, 142.05 feet more or less to a line drawn on a bearing of North 9 degrees, 12 minutes, 10 seconds West from a point in the Northerly limit of the Hamilton Road distant 181.5 feet Easterly therealong from the intersection of the Northerly limit of the Hamilton Road and the Westerly limit of said Lot Number 7, Concession "B"; THENCE North 0 degrees, 12 minutes 10 seconds West, 280.19 feet more or less to the Southerly limit of Lot Number 277 according to Registered Plan Number 790; THENCE South 68 degrees, 52 minutes, 20 seconds West along the Southerly limit of said Lot Number 277 and along the Southerly limit of Block "J" according to Registered Plan Number 790, 316.06 feet to an angle formed in the Southerly limit of Block "J", said point being distant 51.45 feet Easterly from the Westerly limit of said Lot Number 7, Concession "B"; THENCE south 20 degrees, 44 minutes, 30 seconds East along the Easterly limit of Block "J", 501.70 feet to the place of beginning.

GLENDALE PUBLIC SCHOOL,
310 Southdale Road,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London, (formerly in the Township of Westminster) in the County of Middlesex, containing by admeasurement Forty-eight and one half perches more or less, and being composed of a part of Lot Number Twenty-nine in the First Concession of the said Township of Westminster, and described as follows: COMMENCING at the northern limit of road allowance between the first and second concessions and the limit between Lots twenty-nine and thirty; THENCE north eighty-one degrees, thirty minutes East along the northern limit of said road allowance 60.06 feet; THENCE north eleven degrees thirty minutes west parallel to the side lines 220 feet; THENCE south eighty-one degrees thirty minutes west parallel to the

Concession Road 60.06 feet; THENCE south eleven degrees, thirty minutes east along the side lines between lots twenty-nine and thirty 220 feet to the place of beginning.

SAVE AND EXCEPT those lands conveyed to The Corporation of the City of London by Instrument No. 315852 for road widening purposes.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, (formerly in the Township of Westminster, in the County of Middlesex and being composed of part of Lot Number 29 in the First Concession of the Said Township, more particularly described as follows: COMMENCING at a point in the Northern limit of the road allowance between the First and Second Concessions at the distance of 60.06 feet Easterly therealong from the South-westerly angle of the said Lot; THENCE Easterly along the said Northern limit of the road allowance, One Hundred and Eighty-one feet Six inches; THENCE North Eleven degrees Thirty minutes West parallel with the side lines of the said Lot, Five Hundred and Five feet Six inches; THENCE South eighty-one degrees Thirty minutes West parallel with the said road allowance Two hundred and Forty-one feet six inches more or less to the Westerly limit of the said Lot; THENCE Southerly along the West limit of the said Lot, Two hundred and Eighty-five feet Six inches to a point, said point also being the North-west angle of the lands conveyed by one Ezekiel Dale to The Trustees of School Section Number Eight of the said Township of Westminster by registered Deed Number 9610; THENCE Easterly and parallel to the northern limit of said road allowance and along the Northerly limit of the lands conveyed by said registered Deed Number 9610, Sixty feet; THENCE Southerly and parallel to the west limit of Lot 29 and along the Easterly limit of the lands conveyed by said registered Deed Number 9610, Two hundred and Twenty feet more or less to the place of beginning, containing by admeasurement Two and One half acres be the same more or less.

SAVE AND EXCEPT those lands conveyed to The Corporation of the City of London for the purposes of a public Highway by Instrument No. 315852.

HUTTON ROAD PUBLIC SCHOOL,
654 Hutton Road,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, (formerly in the Township of London) in the County of Middlesex and Province of Canada and being a portion of Lot number twenty-one in the First Concession of the Township of London which may be known and described as follows, that is to say: COMMENCING at a point on the east side of said lot number twenty-one and at the distance of three hundred and fifty feet from the northeast corner of the said lot twenty-one in a course south twenty-one degrees and thirty minutes east from the said northeast corner of the said lot; THENCE south sixty-eight degrees, thirty minutes west seventy feet; THENCE south twenty-one degrees thirty minutes east thirty feet; THENCE north sixty-eight degrees thirty minutes east seventy feet to the Road Allowance between Lots Twenty and Twenty-one; THENCE North twenty-one degrees thirty minutes west thirty feet more or less to the place of beginning;

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London,) in the County of Middlesex and Province of Ontario and being composed of part of lot number twenty-one in the First Concession of the said Township of London and may be known and described as follows, that is to say: COMMENCING at a point in the westerly limit of the road allowance known as the side road between lots numbers twenty and twenty-one at the distance of two hundred and forty-eight feet from the north-eastern corner of the said lot number twenty-one measured in a southerly direction along the westerly limit of said side road; THENCE south sixty-eight degrees and thirty minutes west one hundred and sixty-five feet parallel with the road allowance between the First and Second Concessions of said Township known as the concession line; THENCE south twenty-one degrees and thirty minutes east, one hundred and thirty-two feet parallel with the side road; THENCE north sixty eight degrees and thirty minutes east ninety-five feet parallel with the concession line; THENCE north twenty-one degrees and thirty minutes west thirty feet parallel with the side road; THENCE north sixty-eight degrees and thirty minutes east seventy feet parallel with the concession line of the westerly limit of the side road; THENCE north twenty-one degrees and thirty minutes west one hundred and two feet along said westerly limit of the place of beginning containing by admeasurement nineteen thousand six hundred and eight square feet.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London), in the County of Middlesex and being composed of part of Lot number Twenty-one in the first concession of the said Township, more particularly described as follows: COMMENCING at a point in the interior of Lot 21, Concession 1 which point of commencement may be located as follows: COMMENCING at a point in the westerly limit of the road allowance known as the side road between Lots numbers 20 and 21 at a distance of 248 feet from the northeastern corner of the said Lot number 21 measured in a southerly direction along the westerly limit of said side road; THENCE southerly 68° 30' West 165 feet parallel with the road allowance between the First and Second Concession of the said Township known as the Concession Line, which point is the point of commencement; THENCE westerly parallel with the concession line 33 feet; THENCE southerly parallel with the side road between Lots numbers Twenty and Twenty-one, Concession 1, one hundred and thirty-two feet; THENCE easterly parallel with the concession line 33 feet more or less to a point distant 165 feet west of the side road; THENCE northerly parallel with the side road a distance of 132 feet to the point of commencement.

SAVE AND EXCEPT those lands conveyed to The Corporation of the City of London for the purposes of road widening as first described in Instrument No. 225623.

KENSAL PARK PUBLIC SCHOOL,
328 Springbank Drive,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London, (formerly in the Township of Westminster,) in the County of Middlesex, and being composed of Block "A" according to registered Plan 783.

Secondly.

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex, and being composed of Block lettered "A" according to Registered Plan No. 845, And Subject to the easement reserved to The Corporation of the Township of Westminster over the Easterly Twenty-five feet of the lands above described for the construction and maintainance of sewers and watermains therealong and thereunder with all necessary rights of access thereto for such purposes, And Subject to the provision that no buildings or structures shall be erected upon the said Twenty-five feet, other than fencing along the Easterly boundary.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London (formerly in the Township of Westminster) in the County of Middlesex, and Province of Ontario and being composed of Lots Numbers Seven, Eight, Nine, Ten, Eleven, Twelve and Thirteen on the East side of Chessington Avenue, in Block lettered "R", according to Plan registered in the Registry Office for the East and North Ridings of the County of Middlesex, (now Middlesex East (No. 33)) as Number 376.

MANOR & HIGHLAND PARK PUBLIC SCHOOL,
20 Forbes Street,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex, and Province of Ontario, and being composed of Lot Number Three Hundred and Thirteen (313) Manor Park Subdivision, according to Plan Number 488 for the Township of Westminster, registered in the Registry Office for the Registry Division of the East and North Ridings of the County of Middlesex, (now Middlesex East (No. 33)).

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London, (formerly in the Township of Westminster,) in the County of Middlesex and Province of Ontario, and being composed of Lot Number Three Hundred and Fourteen, (314) Manor Park Subdivision, according to Plan Number 488, for the Township of Westminster, registered in the Registry Office for the Registry Division of the East and North Ridings of the County of Middlesex, (now Middlesex East No. 33).

Thirdly:

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being, in the City of London, (formerly in the Township of Westminster,) in the County of Middlesex and Province of Ontario, and being composed of Lots Numbers Three Hundred and Fifteen (315) and Three Hundred and Sixteen (316), Manor Park Subdivision according to Plan Number 488 for the Township of Westminster, registered in the Registry Office for the Registry Division of the East and North Ridings of the County of Middlesex, (now Middlesex East (No. 33)).

MASONVILLE PUBLIC SCHOOL,
24 Fanshawe Park Road West,
London, Ontario.

Firstly:

ALL AND SINGULAR that parcel of land and premises situate lying and being in the City of London (formerly in the Township of London) in the County of Middlesex and Province of Ontario and being composed of part of Lot Number Seventeen in the Fourth Concession of the said Township of London comprising one acre and more particularly described as follows that is to say: COMMENCING at a point in the southerly limit of the Road Allowance between Concessions 4 and 5 distant 417' 5½" westerly from the Northeast angle of Lot 17; THENCE Westerly along the Northerly boundary of said Lot 165 feet; THENCE Southerly and parallel to the Proof Line Road a distance of 264 feet to a point; THENCE Easterly and parallel to the Southerly limit of the Road Allowance between Concessions 4 and 5 a distance of 165 feet to a point; THENCE Northerly and parallel to the Proof Line Road a distance of 264 feet to the place of beginning.

SAVE AND EXCEPT therefrom those lands expropriated by the Province of Ontario for road widening purposes.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London) in the County of Middlesex and Province of Ontario and being composed of the following part of the north half of Lot Number Seventeen (17) in the Fourth Concession of the Township of London, namely: COMMENCING at a point in the Southerly limit of the allowance for road between the Fourth and Fifth Concessions in the said Township as widened by the addition of Seventeen feet (17') by Plan of the Department of Highways for Ontario registered as Number 130 the said road being now known as The King's Highway No. 22 which said point is at intersection of the said limit by a straight line drawn northerly parallel with the westerly limit of the Proof Line Road from a point in the Northerly limit of Hillview Boulevard as shown on registered Plan Number 621 distant Eight Hundred and Eighty-six Feet Ten and one-half inches (886' 10½") Westerly measured along the said northerly boundary of Hillview Boulevard from the Westerly boundary of the Proof Line Road; THENCE Southerly along the said line drawn as aforesaid Three Hundred and Twenty-one point Seven Feet (321.7'); THENCE Westerly parallel with the Northerly limit of Hillview Boulevard Three Hundred and Forty-eight point Five feet (348.5'); THENCE Northerly parallel with the Westerly limit of the Proof Line Road Three Hundred and Three point Five feet (303.5') more or less to the Southerly limit of The King's Highway No. 22 as widened as aforesaid; AND THENCE Easterly along the Southerly limit of the said Highway as widened Three Hundred and Forty-nine feet (349') more or less to the place of beginning.

MILDRED B. BARONS PUBLIC SCHOOL,
444 Kathleen Street,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London,) in the County of Middlesex and being composed of that part of Lot 18 according to registered Plan No. 19 lying south of the Canadian Pacific Railway right-of-way and more particularly described as follows:

COMMENCING at a point in the southerly limit of said Lot 18 at the north-west angle of Block "A" according to Plan 480, THENCE Northerly along the production Northerly of the Westerly limit of said Block "A" to the Southerly limit of the Canadian Pacific Railway right-of-way, THENCE Easterly along the Southerly limit of the Canadian Pacific Railway right-of-way 313 feet, 5 inches, more or less to its intersection with the Easterly limit of said Lot 18, THENCE Southerly along the Easterly limit of said Lot 18 to the South-east angle of the said Lot and the North-east angle of said Block "A" according to registered Plan No. 480, THENCE Westerly along the limit between said Block "A" and Lot 18, 313 feet more or less to the place of beginning.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London,) in the County of Middlesex, and being composed of Lot Number Twenty-one on the West side of Katherine Avenue according to Registered Plan Number 480 for the Township of London.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London (formerly in the Township of London,) in the County of Middlesex and being composed of Block "A" according to a plan made for the Grantor and registered as Number 480.

MOUNTSFIELD PUBLIC SCHOOL,
87 Mountsfield Drive,
London, Ontario.

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London (formerly in the Township of Westminster) in the County of Middlesex and being composed of part of Lot Number Twenty-seven, Concession One, more particularly described as follows: COMMENCING at the southwest corner of Lot 24, Registered Plan 807; THENCE north 20° 39' west along the westerly limit of Lots 18 to 24 (both inclusive) Plan 807 a distance of 390.76 feet to a point; THENCE south 83° 52' west along the southerly limits of Lots 8 to 15 (both inclusive) Plan 807 and part of Lot 16, Plan 807 a distance of 557.62 feet to a point; THENCE south 13° 44' 30" east along the easterly limits of Lots 1 to 5 (both inclusive) Plan 807 and part of Lot Plan 807 a distance of 336.74 feet to the southeasterly angle of Lot 1, Plan 807; THENCE southeasterly following the northern boundary of Mountsfield Drive as shown on Plan 807 a distance of 143.78 feet more or less to the northwesterly angle of Block "A" Plan 568; THENCE easterly along the northerly limit of said Block "A" Plan 568 219 feet 5 inches more or less to the northeasterly angle of said Block "A", Plan 568; THENCE easterly parallel to and at a constant perpendicular distance of 66 feet from the northwesterly limit of Lot 40 of said Plan 568 a distance of 73 feet 8" more or less to the point of commencement.

OXFORD PARK PUBLIC SCHOOL,
284 Oxford Street, West,
London, Ontario.

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London), in the County of Middlesex and Province of Ontario and containing

by admeasurement ten acres be the same more or less; being composed of Park Lot No. 5 on the south side of Oxford Street, and being part of the north half of Lot No. 18 in the First Concession.

SAVE AND EXCEPT those lands conveyed to The Corporation of the City of London for road widening purposes as secondly described in Instrument No. 225623.

SIR WINSTON CHURCHILL PUBLIC SCHOOL,
1837 Churchill Street,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London, (formerly in the Township of London), in the County of Middlesex and being composed of all of Lots 17, 18 and 19, Plan 465 and part of Lot 16, Plan 535, all of which is more particularly described as follows: COMMENCING at the southwest angle of Lot 19, Plan 535; THENCE northerly along the westerly limits of Lots 19, 18, 17 and 16, Plan 535 a distance of 443.13 feet to a point; THENCE easterly and parallel to the northerly limit of Lot 16, Plan 535 a distance of 131.0 feet to the westerly limit of said Lot 16, Plan 535; THENCE southerly along the easterly limit of said Lots 16, 17, 18 and 19 a distance of 443.13 feet more or less to the southeast angle of Lot 19, Plan 535; THENCE westerly along the southerly limit of said Lot 19 a distance of 131.0 feet to the point of commencement.

SUBJECT TO a Grant of Easement to the Corporation of the Township of London more particularly described in Instrument No. 129020.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London, (formerly in the Township of London) in the County of Middlesex and being composed of part of Block "A", Plan 535 more particularly described as follows: COMMENCING at the southwesterly angle of Block "A", Plan 535; THENCE northerly along the westerly limit of Block "A", Plan 535 a distance of Three Hundred and Sixty-Six and Five Tenths feet (366.50') to a point; THENCE Easterly and parallel to the northerly limit of Block "A", Plan 535 a distance of 9.39 feet more or less to the easterly limit of Block "A", Plan 535; THENCE southerly along the easterly limit of Block "A" Plan 535 a distance of 366.50 feet more or less to the southeasterly angle of Block "A", Plan 535; THENCE westerly along the southerly limit of Block "A", Plan 535 a distance of 9.97 feet more or less to the point of commencement.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London, (formerly in the Township of London) in the County of Middlesex and being composed of part of Block "A", Plan 465, more particularly described as follows: COMMENCING at the southeast angle of Block "A" Plan 535; THENCE southerly along the easterly limit of Plan 535 a distance of 76.78 feet to the southerly limit of Block "A" Plan 465; THENCE easterly along the southerly limit of Block "A", Plan 465 a distance of 260.75 feet more or less to a point in the southerly limit of Block "A", Plan 465 (said point being 33 feet westerly from the northeast angle of Block "A", Plan 465 and also being the northeasterly angle of Lot 35, Plan 738); THENCE northerly and parallel to the easterly limit of Block "A", Plan 465 a distance of 216 feet to a point; THENCE easterly and parallel with the southerly limit of Block "A", Plan 465 a distance of 33 feet

more or less to the easterly limit of Block "A", Plan 465; THENCE northerly along the easterly limit of Block "A", Plan 465 a distance of 220 feet to a point; THENCE westerly in a straight line 293.75 feet more or less to a point in the easterly limit of Block "A", Plan 535 which point is 130 feet southerly from the northeast angle of Block "A", Plan 535; THENCE southerly along the easterly limit of Block "A", Plan 535, a distance of 289.72 feet more or less to the point of commencement.

WOODLAND HEIGHTS PUBLIC SCHOOL,
474 Springbank Drive,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex and being composed of part Lot Number Thirty-five (35) in Broken Front Concession "B" more particularly described as follows: COMMENCING at a point Three Hundred feet (300') Southerly from the Pipe Line Road along a line drawn parallel to the Westerly limit of the said Lot from a point distant Four Hundred and Ninety-five feet (495') Easterly along the Southerly limit of the Pipe Line Road from the Westerly limit of the said Lot; THENCE Southerly parallel with the Westerly limit of the said Lot One Hundred feet (100'); THENCE Easterly parallel to the Southerly limit of the Pipe Line Road Forty-five feet (45'); THENCE Northerly parallel to the Westerly limit of the Pipe Line Road One Hundred feet (100'); THENCE Westerly parallel to the Southerly limit of the Pipe Line Road Forty-five feet (45') to the place of beginning.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex and being composed of part of Lot Number Thirty-five (35) in the Broken Front Concession "B" more particularly described as follows: COMMENCING at a point Three Hundred feet (300') Southerly from the Pipe Line Road along a line drawn parallel to the Westerly limit of the said Lot from a point distant Five Hundred and Forty feet (540') Easterly along the Southerly limit of the Pipe Line Road from the Westerly limit of the said Lot; THENCE Southerly parallel to the Westerly limit of the said Lot One Hundred feet (100'); THENCE Easterly parallel to the Southerly limit of the Pipe Line Road Forty-five feet (45'); THENCE Northerly parallel to the Westerly limit of the Pipe Line Road One Hundred feet (100'); THENCE Westerly parallel to the Southerly limit of the Pipe Line Road Forty-five feet (45') to the place of beginning.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex and being composed of part of Lot Number Thirty-five (35) in the Broken Front Concession "B" more particularly described as follows: COMMENCING at a point in the Southerly limit of the Pipe Line Road distant Three Hundred and Thirty feet (330') Easterly therealong from the Westerly limit of the said Lot; THENCE Southerly parallel with the Westerly limit of the said Lot Six Hundred and Sixty feet (660'); THENCE Easterly parallel to the Southerly limit of the Pipe Line Road One Hundred and Sixty-five feet (165'); THENCE Northerly parallel to the Westerly limit of the said Lot Three Hundred and Sixty feet (360'); THENCE Westerly parallel to the Southerly limit of the Pipe Line Road Ninety-five feet (95'); THENCE Northerly parallel to the Westerly limit

of the said Lot Three Hundred feet (300') to the Southerly limit of the Pipe Line Road; THENCE Westerly along the Southerly limit of the Pipe Line Road Seventy feet (70') to the place of beginning. SUBJECT To a right-of-way over that part of the above described lands having a frontage on Pipe Line Road of Seventy feet (70') and a depth of Three Hundred feet (300') reserved to the Grantor Charles Edward Barto Howard personally, but not to his heirs, executors, administrators, successors or assigns, for the purpose of ingress and egress to the lands of the said Charles Edward Barto Howard lying to the East of such right-of-way and so long as the said Charles Edward Barto Howard shall occupy the lands to the East of such right-of-way.

Fourthly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex and being composed of part of Lot Number Thirty-five (35) in the Broken Front Concession "B" more particularly described as follows:—

COMMENCING at a point in the Westerly limit of the said Lot Number Thirty-five (35) in the Broken Front Concession of the Township of Westminster Four Hundred and Fifty feet (450') Southerly therealong from the Southerly limit of the Pipe Line Road; THENCE Easterly parallel to the Southerly limit of the Pipe Line Road Three Hundred and Thirty feet (330'); THENCE Southerly parallel to the Westerly limit of the said Lot Two Hundred and Ten feet (210'); THENCE Westerly parallel to the Southerly limit of Pipe Line Road Three Hundred and Thirty feet (330'); THENCE Northerly along the Westerly limit of the said Lot Two Hundred and Ten feet (210') to the place of beginning.

Fifthly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London, (formerly in the Township of Westminster) in the County of Middlesex, and being composed of part of the West half of Lot Number Thirty-five (35) in the Broken Front Concession of the Township of Westminster, more particularly described as follows:

COMMENCING at a point in the limit between said Lot Number Thirty-five (35) and Lot Number Thirty-six (36) distant 660 feet Southerly from the point of intersection of the said limit with the Southerly limit of Springbank Drive; THENCE Southerly along the limit between the said Lot Number Thirty-five (35) and Lot Number Thirty-six (36), a distance of 802 feet, more or less to a point, said point also being the south-westerly angle of lands formerly owned and enclosed by fences by Alfred Thompson; THENCE Easterly a distance of Six Hundred and Sixty-two feet (662'), to a point which point is Twelve decimal nought four feet (12.04') Westerly from the centre line between the East and West halves of the said Lot Thirty-five (35), and 1798.40 feet south of the Southerly limit of Springbank Drive in a line drawn parallel to the East and West halves of the said Lot 35; THENCE Northerly and parallel to the centre line of the said Lot a distance of 1138.40 feet to a point, said point also being the South-easterly angle of lands formerly owned and occupied by one John Alfred William Thompson; THENCE Westerly in a straight line parallel with the Southerly limit of Springbank Drive a distance of 721.21 feet more or less to the place of beginning.

Together With:

All the right, title and interest of the said Grantor in a strip of land twelve feet (12') in perpendicular width, and lying immediately adjacent to

the West of the line marking the limit between the limit of the East and West halves of Lot Number Thirty-five (35) aforesaid, extending Southerly from the Southerly limit of Springbank Drive to the Southerly limit of the said Lot. SUBJECT, however, to such rights-of-way over the said strip of land as may be held by all persons thereunto lawfully entitled; and SUBJECT also to the right-of-way in favour of John William Thompson over the Northerly Three Hundred Feet (300') of the said strip of land.

And Together With:

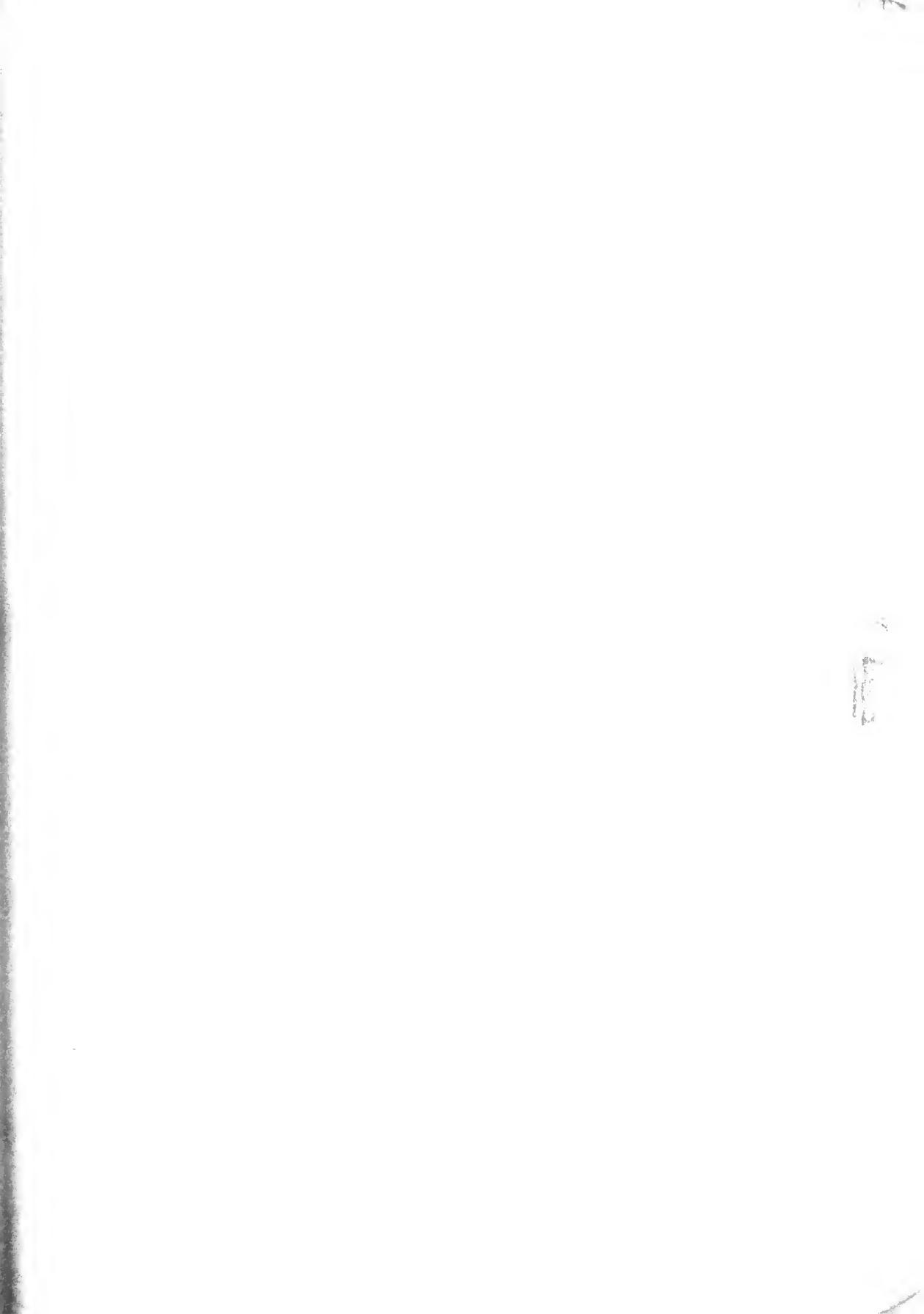
A right-of-way in, over and upon a strip of land twelve feet in perpendicular breadth lying immediately adjacent to the East of the limit between the East and West halves of said Lot Number Thirty-five (35), and extending Southerly from the Southerly limit of Springbank Drive to the Southerly limit of the said Lot.

Sixthly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being (formerly in the Township of Westminster,) now in the City of London, in the County of Middlesex, and being composed of part of the West half of Lot Number Thirty-five in the Broken Front Concession "B" of the said Township of Westminster being more particularly described as follows: COMMENCING from a point in the Southerly limit of Springbank Drive distant Easterly therealong Seven Hundred and Twenty decimal Fifty-five feet (720.55') from the point of intersection of the Southerly limit of Springbank Drive with the West side limit of said Lot; THENCE Southerly parallel to the limit between the East and West halves of said Lot No. Thirty-five (35) and along the Westerly limit of a lane extending Southerly from Springbank Drive to the Southerly limit of the said Lot, a distance of Three Hundred Feet (300') to a point hereinafter called the place of beginning; THENCE continuing Southerly on the same course a distance of Three Hundred and Sixty feet (360') more or less to a point; THENCE Westerly parallel with the Southerly limit of Springbank Drive a distance of Two Hundred and Twenty-five decimal Sixteen feet (225.16') to a point; THENCE Northerly parallel with the limit between the East and West halves of said Lot Number Thirty-five (35) a distance of Two Hundred and Sixty feet (260') more or less to a point; THENCE Easterly parallel with the Southerly limit of Springbank Drive a distance of Ninety Feet (90') to a point; THENCE Northerly parallel with the limit between the East and West halves of said Lot Number Thirty-five a distance of One Hundred Feet (100') to a point; THENCE Easterly parallel with the Southerly limit of Springbank Drive a distance of One Hundred and Thirty-Five decimal Sixteen feet (135.16') to the place of beginning.







An Act respecting
The Board of Education for the
City of London

1st Reading

2nd Reading

3rd Reading

MR. WALKER

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
The Board of Education for the City of London**

MR. WALKER

(Reprinted as amended by the Private Bills Committee)



BILL Pr23

1973

**An Act respecting
The Board of Education for the City of London**

WHEREAS The Board of Education for the City of ^{Preamble} London hereby represents that by petition dated the 2nd day of December, 1963, the Board applied for special legislation vesting certain lands and premises in the name of The Board of Education for the City of London in fee simple, free from all trusts, conditions and limitations, which said lands were registered in the name of certain township school boards; and whereas the Legislature enacted *The London Board of Education Act, 1964*, ^{1964, c. 133} vesting certain lands in the name of The Board of Education for the City of London as prayed for in the said petition; and whereas it now appears that the legal descriptions of certain lands and premises were omitted from the Schedule to the said *The London Board of Education Act, 1964*, it being the intent of the Board at the time of the passing of the said Act that the said lands and premises be included in the Schedule to the said Act; and whereas The Board of Education for the City of London hereby applies for special legislation amending *The London Board of Education Act, 1964*; and whereas The Board of Education for the City of London has been authorized and directed to administer pursuant to the Annexation Order of the Ontario Municipal Board P.F.M. 7054-58 being dated the 3rd day of October, 1960, lands and premises formerly under the jurisdiction of public school boards in the Township of Westminster and the Township of London, in the County of Middlesex, titles to which lands and premises are presently registered in the respective public school boards and which lands and premises are now wholly within the limits of The Corporation of the City of London; and whereas it is expedient that the said lands and premises be vested in fee simple in the Board free from all trusts, conditions and limitations as may be declared in any of the respective deeds referred to herein; and whereas the applicant hereby applies for special legislation in respect of such matters; and whereas it is expedient to grant the application:

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

Lands vested
in Board

1. The lands and premises described in Schedule A hereto are declared to be and to have been at all times since the 3rd day of October, 1960, vested in The Board of Education for the City of London in fee simple, clear and free from all rights, trusts, titles, interests, limitations, restrictions or covenants, other than those running and accruing to the benefit of The Board of Education for the City of London.

Idem

2. The lands and premises described in Schedule B hereto are declared to be and to have been at all times since the 3rd day of October, 1960, vested in The Board of Education for the City of London in fee simple, clear and free from all rights, trusts, titles, interests, limitations, restrictions or covenants, but subject to any right of reverter, covenant, contingent, executory or future interest, by operation of law running and accruing to the benefit of The Corporation of the City of London.

Registration

3. The Secretary of The Board of Education for the City of London shall register a copy of this Act within sixty days after it comes into force in the land registry office for the Registry Division of Middlesex East (33).

Commence-
ment

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

Short title

5. This Act may be cited as *The London Board of Education Act, 1973*.

SCHEDULE A

BRICK STREET PUBLIC SCHOOL,
393 Commissioners Road, West,
London, Ontario.

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex, and being composed of part of the East half of Lot Number Thirty-five (35) in the First Concession of the said Township, more particularly described as follows:

Firstly:

COMMENCING at the intersection on the Southerly limit of the Base Line Road allowance across said Lot Number Thirty-five (35) with the Easterly limit of Topping Street as shown on Registered Plan Number 727 of the Township of Westminster; THENCE Southerly along the Easterly limit of said Topping Street, a distance of One Hundred and Fifty feet (150'); THENCE Easterly on a bearing North Eighty-three degrees Twenty-eight Minutes East (N 83° 28' E) and parallel to the said Base Line Road a distance of Three hundred and sixty-eight and One-tenths feet (368.1') to the point of commencement; THENCE Southerly Eighty-three degrees Twenty-eight minutes West (S 83° 28' W) a distance of Three hundred and Sixty-eight and One-tenths feet (368.1') to its intersection with the Easterly limit of said Topping Street; THENCE Southerly on a bearing of South Ten degrees Four minutes East (S 10° 04' E) along the Easterly limit of said Topping Street a distance of Four hundred and Seventy-six and Nine-tenths feet (476.9') to a point in the Northerly limit of Brick Street or the Commissioners Road crossing said Lot Number Thirty-five (35); THENCE on a bearing of North Eighty degrees Zero Minutes East (N 80° 00' E) a distance of One Hundred and Twenty-six and Nine-tenths feet (126.9') along the Northerly limit of Brick Street to a point; THENCE North Eight degrees Two minutes West (N 8° 2' W) a distance of Thirty-two feet (32') to a point; THENCE Northerly Eight degrees Zero minutes East (N 8° 00' E) and parallel to the said Commissioners Road a distance of Twenty-five feet (25') to a point; THENCE North Eight degrees Two minutes West (N 8° 2' W) a distance of Eighty-five and Nine-tenths feet (85.9') to a point; THENCE North Eighty-three degrees Twenty-eight minutes East (N 83° 28' E) and parallel to the said Base Line Road a distance of Two hundred and Eleven and Seven-Tenths feet (211.7') more or less, to its intersection with a straight line drawn Southerly and parallel to the Easterly limit of Topping Street from the point of commencement; THENCE North Ten degrees Four minutes West (N 10° 4' W) and parallel with the easterly limit of Topping Street a distance of Three hundred and Forty-nine and Eight-tenths feet (349.8') to the place of beginning.

Secondly:

COMMENCING in the Northerly limit of the Commissioners Road or Brick Street, at a point therein distant One hundred and Twenty-six and Nine-tenths feet (126.9') East of the East limit of Topping Street; THENCE North Eight degrees Two minutes West (N 8° 2' W) a distance of Thirty-two feet (32'); THENCE North Eighty degrees zero minutes East (80° 00' E) and parallel to the Commissioners Road or Brick Street, Twenty-five feet (25'); THENCE North Eight degrees Two minutes West (8° 2' W) and parallel to Topping Street Eighty-five and Nine-tenths feet (85.9'); THENCE North Eighty-three degrees Twenty-eight minutes East (N 83° 28' E) Two hundred and eleven and Seven-tenths feet (211.7') more or less to the point of

intersection with a line drawn parallel with the East limit of Topping Street as shown on Plan 727 from a point "A" which point "A" is ascertained by— COMMENCING at the intersection of the Southerly limit of the Base Line Road allowance across said Lot Number Thirty-five (35) with the Easterly limit of Topping Street as shown on Plan Number 727; THENCE Southerly along the Easterly limit of Topping Street One hundred and Fifty feet (150'); THENCE Easterly on a bearing North Eighty-three degrees Twenty-eight minutes East (N 83° 28' E) and parallel to the said Base Line Road, Three hundred and Sixty-eight and One-tenth feet (368.1') to such point "A"; THENCE southerly on a course South 10° zero Four minutes East to the Northerly limit of Commissioners Road or Brick Street; THENCE North Eighty degrees zero minutes West (N 80° 00' W) along the North limit of Commissioners Road or Brick Street, Two hundred and Forty and Five-tenths feet (240.5') to the place of beginning.

SUBJECT To an easement in favour of The Hydro-Electric Power Commission of Ontario as described in Instrument No. 60267.

BYRON NORTHVIEW PUBLIC SCHOOL,
1370 Commissioners Road,
London, Ontario.

Firstly:

ALL AND SINGULAR that tract of land and premises situate lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex, in the Province of Ontario, containing by admeasurement, one-eighth of an acre, be the same more or less being composed of part of Lots forty-five and forty-six broken front in the said Township of Westminster and may be known as follows, that is to say:

COMMENCING at a stake on the south side of the Commissioners Road and on the line between lots numbers forty-five and forty-six, then in an easterly direction parallel with the Commissioners Road thirty-three feet, then in a southerly direction parallel with the line between lots forty-five and forty-six eighty-two decimal five feet, then in a westerly direction parallel with the Commissioners Road, sixty-six feet, then in a northerly direction parallel with the line between lots forty-five and forty-six eighty-two decimal five feet to the Commissioners Road; then in an easterly direction parallel with the Commissioners Road thirty-three feet to the place of beginning.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London (formerly in the Township of Westminster), in the County of Middlesex and being composed of Lots Numbers 1 and 2 according to Registered Plan No. 668 for the said Township.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London (formerly in the Township of Westminster), in the County of Middlesex and Province of Ontario and being composed of part of Lot Eighty-nine (89) according to Registered Plan No. 563 for the said Township of Westminster, more particularly described as follows: COMMENCING at a point in the Southerly limit of Lot 90, Plan 563, distant Easterly One Hundred and Twenty-seven feet (127') Easterly from the South-westerly angle of the said Lot 90; THENCE Southerly and parallel to the limit between Lots 45 and 46, in the Broken Front Concession of the said Township of Westminster to a point in the Easterly production of the limit between Lots 2 and 3, Plan 668 for the said Township

of Westminster; THENCE Westerly along the said Easterly production of the limit between said Lots 2 and 3 a distance of One Hundred and Eleven decimal Two Feet (111.2') more or less to the South-east angle of said Lot 2, Plan 668; THENCE Northerly along the Easterly limits of said Lots 2 and 1, Plan 668 and Lot 136, Plan 563 a distance of Two Hundred and Seventy-six decimal Five Feet (276.5') to a point in the Easterly limit of said Lot 136, distant fifty-eight decimal eighty five feet (58.85') Southerly from the South-westerly angle of Lot 90, Plan 563; THENCE South eighty-seven degrees, thirteen and one-half minutes west ($87^{\circ} 13\frac{1}{2}'$ W) One Hundred and Eleven decimal Two feet (111.2') to the place of beginning.

FAIRMONT PUBLIC SCHOOL,
1040 Hamilton Road,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, (formerly in the Township of London), in the County of Middlesex, and being composed of part of Lot No. 7, Concession "B" in the said Township which parcel may be more particularly described as follows: PREMISING that all bearings are astronomic and are referred to the bearing of North 20 degrees, 44 minutes, 30 seconds West of the limit between Lots Number 7 and 8 being the Westerly limit of Block lettered "J" according to Registered Plan Number 790, COMMENCING where the Easterly limit of Block lettered "J" according to Registered Plan Number 790 intersects the Northerly limit of the Hamilton Road; THENCE North 4 degrees, 25 minutes, 40 seconds West, 276.87 feet to an iron bar; THENCE North 79 degrees, 3 minutes 50 seconds East, 142.05 feet more or less to a line drawn on a bearing of North 9 degrees, 12 minutes, 10 seconds West from a point in the Northerly limit of the Hamilton Road distant 181.5 feet Easterly therealong from the intersection of the Northerly limit of the Hamilton Road and the Westerly limit of said Lot Number 7, Concession "B"; THENCE North 0 degrees, 12 minutes 10 seconds West, 280.19 feet more or less to the Southerly limit of Lot Number 277 according to Registered Plan Number 790; THENCE South 68 degrees, 52 minutes, 20 seconds West along the Southerly limit of said Lot Number 277 and along the Southerly limit of Block "J" according to Registered Plan Number 790, 316.06 feet to an angle formed in the Southerly limit of Block "J", said point being distant 51.45 feet Easterly from the Westerly limit of said Lot Number 7, Concession "B"; THENCE south 20 degrees, 44 minutes, 30 seconds East along the Easterly limit of Block "J", 501.70 feet to the place of beginning.

GLENDALE PUBLIC SCHOOL,
310 Southdale Road,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London, (formerly in the Township of Westminster) in the County of Middlesex, containing by admeasurement Forty-eight and one half perches more or less, and being composed of a part of Lot Number Twenty-nine in the First Concession of the said Township of Westminster, and described as follows: COMMENCING at the northern limit of road allowance between the first and second concessions and the limit between Lots twenty-nine and thirty; THENCE north eighty-one degrees, thirty minutes East along the northern limit of said road allowance 60.06 feet; THENCE north eleven degrees thirty minutes west parallel to the side lines 220 feet; THENCE south eighty-one degrees thirty minutes west parallel to the

Concession Road 60.06 feet; THENCE south eleven degrees, thirty minutes east along the side lines between lots twenty-nine and thirty 220 feet to the place of beginning.

SAVE AND EXCEPT those lands conveyed to The Corporation of the City of London by Instrument No. 315852 for road widening purposes.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, (formerly in the Township of Westminster, in the County of Middlesex and being composed of part of Lot Number 29 in the First Concession of the Said Township, more particularly described as follows: COMMENCING at a point in the Northern limit of the road allowance between the First and Second Concessions at the distance of 60.06 feet Easterly therealong from the South-westerly angle of the said Lot; THENCE Easterly along the said Northern limit of the road allowance, One Hundred and Eighty-one feet Six inches; THENCE North Eleven degrees Thirty minutes West parallel with the side lines of the said Lot, Five Hundred and Five feet Six inches; THENCE South eighty-one degrees Thirty minutes West parallel with the said road allowance Two hundred and Forty-one feet six inches more or less to the Westerly limit of the said Lot; THENCE Southerly along the West limit of the said Lot, Two hundred and Eighty-five feet Six inches to a point, said point also being the North-west angle of the lands conveyed by one Ezekiel Dale to The Trustees of School Section Number Eight of the said Township of Westminster by registered Deed Number 9610; THENCE Easterly and parallel to the northern limit of said road allowance and along the Northerly limit of the lands conveyed by said registered Deed Number 9610, Sixty feet; THENCE Southerly and parallel to the west limit of Lot 29 and along the Easterly limit of the lands conveyed by said registered Deed Number 9610, Two hundred and Twenty feet more or less to the place of beginning, containing by admeasurement Two and One half acres be the same more or less.

SAVE AND EXCEPT those lands conveyed to The Corporation of the City of London for the purposes of a public Highway by Instrument No. 315852.

HUTTON ROAD PUBLIC SCHOOL,
654 Hutton Road,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, (formerly in the Township of London) in the County of Middlesex and Province of Canada and being a portion of Lot number twenty-one in the First Concession of the Township of London which may be known and described as follows, that is to say: COMMENCING at a point on the east side of said lot number twenty-one and at the distance of three hundred and fifty feet from the northeast corner of the said lot twenty-one in a course south twenty-one degrees and thirty minutes east from the said northeast corner of the said lot; THENCE south sixty-eight degrees, thirty minutes west seventy feet; THENCE south twenty-one degrees thirty minutes east thirty feet; THENCE north sixty-eight degrees thirty minutes east seventy feet to the Road Allowance between Lots Twenty and Twenty-one; THENCE North twenty-one degrees thirty minutes west thirty feet more or less to the place of beginning;

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London,) in the County of Middlesex and Province of Ontario and being composed of part of lot number twenty-one in the First Concession of the said Township of London and may be known and described as follows, that is to say: COMMENCING at a point in the westerly limit of the road allowance known as the side road between lots numbers twenty and twenty-one at the distance of two hundred and forty-eight feet from the north-eastern corner of the said lot number twenty-one measured in a southerly direction along the westerly limit of said side road; THENCE south sixty-eight degrees and thirty minutes west one hundred and sixty-five feet parallel with the road allowance between the First and Second Concessions of said Township known as the concession line; THENCE south twenty-one degrees and thirty minutes east, one hundred and thirty-two feet parallel with the side road; THENCE north sixty eight degrees and thirty minutes east ninety-five feet parallel with the concession line; THENCE north twenty-one degrees and thirty minutes west thirty feet parallel with the side road; THENCE north sixty-eight degrees and thirty minutes east seventy feet parallel with the concession line of the westerly limit of the side road; THENCE north twenty-one degrees and thirty minutes west one hundred and two feet along said westerly limit of the place of beginning containing by admeasurement nineteen thousand six hundred and eight square feet.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London), in the County of Middlesex and being composed of part of Lot number Twenty-one in the first concession of the said Township, more particularly described as follows: COMMENCING at a point in the interior of Lot 21, Concession 1 which point of commencement may be located as follows: COMMENCING at a point in the westerly limit of the road allowance known as the side road between Lots numbers 20 and 21 at a distance of 248 feet from the northeastern corner of the said Lot number 21 measured in a southerly direction along the westerly limit of said side road; THENCE southerly 68° 30' West 165 feet parallel with the road allowance between the First and Second Concession of the said Township known as the Concession Line, which point is the point of commencement; THENCE westerly parallel with the concession line 33 feet; THENCE southerly parallel with the side road between Lots numbers Twenty and Twenty-one, Concession 1, one hundred and thirty-two feet; THENCE easterly parallel with the concession line 33 feet more or less to a point distant 165 feet west of the side road; THENCE northerly parallel with the side road a distance of 132 feet to the point of commencement.

SAVE AND EXCEPT those lands conveyed to The Corporation of the City of London for the purposes of road widening as first described in Instrument No. 225623.

KENSAL PARK PUBLIC SCHOOL,
328 Springbank Drive,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London, (formerly in the Township of Westminster,) in the County of Middlesex, and being composed of Block "A" according to registered Plan 783.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London (formerly in the Township of Westminster) in the County of Middlesex, and Province of Ontario and being composed of Lots Numbers Seven, Eight, Nine, Ten, Eleven, Twelve and Thirteen on the East side of Chessington Avenue, in Block lettered "R", according to Plan registered in the Registry Office for the East and North Ridings of the County of Middlesex, (now Middlesex East (No. 33)) as Number 376.

MANOR & HIGHLAND PARK PUBLIC SCHOOL,
20 Forbes Street,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex, and Province of Ontario, and being composed of Lot Number Three Hundred and Thirteen (313) Manor Park Subdivision, according to Plan Number 488 for the Township of Westminster, registered in the Registry Office for the Registry Division of the East and North Ridings of the County of Middlesex, (now Middlesex East (No. 33)).

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London, (formerly in the Township of Westminster,) in the County of Middlesex and Province of Ontario, and being composed of Lot Number Three Hundred and Fourteen, (314) Manor Park Subdivision, according to Plan Number 488, for the Township of Westminster, registered in the Registry Office for the Registry Division of the East and North Ridings of the County of Middlesex, (now Middlesex East No. 33).

Thirdly:

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being, in the City of London, (formerly in the Township of Westminster,) in the County of Middlesex and Province of Ontario, and being composed of Lots Numbers Three Hundred and Fifteen (315) and Three Hundred and Sixteen (316), Manor Park Subdivision according to Plan Number 488 for the Township of Westminster, registered in the Registry Office for the Registry Division of the East and North Ridings of the County of Middlesex, (now Middlesex East (No. 33)).

MASONVILLE PUBLIC SCHOOL,
24 Fanshawe Park Road West,
London, Ontario.

ALL AND SINGULAR that parcel of land and premises situate lying and being in the City of London (formerly in the Township of London) in the County of Middlesex and Province of Ontario and being composed of part of Lot Number Seventeen in the Fourth Concession of the said Township of London comprising one acre and more particularly described as follows that is to say: COMMENCING at a point in the southerly limit of the Road Allowance between Concessions 4 and 5 distant 417' 5½" westerly from the

Northeast angle of Lot 17; THENCE Westerly along the Northerly boundary of said Lot 165 feet; THENCE Southerly and parallel to the Proof Line Road a distance of 264 feet to a point; THENCE Easterly and parallel to the Southerly limit of the Road Allowance between Concessions 4 and 5 a distance of 165 feet to a point; THENCE Northerly and parallel to the Proof Line Road a distance of 264 feet to the place of beginning.

SAVE AND EXCEPT therefrom those lands expropriated by the Province of Ontario for road widening purposes.

MILDRED B. BARONS PUBLIC SCHOOL,
444 Kathleen Street,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London,) in the County of Middlesex and being composed of that part of Lot 18 according to registered Plan No. 19 lying south of the Canadian Pacific Railway right-of-way and more particularly described as follows:

COMMENCING at a point in the southerly limit of said Lot 18 at the north-west angle of Block "A" according to Plan 480, THENCE Northerly along the production Northerly of the Westerly limit of said Block "A" to the Southerly limit of the Canadian Pacific Railway right-of-way, THENCE Easterly along the Southerly limit of the Canadian Pacific Railway right-of-way 313 feet, 5 inches, more or less to its intersection with the Easterly limit of said Lot 18, THENCE Southerly along the Easterly limit of said Lot 18 to the South-east angle of the said Lot and the North-east angle of said Block "A" according to registered Plan No. 480, THENCE Westerly along the limit between said Block "A" and Lot 18, 313 feet more or less to the place of beginning.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London,) in the County of Middlesex, and being composed of Lot Number Twenty-one on the West side of Kathleen Avenue according to Registered Plan Number 480 for the Township of London.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London (formerly in the Township of London,) in the County of Middlesex and being composed of Block "A" according to a plan made for the Grantor and registered as Number 480.

MOUNTSFIELD PUBLIC SCHOOL,
87 Mountsfield Drive,
London, Ontario.

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London (formerly in the Township of Westminster) in the County of Middlesex and being composed of part of Lot Number Twenty-seven, Concession One, more particularly described as follows: COMMENCING at the southwest corner of Lot 24, Registered Plan 807; THENCE north 20° 39' west along the westerly limit of Lots 18 to 24 (both inclusive) Plan 807 a distance of 390.76 feet to a point; THENCE south

83° 52' west along the southerly limits of Lots 8 to 15 (both inclusive) Plan 807 and part of Lot 16, Plan 807 a distance of 557.62 feet to a point; THENCE south 13° 44' 30" east along the easterly limits of Lots 1 to 5 (both inclusive) Plan 807 and part of Lot Plan 807 a distance of 336.74 feet to the southeasterly angle of Lot 1, Plan 807; THENCE southeasterly following the northern boundary of Mountsfield Drive as shown on Plan 807 a distance of 143.78 feet more or less to the northwesterly angle of Block "A" Plan 568; THENCE easterly along the northerly limit of said Block "A" Plan 568 219 feet 5 inches more or less to the northeasterly angle of said Block "A", Plan 568; THENCE easterly parallel to and at a constant perpendicular distance of 66 feet from the northwesterly limit of Lot 40 of said Plan 568 a distance of 73 feet 8" more or less to the point of commencement.

OXFORD PARK PUBLIC SCHOOL,
284 Oxford Street, West,
London, Ontario.

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London), in the County of Middlesex and Province of Ontario and containing by admeasurement ten acres be the same more or less; being composed of Park Lot No. 5 on the south side of Oxford Street, and being part of the north half of Lot No. 18 in the First Concession.

SAVE AND EXCEPT those lands conveyed to The Corporation of the City of London for road widening purposes as secondly described in Instrument No. 225623.

SIR WINSTON CHURCHILL PUBLIC SCHOOL,
1837 Churchill Street,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London, (formerly in the Township of London), in the County of Middlesex and being composed of all of Lots 17, 18 and 19, Plan 465 and part of Lot 16, Plan 535, all of which is more particularly described as follows: COMMENCING at the southwest angle of Lot 19, Plan 535; THENCE northerly along the westerly limits of Lots 19, 18, 17 and 16, Plan 535 a distance of 443.13 feet to a point; THENCE easterly and parallel to the northerly limit of Lot 16, Plan 535 a distance of 131.0 feet to the westerly limit of said Lot 16, Plan 535; THENCE southerly along the easterly limit of said Lots 16, 17, 18 and 19 a distance of 443.13 feet more or less to the southeast angle of Lot 19, Plan 535; THENCE westerly along the southerly limit of said Lot 19 a distance of 131.0 feet to the point of commencement.

SUBJECT To a Grant of Easement to the Corporation of the Township of London more particularly described in Instrument No. 129020.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London, (formerly in the Township of London) in the County of Middlesex and being composed of part of Block "A", Plan 535 more particularly described as follows: COMMENCING at the southwesterly angle of Block "A", Plan 535: THENCE northerly along the westerly limit of Block "A", Plan 535 a distance of Three Hundred and Sixty-Six and Five Tenths feet (366.50') to a point; THENCE Easterly and parallel to the northerly limit of Block "A", Plan 535 a distance of 9.39 feet

more or less to the easterly limit of Block "A", Plan 535; THENCE southerly along the easterly limit of Block "A" Plan 535 a distance of 366.50 feet more or less to the southeasterly angle of Block "A", Plan 535; THENCE westerly along the southerly limit of Block "A", Plan 535 a distance of 9.97 feet more or less to the point of commencement.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London, (formerly in the Township of London) in the County of Middlesex and being composed of part of Block "A", Plan 465, more particularly described as follows: COMMENCING at the southeast angle of Block "A" Plan 535; THENCE southerly along the easterly limit of Plan 535 a distance of 76.78 feet to the southerly limit of Block "A" Plan 465; THENCE easterly along the southerly limit of Block "A", Plan 465 a distance of 260.75 feet more or less to a point in the southerly limit of Block "A", Plan 465 (said point being 33 feet westerly from the northeast angle of Block "A", Plan 465 and also being the northeasterly angle of Lot 35, Plan 738); THENCE northerly and parallel to the easterly limit of Block "A", Plan 465 a distance of 216 feet to a point; THENCE easterly and parallel with the southerly limit of Block "A", Plan 465 a distance of 33 feet more or less to the easterly limit of Block "A", Plan 465; THENCE northerly along the easterly limit of Block "A", Plan 465 a distance of 220 feet to a point; THENCE westerly in a straight line 293.75 feet more or less to a point in the easterly limit of Block "A", Plan 535 which point is 130 feet southerly from the northeast angle of Block "A", Plan 535; THENCE southerly along the easterly limit of Block "A", Plan 535, a distance of 289.72 feet more or less to the point of commencement.

WOODLAND HEIGHTS PUBLIC SCHOOL,
474 Springbank Drive,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex and being composed of part Lot Number Thirty-five (35) in Broken Front Concession "B" more particularly described as follows: COMMENCING at a point Three Hundred feet (300') Southerly from the Pipe Line Road along a line drawn parallel to the Westerly limit of the said Lot from a point distant Four Hundred and Ninety-five feet (495') Easterly along the Southerly limit of the Pipe Line Road from the Westerly limit of the said Lot; THENCE Southerly parallel with the Westerly limit of the said Lot One Hundred feet (100'); THENCE Easterly parallel to the Southerly limit of the Pipe Line Road Forty-five feet (45'); THENCE Northerly parallel to the Westerly limit of the Pipe Line Road One Hundred feet (100'); THENCE Westerly parallel to the Southerly limit of the Pipe Line Road Forty-five feet (45') to the place of beginning.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex and being composed of part of Lot Number Thirty-five (35) in the Broken Front Concession "B" more particularly described as follows: COMMENCING at a point Three Hundred feet (300') Southerly from the Pipe Line Road along a line drawn parallel to the Westerly limit of the said Lot from a point distant Five Hundred and Forty feet (540') Easterly along the Southerly limit of the Pipe Line Road from the Westerly limit of the said Lot; THENCE Southerly parallel to the Westerly

limit of the said Lot One Hundred feet (100'); THENCE Easterly parallel to the Southerly limit of the Pipe Line Road Forty-five feet (45'); THENCE Northerly parallel to the Westerly limit of the Pipe Line Road One Hundred feet (100'); THENCE Westerly parallel to the Southerly limit of the Pipe Line Road Forty-five feet (45') to the place of beginning.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex and being composed of part of Lot Number Thirty-five (35) in the Broken Front Concession "B" more particularly described as follows: COMMENCING at a point in the Southerly limit of the Pipe Line Road distant Three Hundred and Thirty feet (330') Easterly therealong from the Westerly limit of the said Lot; THENCE Southerly parallel with the Westerly limit of the said Lot Six Hundred and Sixty feet (660'); THENCE Easterly parallel to the Southerly limit of the Pipe Line Road One Hundred and Sixty-five feet (165'); THENCE Northerly parallel to the Westerly limit of the said Lot Three Hundred and Sixty feet (360'); THENCE Westerly parallel to the Southerly limit of the Pipe Line Road Ninety-five feet (95'); THENCE Northerly parallel to the Westerly limit of the said Lot Three Hundred feet (300') to the Southerly limit of the Pipe Line Road; THENCE Westerly along the Southerly limit of the Pipe Line Road Seventy feet (70') to the place of beginning. SUBJECT To a right-of-way over that part of the above described lands having a frontage on Pipe Line Road of Seventy feet (70') and a depth of Three Hundred feet (300') reserved to the Grantor Charles Edward Barto Howard personally, but not to his heirs, executors, administrators, successors or assigns, for the purpose of ingress and egress to the lands of the said Charles Edward Barto Howard lying to the East of such right-of-way and so long as the said Charles Edward Barto Howard shall occupy the lands to the East of such right-of-way.

Fourthly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex and being composed of part of Lot Number Thirty-five (35) in the Broken Front Concession "B" more particularly described as follows:—

COMMENCING at a point in the Westerly limit of the said Lot Number Thirty-five (35) in the Broken Front Concession of the Township of Westminster Four Hundred and Fifty feet (450') Southerly therealong from the Southerly limit of the Pipe Line Road; THENCE Easterly parallel to the Southerly limit of the Pipe Line Road Three Hundred and Thirty feet (330'); THENCE Southerly parallel to the Westerly limit of the said Lot Two Hundred and Ten feet (210'); THENCE Westerly parallel to the Southerly limit of Pipe Line Road Three Hundred and Thirty feet (330'); THENCE Northerly along the Westerly limit of the said Lot Two Hundred and Ten feet (210') to the place of beginning.

Fifthly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London, (formerly in the Township of Westminster) in the County of Middlesex, and being composed of part of the West half of Lot Number Thirty-five (35) in the Broken Front Concession of the Township of Westminster, more particularly described as follows:

COMMENCING at a point in the limit between said Lot Number Thirty-five (35) and Lot Number Thirty-six (36) distant 660 feet Southerly from the point of intersection of the said limit with the Southerly limit of Springbank Drive; THENCE Southerly along the limit between the said Lot Number Thirty-five (35) and Lot Number Thirty-six (36), a distance of 802 feet, more or less to a point, said point also being the south-westerly angle of lands formerly owned and enclosed by fences by Alfred Thompson; THENCE Easterly a distance of Six Hundred and Sixty-two feet (662'), to a point which point is Twelve decimal nought four feet (12.04') Westerly from the centre line between the East and West halves of the said Lot Thirty-five (35), and 1798.40 feet south of the Southerly limit of Springbank Drive in a line drawn parallel to the East and West halves of the said Lot 35; THENCE Northerly and parallel to the centre line of the said Lot a distance of 1138.40 feet to a point, said point also being the South-easterly angle of lands formerly owned and occupied by one John Alfred William Thompson; THENCE Westerly in a straight line parallel with the Southerly limit of Springbank Drive a distance of 721.21 feet more or less to the place of beginning.

Together With:

All the right, title and interest of the said Grantor in a strip of land twelve feet (12') in perpendicular width, and lying immediately adjacent to the West of the line marking the limit between the limit of the East and West halves of Lot Number Thirty-five (35) aforesaid, extending Southerly from the Southerly limit of Springbank Drive to the Southerly limit of the said Lot. SUBJECT, however, to such rights-of-way over the said strip of land as may be held by all persons thereunto lawfully entitled; and SUBJECT also to the right-of-way in favour of John William Thompson over the Northerly Three Hundred Feet (300') of the said strip of land.

And Together With:

A right-of-way in, over and upon a strip of land twelve feet in perpendicular breadth lying immediately adjacent to the East of the limit between the East and West halves of said Lot Number Thirty-five (35), and extending Southerly from the Southerly limit of Springbank Drive to the Southerly limit of the said Lot.

Sixthly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being (formerly in the Township of Westminster,) now in the City of London, in the County of Middlesex, and being composed of part of the West half of Lot Number Thirty-five in the Broken Front Concession "B" of the said Township of Westminster being more particularly described as follows: COMMENCING from a point in the Southerly limit of Springbank Drive distant Easterly therealong Seven Hundred and Twenty decimal Fifty-five feet (720.55') from the point of intersection of the Southerly limit of Springbank Drive with the West side limit of said Lot; THENCE Southerly parallel to the limit between the East and West halves of said Lot No. Thirty-five (35) and along the Westerly limit of a lane extending Southerly from Springbank Drive to the Southerly limit of the said Lot, a distance of Three Hundred Feet (300') to a point hereinafter called the place of beginning; THENCE continuing Southerly on the same course a distance of Three Hundred and Sixty feet (360') more or less to a point; THENCE Westerly parallel with the Southerly limit of Springbank Drive a distance of Two Hundred and Twenty-five decimal Sixteen feet (225.16') to a point; THENCE Northerly parallel with the limit between the East and West halves of said Lot Number Thirty-five (35) a distance of Two Hundred and Sixty feet (260') more or less to a point; THENCE Easterly parallel with the Southerly limit of Springbank Drive a distance of Ninety Feet (90') to a point;

THENCE Northerly parallel with the limit between the East and West halves of said Lot Number Thirty-five a distance of One Hundred Feet (100') to a point; THENCE Easterly parallel with the Southerly limit of Springbank Drive a distance of One Hundred and Thirty-Five decimal Sixteen feet (135.16') to the place of beginning.

SCHEDULE B

KENSAL PARK PUBLIC SCHOOL

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex, and being composed Block lettered "A" according to Registered Plan No. 845, And Subject to the easement reserved to The Corporation of the Township of Westminster over the Easterly Twenty-five feet of the lands above described for the construction and maintenance of sewers and watermains therealong and thereunder with all necessary rights of access thereto for such purposes, And Subject to the provision that no buildings or structures shall be erected upon the said Twenty-five feet, other than fencing along the Easterly boundary.

MASONVILLE PUBLIC SCHOOL

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London) in the County of Middlesex and Province of Ontario and being composed of the following part of the north half of Lot Number Seventeen (17) in the Fourth Concession of the Township of London, namely: COMMENCING at a point in the Southerly limit of the allowance for road between the Fourth and Fifth Concessions in the said Township as widened by the addition of Seventeen Feet (17') by Plan of the Department of Highways for Ontario registered as Number 130 the said road being now known as The King's Highway No. 22 which said point is at intersection of the said limit by a straight line drawn northerly parallel with the westerly limit of the Proof Line Road from a point in the Northerly limit of Hillview Boulevard as shown on registered Plan Number 621 distant Eight Hundred and Eighty-six Feet Ten and one-half inches (886' 10½") Westerly measured along the said northerly boundary of Hillview Boulevard from the Westerly boundary of the Proof Line Road; THENCE Southerly along the said line drawn as aforesaid Three Hundred and Twenty-one point Seven Feet (321.7'); THENCE Westerly parallel with the Northerly limit of Hillview Boulevard Three Hundred and Forty-eight point Five feet (348.5'); THENCE Northerly parallel with the Westerly limit of the Proof Line Road Three Hundred and Three point Five feet (303.5') more or less to the Southerly limit of The King's Highway No. 22 as widened as aforesaid; AND THENCE Easterly along the Southerly limit of the said Highway as widened Three Hundred and Forty-nine feet (349') more or less to the place of beginning.



100-1000

An Act respecting
The Board of Education for the
City of London

1st Reading

April 16th, 1973

2nd Reading

3rd Reading

MR. WALKER

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

BILL Pr23

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
The Board of Education for the City of London**

MR. WALKER



BILL Pr23

1973

**An Act respecting
The Board of Education for the City of London**

WHEREAS The Board of Education for the City of ^{Preamble} London hereby represents that by petition dated the 2nd day of December, 1963, the Board applied for special legislation vesting certain lands and premises in the name of The Board of Education for the City of London in fee simple, free from all trusts, conditions and limitations, which said lands were registered in the name of certain township school boards; and whereas the Legislature enacted *The London Board of Education Act, 1964*, ^{1964, c. 133} vesting certain lands in the name of The Board of Education for the City of London as prayed for in the said petition; and whereas it now appears that the legal descriptions of certain lands and premises were omitted from the Schedule to the said *The London Board of Education Act, 1964*, it being the intent of the Board at the time of the passing of the said Act that the said lands and premises be included in the Schedule to the said Act; and whereas The Board of Education for the City of London hereby applies for special legislation amending *The London Board of Education Act, 1964*; and whereas The Board of Education for the City of London has been authorized and directed to administer pursuant to the Annexation Order of the Ontario Municipal Board P.F.M. 7054-58 being dated the 3rd day of October, 1960, lands and premises formerly under the jurisdiction of public school boards in the Township of Westminster and the Township of London, in the County of Middlesex, titles to which lands and premises are presently registered in the respective public school boards and which lands and premises are now wholly within the limits of The Corporation of the City of London; and whereas it is expedient that the said lands and premises be vested in fee simple in the Board free from all trusts, conditions and limitations as may be declared in any of the respective deeds referred to herein; and whereas the applicant hereby applies for special legislation in respect of such matters; and whereas it is expedient to grant the application:

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

Lands vested
in Board

1. The lands and premises described in Schedule A hereto are declared to be and to have been at all times since the 3rd day of October, 1960, vested in The Board of Education for the City of London in fee simple, clear and free from all rights, trusts, titles, interests, limitations, restrictions or covenants, other than those running and accruing to the benefit of The Board of Education for the City of London.

Idem

2. The lands and premises described in Schedule B hereto are declared to be and to have been at all times since the 3rd day of October, 1960, vested in The Board of Education for the City of London in fee simple, clear and free from all rights, trusts, titles, interests, limitations, restrictions or covenants, but subject to any right of reverter, covenant, contingent, executory or future interest, by operation of law running and accruing to the benefit of The Corporation of the City of London.

Registration

3. The Secretary of The Board of Education for the City of London shall register a copy of this Act within sixty days after it comes into force in the land registry office for the Registry Division of Middlesex East (33).

Commence-
ment

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

Short title

5. This Act may be cited as *The London Board of Education Act, 1973*.

SCHEDULE A

BRICK STREET PUBLIC SCHOOL,
393 Commissioners Road, West,
London, Ontario.

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex, and being composed of part of the East half of Lot Number Thirty-five (35) in the First Concession of the said Township, more particularly described as follows:

Firstly:

COMMENCING at the intersection on the Southerly limit of the Base Line Road allowance across said Lot Number Thirty-five (35) with the Easterly limit of Topping Street as shown on Registered Plan Number 727 of the Township of Westminster; THENCE Southerly along the Easterly limit of said Topping Street, a distance of One Hundred and Fifty feet (150'); THENCE Easterly on a bearing North Eighty-three degrees Twenty-eight Minutes East (N 83° 28' E) and parallel to the said Base Line Road a distance of Three hundred and sixty-eight and One-tenths feet (368.1') to the point of commencement; THENCE Southerly Eighty-three degrees Twenty-eight minutes West (S 83° 28' W) a distance of Three hundred and Sixty-eight and One-tenths feet (368.1') to its intersection with the Easterly limit of said Topping Street; THENCE Southerly on a bearing of South Ten degrees Four minutes East (S 10° 04' E) along the Easterly limit of said Topping Street a distance of Four hundred and Seventy-six and Nine-tenths feet (476.9') to a point in the Northerly limit of Brick Street or the Commissioners Road crossing said Lot Number Thirty-five (35); THENCE on a bearing of North Eighty degrees Zero Minutes East (N 80° 00' E) a distance of One Hundred and Twenty-six and Nine-tenths feet (126.9') along the Northerly limit of Brick Street to a point; THENCE North Eight degrees Two minutes West (N 8° 2' W) a distance of Thirty-two feet (32') to a point; THENCE Northerly Eight degrees Zero minutes East (N 80° 00' E) and parallel to the said Commissioners Road a distance of Twenty-five feet (25') to a point; THENCE North Eight degrees Two minutes West (N 8° 2' W) a distance of Eighty-five and Nine-tenths feet (85.9') to a point; THENCE North Eighty-three degrees Twenty-eight minutes East (N 83° 28' E) and parallel to the said Base Line Road a distance of Two hundred and Eleven and Seven-Tenths feet (211.7') more or less, to its intersection with a straight line drawn Southerly and parallel to the Easterly limit of Topping Street from the point of commencement; THENCE North Ten degrees Four minutes West (N 10° 4' W) and parallel with the easterly limit of Topping Street a distance of Three hundred and Forty-nine and Eight-tenths feet (349.8') to the place of beginning.

Secondly:

COMMENCING in the Northerly limit of the Commissioners Road or Brick Street, at a point therein distant One hundred and Twenty-six and Nine-tenths feet (126.9') East of the East limit of Topping Street; THENCE North Eight degrees Two minutes West (N 8° 2' W) a distance of Thirty-two feet (32'); THENCE North Eighty degrees zero minutes East (80° 00' E) and parallel to the Commissioners Road or Brick Street, Twenty-five feet (25'); THENCE North Eight degrees Two minutes West (8° 2' W) and parallel to Topping Street Eighty-five and Nine-tenths feet (85.9'); THENCE North Eighty-three degrees Twenty-eight minutes East (N 83° 28' E) Two hundred and eleven and Seven-tenths feet (211.7') more or less to the point of

intersection with a line drawn parallel with the East limit of Topping Street as shown on Plan 727 from a point "A" which point "A" is ascertained by— COMMENCING at the intersection of the Southerly limit of the Base Line Road allowance across said Lot Number Thirty-five (35) with the Easterly limit of Topping Street as shown on Plan Number 727; THENCE Southerly along the Easterly limit of Topping Street One hundred and Fifty feet (150'); THENCE Easterly on a bearing North Eighty-three degrees Twenty-eight minutes East (N 83° 28' E) and parallel to the said Base Line Road, Three hundred and Sixty-eight and One-tenth feet (368.1') to such point "A"; THENCE southerly on a course South 10° zero Four minutes East to the Northerly limit of Commissioners Road or Brick Street; THENCE North Eighty degrees zero minutes West (N 80° 00' W) along the North limit of Commissioners Road or Brick Street, Two hundred and Forty and Five-tenths feet (240.5') to the place of beginning.

SUBJECT To an easement in favour of The Hydro-Electric Power Commission of Ontario as described in Instrument No. 60267.

BYRON NORTHVIEW PUBLIC SCHOOL,
1370 Commissioners Road,
London, Ontario.

Firstly:

ALL AND SINGULAR that tract of land and premises situate lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex, in the Province of Ontario, containing by admeasurement, one-eighth of an acre, be the same more or less being composed of part of Lots forty-five and forty-six broken front in the said Township of Westminster and may be known as follows, that is to say:

COMMENCING at a stake on the south side of the Commissioners Road and on the line between lots numbers forty-five and forty-six, then in an easterly direction parallel with the Commissioners Road thirty-three feet, then in a southerly direction parallel with the line between lots forty-five and forty-six eighty-two decimal five feet, then in a westerly direction parallel with the Commissioners Road, sixty-six feet, then in a northerly direction parallel with the line between lots forty-five and forty-six eighty-two decimal five feet to the Commissioners Road; then in an easterly direction parallel with the Commissioners Road thirty-three feet to the place of beginning.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London (formerly in the Township of Westminster), in the County of Middlesex and being composed of Lots Numbers 1 and 2 according to Registered Plan No. 668 for the said Township.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London (formerly in the Township of Westminster), in the County of Middlesex and Province of Ontario and being composed of part of Lot Eighty-nine (89) according to Registered Plan No. 563 for the said Township of Westminster, more particularly described as follows: COMMENCING at a point in the Southerly limit of Lot 90, Plan 563, distant Easterly One Hundred and Twenty-seven feet (127') Easterly from the South-westerly angle of the said Lot 90; THENCE Southerly and parallel to the limit between Lots 45 and 46, in the Broken Front Concession of the said Township of Westminster to a point in the Easterly production of the limit between Lots 2 and 3, Plan 668 for the said Township

of Westminster; THENCE Westerly along the said Easterly production of the limit between said Lots 2 and 3 a distance of One Hundred and Eleven decimal Two Feet (111.2') more or less to the South-east angle of said Lot 2, Plan 668; THENCE Northerly along the Easterly limits of said Lots 2 and 1, Plan 668 and Lot 136, Plan 563 a distance of Two Hundred and Seventy-six decimal Five Feet (276.5') to a point in the Easterly limit of said Lot 136, distant fifty-eight decimal eighty five feet (58.85') Southerly from the South-westerly angle of Lot 90, Plan 563; THENCE South eighty-seven degrees, thirteen and one-half minutes west ($87^{\circ} 13\frac{1}{2}'$ W) One Hundred and Eleven decimal Two feet (111.2') to the place of beginning.

FAIRMONT PUBLIC SCHOOL,
1040 Hamilton Road,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, (formerly in the Township of London), in the County of Middlesex, and being composed of part of Lot No. 7, Concession "B" in the said Township which parcel may be more particularly described as follows: PREMISING that all bearings are astronomic and are referred to the bearing of North 20 degrees, 44 minutes, 30 seconds West of the limit between Lots Number 7 and 8 being the Westerly limit of Block lettered "J" according to Registered Plan Number 790, COMMENCING where the Easterly limit of Block lettered "J" according to Registered Plan Number 790 intersects the Northerly limit of the Hamilton Road; THENCE North 4 degrees, 25 minutes, 40 seconds West, 276.87 feet to an iron bar; THENCE North 79 degrees, 3 minutes 50 seconds East, 142.05 feet more or less to a line drawn on a bearing of North 9 degrees, 12 minutes, 10 seconds West from a point in the Northerly limit of the Hamilton Road distant 181.5 feet Easterly therealong from the intersection of the Northerly limit of the Hamilton Road and the Westerly limit of said Lot Number 7, Concession "B"; THENCE North 0 degrees, 12 minutes 10 seconds West, 280.19 feet more or less to the Southerly limit of Lot Number 277 according to Registered Plan Number 790; THENCE South 68 degrees, 52 minutes, 20 seconds West along the Southerly limit of said Lot Number 277 and along the Southerly limit of Block "J" according to Registered Plan Number 790, 316.06 feet to an angle formed in the Southerly limit of Block "J", said point being distant 51.45 feet Easterly from the Westerly limit of said Lot Number 7, Concession "B"; THENCE south 20 degrees, 44 minutes, 30 seconds East along the Easterly limit of Block "J", 501.70 feet to the place of beginning.

GLENDALE PUBLIC SCHOOL,
310 Southdale Road,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London, (formerly in the Township of Westminster) in the County of Middlesex, containing by admeasurement Forty-eight and one half perches more or less, and being composed of a part of Lot Number Twenty-nine in the First Concession of the said Township of Westminster, and described as follows: COMMENCING at the northern limit of road allowance between the first and second concessions and the limit between Lots twenty-nine and thirty; THENCE north eighty-one degrees, thirty minutes East along the northern limit of said road allowance 60.06 feet; THENCE north eleven degrees thirty minutes west parallel to the side lines 220 feet; THENCE south eighty-one degrees thirty minutes west parallel to the

Concession Road 60.06 feet; THENCE south eleven degrees, thirty minutes east along the side lines between lots twenty-nine and thirty 220 feet to the place of beginning.

SAVE AND EXCEPT those lands conveyed to The Corporation of the City of London by Instrument No. 315852 for road widening purposes.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, (formerly in the Township of Westminster, in the County of Middlesex and being composed of part of Lot Number 29 in the First Concession of the Said Township, more particularly described as follows: COMMENCING at a point in the Northern limit of the road allowance between the First and Second Concessions at the distance of 60.06 feet Easterly therealong from the South-westerly angle of the said Lot; THENCE Easterly along the said Northern limit of the road allowance, One Hundred and Eighty-one feet Six inches; THENCE North Eleven degrees Thirty minutes West parallel with the side lines of the said Lot, Five Hundred and Five feet Six inches; THENCE South eighty-one degrees Thirty minutes West parallel with the said road allowance Two hundred and Forty-one feet six inches more or less to the Westerly limit of the said Lot; THENCE Southerly along the West limit of the said Lot, Two hundred and Eighty-five feet Six inches to a point, said point also being the North-west angle of the lands conveyed by one Ezekiel Dale to The Trustees of School Section Number Eight of the said Township of Westminster by registered Deed Number 9610; THENCE Easterly and parallel to the northern limit of said road allowance and along the Northerly limit of the lands conveyed by said registered Deed Number 9610, Sixty feet; THENCE Southerly and parallel to the west limit of Lot 29 and along the Easterly limit of the lands conveyed by said registered Deed Number 9610, Two hundred and Twenty feet more or less to the place of beginning, containing by admeasurement Two and One half acres be the same more or less.

SAVE AND EXCEPT those lands conveyed to The Corporation of the City of London for the purposes of a public Highway by Instrument No. 315852.

HUTTON ROAD PUBLIC SCHOOL,
654 Hutton Road,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, (formerly in the Township of London) in the County of Middlesex and Province of Canada and being a portion of Lot number twenty-one in the First Concession of the Township of London which may be known and described as follows, that is to say: COMMENCING at a point on the east side of said lot number twenty-one and at the distance of three hundred and fifty feet from the northeast corner of the said lot twenty-one in a course south twenty-one degrees and thirty minutes east from the said northeast corner of the said lot; THENCE south sixty-eight degrees, thirty minutes west seventy feet; THENCE south twenty-one degrees thirty minutes east thirty feet; THENCE north sixty-eight degrees thirty minutes east seventy feet to the Road Allowance between Lots Twenty and Twenty-one; THENCE North twenty-one degrees thirty minutes west thirty feet more or less to the place of beginning;

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London,) in the County of Middlesex and Province of Ontario and being composed of part of lot number twenty-one in the First Concession of the said Township of London and may be known and described as follows, that is to say: COMMENCING at a point in the westerly limit of the road allowance known as the side road between lots numbers twenty and twenty-one at the distance of two hundred and forty-eight feet from the north-eastern corner of the said lot number twenty-one measured in a southerly direction along the westerly limit of said side road; THENCE south sixty-eight degrees and thirty minutes west one hundred and sixty-five feet parallel with the road allowance between the First and Second Concessions of said Township known as the concession line; THENCE south twenty-one degrees and thirty minutes east, one hundred and thirty-two feet parallel with the side road; THENCE north sixty eight degrees and thirty minutes east ninety-five feet parallel with the concession line; THENCE north twenty-one degrees and thirty minutes west thirty feet parallel with the side road; THENCE north sixty-eight degrees and thirty minutes east seventy feet parallel with the concession line of the westerly limit of the side road; THENCE north twenty-one degrees and thirty minutes west one hundred and two feet along said westerly limit of the place of beginning containing by admeasurement nineteen thousand six hundred and eight square feet.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London), in the County of Middlesex and being composed of part of Lot number Twenty-one in the first concession of the said Township, more particularly described as follows: COMMENCING at a point in the interior of Lot 21, Concession 1 which point of commencement may be located as follows: COMMENCING at a point in the westerly limit of the road allowance known as the side road between Lots numbers 20 and 21 at a distance of 248 feet from the northeastern corner of the said Lot number 21 measured in a southerly direction along the westerly limit of said side road; THENCE southerly $68^{\circ} 30'$ West 165 feet parallel with the road allowance between the First and Second Concession of the said Township known as the Concession Line, which point is the point of commencement; THENCE westerly parallel with the concession line 33 feet; THENCE southerly parallel with the side road between Lots numbers Twenty and Twenty-one, Concession 1, one hundred and thirty-two feet; THENCE easterly parallel with the concession line 33 feet more or less to a point distant 165 feet west of the side road; THENCE northerly parallel with the side road a distance of 132 feet to the point of commencement.

SAVE AND EXCEPT those lands conveyed to The Corporation of the City of London for the purposes of road widening as first described in Instrument No. 225623.

KENSAL PARK PUBLIC SCHOOL,
328 Springbank Drive,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London, (formerly in the Township of Westminster,) in the County of Middlesex, and being composed of Block "A" according to registered Plan 783.

Secondly.

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London (formerly in the Township of Westminster) in the County of Middlesex, and Province of Ontario and being composed of Lots Numbers Seven, Eight, Nine, Ten, Eleven, Twelve and Thirteen on the East side of Chessington Avenue, in Block lettered "R", according to Plan registered in the Registry Office for the East and North Ridings of the County of Middlesex, (now Middlesex East (No. 33)) as Number 376.

MANOR & HIGHLAND PARK PUBLIC SCHOOL,
20 Forbes Street,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex, and Province of Ontario, and being composed of Lot Number Three Hundred and Thirteen (313) Manor Park Subdivision, according to Plan Number 488 for the Township of Westminster, registered in the Registry Office for the Registry Division of the East and North Ridings of the County of Middlesex, (now Middlesex East (No. 33)).

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London, (formerly in the Township of Westminster,) in the County of Middlesex and Province of Ontario, and being composed of Lot Number Three Hundred and Fourteen, (314) Manor Park Subdivision, according to Plan Number 488, for the Township of Westminster, registered in the Registry Office for the Registry Division of the East and North Ridings of the County of Middlesex, (now Middlesex East No. 33).

Thirdly:

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being, in the City of London, (formerly in the Township of Westminster,) in the County of Middlesex and Province of Ontario, and being composed of Lots Numbers Three Hundred and Fifteen (315) and Three Hundred and Sixteen (316), Manor Park Subdivision according to Plan Number 488 for the Township of Westminster, registered in the Registry Office for the Registry Division of the East and North Ridings of the County of Middlesex, (now Middlesex East (No. 33)).

MASONVILLE PUBLIC SCHOOL,
24 Fanshawe Park Road West,
London, Ontario.

ALL AND SINGULAR that parcel of land and premises situate lying and being in the City of London (formerly in the Township of London) in the County of Middlesex and Province of Ontario and being composed of part of Lot Number Seventeen in the Fourth Concession of the said Township of London comprising one acre and more particularly described as follows that is to say: COMMENCING at a point in the southerly limit of the Road Allowance between Concessions 4 and 5 distant 417' 5½" westerly from the

Northeast angle of Lot 17; THENCE Westerly along the Northerly boundary of said Lot 165 feet; THENCE Southerly and parallel to the Proof Line Road a distance of 264 feet to a point; THENCE Easterly and parallel to the Southerly limit of the Road Allowance between Concessions 4 and 5 a distance of 165 feet to a point; THENCE Northerly and parallel to the Proof Line Road a distance of 264 feet to the place of beginning.

SAVE AND EXCEPT therefrom those lands expropriated by the Province of Ontario for road widening purposes.

MILDRED B. BARONS PUBLIC SCHOOL,
444 Kathleen Street,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London,) in the County of Middlesex and being composed of that part of Lot 18 according to registered Plan No. 19 lying south of the Canadian Pacific Railway right-of-way and more particularly described as follows:

COMMENCING at a point in the southerly limit of said Lot 18 at the north-west angle of Block "A" according to Plan 480, THENCE Northerly along the production Northerly of the Westerly limit of said Block "A" to the Southerly limit of the Canadian Pacific Railway right-of-way, THENCE Easterly along the Southerly limit of the Canadian Pacific Railway right-of-way 313 feet, 5 inches, more or less to its intersection with the Easterly limit of said Lot 18, THENCE Southerly along the Easterly limit of said Lot 18 to the South-east angle of the said Lot and the North-east angle of said Block "A" according to registered Plan No. 480, THENCE Westerly along the limit between said Block "A" and Lot 18, 313 feet more or less to the place of beginning.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London,) in the County of Middlesex, and being composed of Lot Number Twenty-one on the West side of Kathleen Avenue according to Registered Plan Number 480 for the Township of London.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London (formerly in the Township of London,) in the County of Middlesex and being composed of Block "A" according to a plan made for the Grantor and registered as Number 480.

MOUNTSFIELD PUBLIC SCHOOL,
87 Mountsfield Drive,
London, Ontario.

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London (formerly in the Township of Westminster) in the County of Middlesex and being composed of part of Lot Number Twenty-seven, Concession One, more particularly described as follows: COMMENCING at the southwest corner of Lot 24, Registered Plan 807; THENCE north 20° 39' west along the westerly limit of Lots 18 to 24 (both inclusive) Plan 807 a distance of 390.76 feet to a point; THENCE south

83° 52' west along the southerly limits of Lots 8 to 15 (both inclusive) Plan 807 and part of Lot 16, Plan 807 a distance of 557.62 feet to a point; THENCE south 13° 44' 30" east along the easterly limits of Lots 1 to 5 (both inclusive) Plan 807 and part of Lot Plan 807 a distance of 336.74 feet to the southeasterly angle of Lot 1, Plan 807; THENCE southeasterly following the northern boundary of Mountsfield Drive as shown on Plan 807 a distance of 143.78 feet more or less to the northwesterly angle of Block "A" Plan 568; THENCE easterly along the northerly limit of said Block "A" Plan 568 219 feet 5 inches more or less to the northeasterly angle of said Block "A", Plan 568; THENCE easterly parallel to and at a constant perpendicular distance of 66 feet from the northwesterly limit of Lot 40 of said Plan 568 a distance of 73 feet 8" more or less to the point of commencement.

OXFORD PARK PUBLIC SCHOOL,
284 Oxford Street, West,
London, Ontario.

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London), in the County of Middlesex and Province of Ontario and containing by admeasurement ten acres be the same more or less; being composed of Park Lot No. 5 on the south side of Oxford Street, and being part of the north half of Lot No. 18 in the First Concession.

SAVE AND EXCEPT those lands conveyed to The Corporation of the City of London for road widening purposes as secondly described in Instrument No. 225623.

SIR WINSTON CHURCHILL PUBLIC SCHOOL,
1837 Churchill Street,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London, (formerly in the Township of London), in the County of Middlesex and being composed of all of Lots 17, 18 and 19, Plan 465 and part of Lot 16, Plan 535, all of which is more particularly described as follows: COMMENCING at the southwest angle of Lot 19, Plan 535; THENCE northerly along the westerly limits of Lots 19, 18, 17 and 16, Plan 535 a distance of 443.13 feet to a point; THENCE easterly and parallel to the northerly limit of Lot 16, Plan 535 a distance of 131.0 feet to the westerly limit of said Lot 16, Plan 535; THENCE southerly along the easterly limit of said Lots 16, 17, 18 and 19 a distance of 443.13 feet more or less to the southeast angle of Lot 19, Plan 535; THENCE westerly along the southerly limit of said Lot 19 a distance of 131.0 feet to the point of commencement.

SUBJECT TO a Grant of Easement to the Corporation of the Township of London more particularly described in Instrument No. 129020.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London, (formerly in the Township of London) in the County of Middlesex and being composed of part of Block "A", Plan 535 more particularly described as follows: COMMENCING at the southwesterly angle of Block "A", Plan 535: THENCE northerly along the westerly limit of Block "A", Plan 535 a distance of Three Hundred and Sixty-Six and Five Tenths feet (366.50') to a point; THENCE Easterly and parallel to the northerly limit of Block "A", Plan 535 a distance of 9.39 feet

more or less to the easterly limit of Block "A", Plan 535; THENCE southerly along the easterly limit of Block "A" Plan 535 a distance of 366.50 feet more or less to the southeasterly angle of Block "A", Plan 535; THENCE westerly along the southerly limit of Block "A", Plan 535 a distance of 9.97 feet more or less to the point of commencement.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of London, (formerly in the Township of London) in the County of Middlesex and being composed of part of Block "A", Plan 465, more particularly described as follows: COMMENCING at the southeast angle of Block "A" Plan 535; THENCE southerly along the easterly limit of Plan 535 a distance of 76.78 feet to the southerly limit of Block "A" Plan 465; THENCE easterly along the southerly limit of Block "A", Plan 465 a distance of 260.75 feet more or less to a point in the southerly limit of Block "A", Plan 465 (said point being 33 feet westerly from the northeast angle of Block "A", Plan 465 and also being the northeasterly angle of Lot 35, Plan 738); THENCE northerly and parallel to the easterly limit of Block "A", Plan 465 a distance of 216 feet to a point; THENCE easterly and parallel with the southerly limit of Block "A", Plan 465 a distance of 33 feet more or less to the easterly limit of Block "A", Plan 465; THENCE northerly along the easterly limit of Block "A", Plan 465 a distance of 220 feet to a point; THENCE westerly in a straight line 293.75 feet more or less to a point in the easterly limit of Block "A", Plan 535 which point is 130 feet southerly from the northeast angle of Block "A", Plan 535; THENCE southerly along the easterly limit of Block "A", Plan 535, a distance of 289.72 feet more or less to the point of commencement.

WOODLAND HEIGHTS PUBLIC SCHOOL,
474 Springbank Drive,
London, Ontario.

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex and being composed of part Lot Number Thirty-five (35) in Broken Front Concession "B" more particularly described as follows: COMMENCING at a point Three Hundred feet (300') Southerly from the Pipe Line Road along a line drawn parallel to the Westerly limit of the said Lot from a point distant Four Hundred and Ninety-five feet (495') Easterly along the Southerly limit of the Pipe Line Road from the Westerly limit of the said Lot; THENCE Southerly parallel with the Westerly limit of the said Lot One Hundred feet (100'); THENCE Easterly parallel to the Southerly limit of the Pipe Line Road Forty-five feet (45'); THENCE Northerly parallel to the Westerly limit of the Pipe Line Road One Hundred feet (100'); THENCE Westerly parallel to the Southerly limit of the Pipe Line Road Forty-five feet (45') to the place of beginning.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex and being composed of part of Lot Number Thirty-five (35) in the Broken Front Concession "B" more particularly described as follows: COMMENCING at a point Three Hundred feet (300') Southerly from the Pipe Line Road along a line drawn parallel to the Westerly limit of the said Lot from a point distant Five Hundred and Forty feet (540') Easterly along the Southerly limit of the Pipe Line Road from the Westerly limit of the said Lot; THENCE Southerly parallel to the Westerly

limit of the said Lot One Hundred feet (100'); THENCE Easterly parallel to the Southerly limit of the Pipe Line Road Forty-five feet (45'); THENCE Northerly parallel to the Westerly limit of the Pipe Line Road One Hundred feet (100'); THENCE Westerly parallel to the Southerly limit of the Pipe Line Road Forty-five feet (45') to the place of beginning.

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex and being composed of part of Lot Number Thirty-five (35) in the Broken Front Concession "B" more particularly described as follows: COMMENCING at a point in the Southerly limit of the Pipe Line Road distant Three Hundred and Thirty feet (330') Easterly therealong from the Westerly limit of the said Lot; THENCE Southerly parallel with the Westerly limit of the said Lot Six Hundred and Sixty feet (660'); THENCE Easterly parallel to the Southerly limit of the Pipe Line Road One Hundred and Sixty-five feet (165'); THENCE Northerly parallel to the Westerly limit of the said Lot Three Hundred and Sixty feet (360'); THENCE Westerly parallel to the Southerly limit of the Pipe Line Road Ninety-five feet (95'); THENCE Northerly parallel to the Westerly limit of the said Lot Three Hundred feet (300') to the Southerly limit of the Pipe Line Road; THENCE Westerly along the Southerly limit of the Pipe Line Road Seventy feet (70') to the place of beginning. SUBJECT TO a right-of-way over that part of the above described lands having a frontage on Pipe Line Road of Seventy feet (70') and a depth of Three Hundred feet (300') reserved to the Grantor Charles Edward Barto Howard personally, but not to his heirs, executors, administrators, successors or assigns, for the purpose of ingress and egress to the lands of the said Charles Edward Barto Howard lying to the East of such right-of-way and so long as the said Charles Edward Barto Howard shall occupy the lands to the East of such right-of-way.

Fourthly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex and being composed of part of Lot Number Thirty-five (35) in the Broken Front Concession "B" more particularly described as follows:—

COMMENCING at a point in the Westerly limit of the said Lot Number Thirty-five (35) in the Broken Front Concession of the Township of Westminster Four Hundred and Fifty feet (450') Southerly therealong from the Southerly limit of the Pipe Line Road; THENCE Easterly parallel to the Southerly limit of the Pipe Line Road Three Hundred and Thirty feet (330'); THENCE Southerly parallel to the Westerly limit of the said Lot Two Hundred and Ten feet (210'); THENCE Westerly parallel to the Southerly limit of Pipe Line Road Three Hundred and Thirty feet (330'); THENCE Northerly along the Westerly limit of the said Lot Two Hundred and Ten feet (210') to the place of beginning.

Fifthly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London, (formerly in the Township of Westminster) in the County of Middlesex, and being composed of part of the West half of Lot Number Thirty-five (35) in the Broken Front Concession of the Township of Westminster, more particularly described as follows:

COMMENCING at a point in the limit between said Lot Number Thirty-five (35) and Lot Number Thirty-six (36) distant 660 feet Southerly from the point of intersection of the said limit with the Southerly limit of Springbank Drive; THENCE Southerly along the limit between the said Lot Number Thirty-five (35) and Lot Number Thirty-six (36), a distance of 802 feet, more or less to a point, said point also being the south-westerly angle of lands formerly owned and enclosed by fences by Alfred Thompson; THENCE Easterly a distance of Six Hundred and Sixty-two feet (662'), to a point which point is Twelve decimal nought four feet (12.04') Westerly from the centre line between the East and West halves of the said Lot Thirty-five (35), and 1798.40 feet south of the Southerly limit of Springbank Drive in a line drawn parallel to the East and West halves of the said Lot 35; THENCE Northerly and parallel to the centre line of the said Lot a distance of 1138.40 feet to a point, said point also being the South-easterly angle of lands formerly owned and occupied by one John Alfred William Thompson; THENCE Westerly in a straight line parallel with the Southerly limit of Springbank Drive a distance of 721.21 feet more or less to the place of beginning.

Together With:

All the right, title and interest of the said Grantor in a strip of land twelve feet (12') in perpendicular width, and lying immediately adjacent to the West of the line marking the limit between the limit of the East and West halves of Lot Number Thirty-five (35) aforesaid, extending Southerly from the Southerly limit of Springbank Drive to the Southerly limit of the said Lot. SUBJECT, however, to such rights-of-way over the said strip of land as may be held by all persons thereunto lawfully entitled; and SUBJECT also to the right-of-way in favour of John William Thompson over the Northerly Three Hundred Feet (300') of the said strip of land.

And Together With:

A right-of-way in, over and upon a strip of land twelve feet in perpendicular breadth lying immediately adjacent to the East of the limit between the East and West halves of said Lot Number Thirty-five (35), and extending Southerly from the Southerly limit of Springbank Drive to the Southerly limit of the said Lot.

Sixthly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being (formerly in the Township of Westminster,) now in the City of London, in the County of Middlesex, and being composed of part of the West half of Lot Number Thirty-five in the Broken Front Concession "B" of the said Township of Westminster being more particularly described as follows: COMMENCING from a point in the Southerly limit of Springbank Drive distant Easterly therealong Seven Hundred and Twenty decimal Fifty-five feet (720.55') from the point of intersection of the Southerly limit of Springbank Drive with the West side limit of said Lot; THENCE Southerly parallel to the limit between the East and West halves of said Lot No. Thirty-five (35) and along the Westerly limit of a lane extending Southerly from Springbank Drive to the Southerly limit of the said Lot, a distance of Three Hundred Feet (300') to a point hereinafter called the place of beginning; THENCE continuing Southerly on the same course a distance of Three Hundred and Sixty feet (360') more or less to a point; THENCE Westerly parallel with the Southerly limit of Springbank Drive a distance of Two Hundred and Twenty-five decimal Sixteen feet (225.16') to a point; THENCE Northerly parallel with the limit between the East and West halves of said Lot Number Thirty-five (35) a distance of Two Hundred and Sixty feet (260') more or less to a point; THENCE Easterly parallel with the Southerly limit of Springbank Drive a distance of Ninety Feet (90') to a point;

THENCE Northerly parallel with the limit between the East and West halves of said Lot Number Thirty-five a distance of One Hundred Feet (100') to a point; THENCE Easterly parallel with the Southerly limit of Springbank Drive a distance of One Hundred and Thirty-Five decimal Sixteen feet (135.16') to the place of beginning.

SCHEDULE B

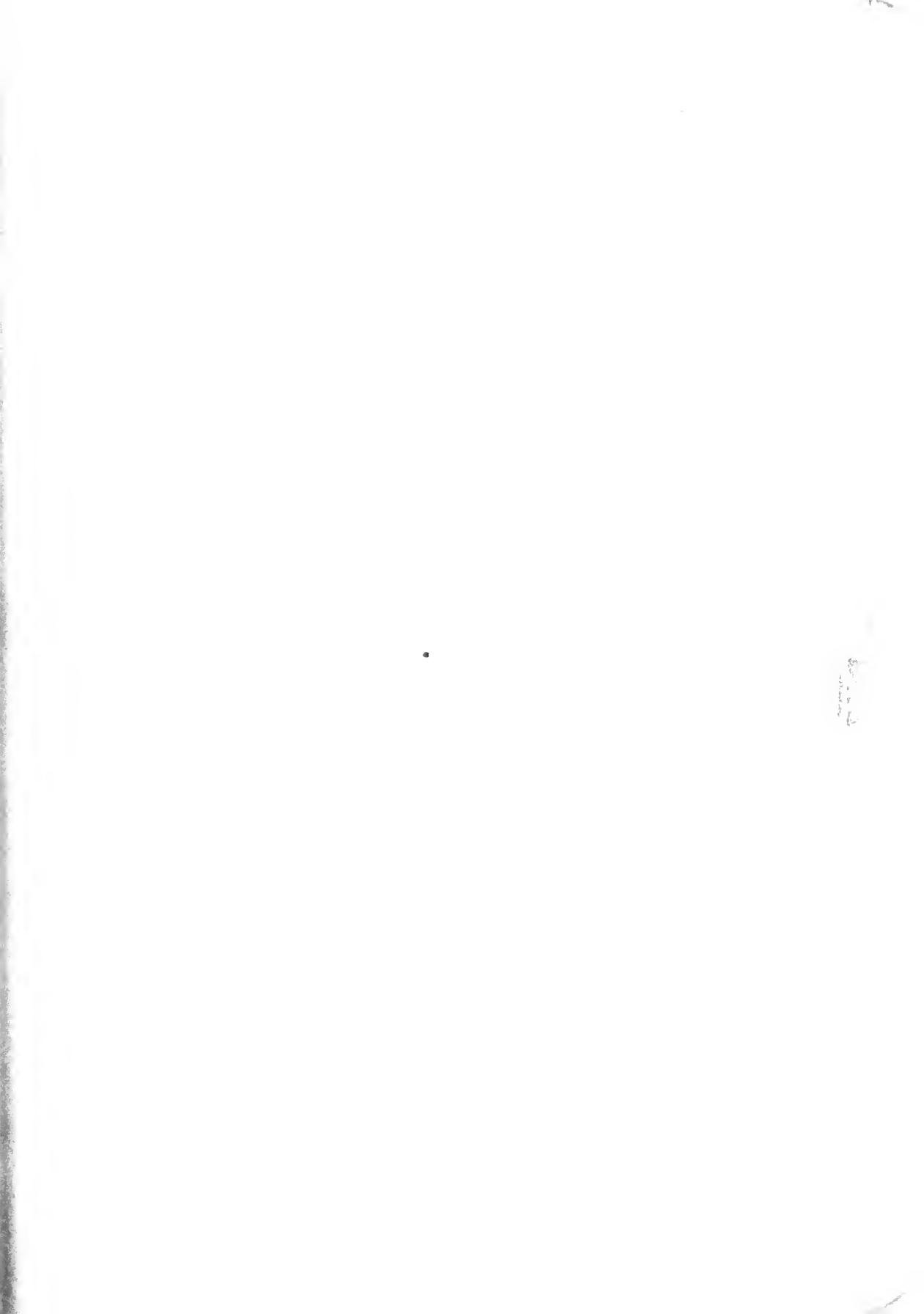
KENSAL PARK PUBLIC SCHOOL

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of London (formerly in the Township of Westminster,) in the County of Middlesex, and being composed Block lettered "A" according to Registered Plan No. 845, And Subject to the easement reserved to The Corporation of the Township of Westminster over the Easterly Twenty-five feet of the lands above described for the construction and maintenance of sewers and watermains therealong and thereunder with all necessary rights of access thereto for such purposes, And Subject to the provision that no buildings or structures shall be erected upon the said Twenty-five feet, other than fencing along the Easterly boundary.

MASONVILLE PUBLIC SCHOOL

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London (formerly in the Township of London) in the County of Middlesex and Province of Ontario and being composed of the following part of the north half of Lot Number Seventeen (17) in the Fourth Concession of the Township of London, namely: COMMENCING at a point in the Southerly limit of the allowance for road between the Fourth and Fifth Concessions in the said Township as widened by the addition of Seventeen Feet (17') by Plan of the Department of Highways for Ontario registered as Number 130 the said road being now known as The King's Highway No. 22 which said point is at intersection of the said limit by a straight line drawn northerly parallel with the westerly limit of the Proof Line Road from a point in the Northerly limit of Hillview Boulevard as shown on registered Plan Number 621 distant Eight Hundred and Eighty-six Feet Ten and one-half inches (886' 10½") Westerly measured along the said northerly boundary of Hillview Boulevard from the Westerly boundary of the Proof Line Road; THENCE Southerly along the said line drawn as aforesaid Three Hundred and Twenty-one point Seven Feet (321.7'); THENCE Westerly parallel with the Northerly limit of Hillview Boulevard Three Hundred and Forty-eight point Five feet (348.5'); THENCE Northerly parallel with the Westerly limit of the Proof Line Road Three Hundred and Three point Five feet (303.5') more or less to the Southerly limit of The King's Highway No. 22 as widened as aforesaid; AND THENCE Easterly along the Southerly limit of the said Highway as widened Three Hundred and Forty-nine feet (349') more or less to the place of beginning.





An Act respecting
The Board of Education for the
City of London

1st Reading

April 16th, 1973

2nd Reading

June 20th, 1973

3rd Reading

June 20th, 1973

MR. WALKER

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Town of Oakville

MR. KENNEDY



An Act respecting the Town of Oakville

WHEREAS The Corporation of the Town of Oakville hereby applies ^{Preamble} for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1. Clause *c* of section 1 of *The Town of Oakville Act, 1961-62*, being ^{s.1(c),} chapter 161, is amended by adding thereto the following sub-clause:

(iiiia) the provision of a public bus transportation system.

2. The said Act is amended by adding thereto the following ^{s.4a,} section: ^{enacted}

4a. The liability of the Town in respect of the debentures ^{Rates to be} issued under the authority of the Town's by-law 1972-111 ^{charged in} shall, notwithstanding the provisions of that by-law and of the ^{urban} Town's by-law 1972-115, be discharged by the imposition ^{service} in each year of the currency of the said debentures of a special ^{area} rate sufficient therefor over and above all other rates on all the rateable property in the urban service area.

3. This Act shall be deemed to have come into force on the 1st day of ^{Commence-} January, 1973. ^{ment}
4. This Act may be cited as *The Town of Oakville Act, 1973*. Short title

An Act respecting
the Town of Oakville

1st Reading

2nd Reading

3rd Reading

MR. KENNEDY

(Private Bill)

BILL Pr24

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Town of Oakville

MR. KENNEDY



An Act respecting the Town of Oakville

WHEREAS The Corporation of the Town of Oakville hereby applies ^{Preamble} for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1. Clause *c* of section 1 of *The Town of Oakville Act, 1961-62*, being ^{s.1(c),} chapter 161, is amended by adding thereto the following sub-clause:

(iii*a*) the provision of a public bus transportation system.

2. The said Act is amended by adding thereto the following ^{s.4a,} section: _{enacted}

4*a*. The liability of the Town in respect of the debentures ^{Rates to be} issued under the authority of the Town's by-law 1972-111 ^{charged in} shall, notwithstanding the provisions of that by-law and of the ^{urban} Town's by-law 1972-115, be discharged by the imposition ^{service} in each year of the currency of the said debentures of a special ^{area} rate sufficient therefor over and above all other rates on all the rateable property in the urban service area.

3. This Act shall be deemed to have come into force on the 1st day of ^{Commence-} January, 1973. _{ment}

4. This Act may be cited as *The Town of Oakville Act, 1973*. Short title

An Act respecting
the Town of Oakville

1st Reading

April 6th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. KENNEDY

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
Compañía Shell de Venezuela Limited**

MR. MACBETH



BILL Pr25

1973

**An Act respecting
Compañia Shell de Venezuela Limited**

WHEREAS Compañia Shell de Venezuela Limited, here-^{Preamble}
inafter called the Corporation, hereby represents that it is a corporation continued by letters patent of amalgamation dated August 1, 1953, issued under the provisions of *The Companies Act*, being chapter 59 of the Revised Statutes of Ontario, 1950; that supplementary letters patent were issued to the Corporation on the 26th day of November, 1956, the 28th day of November, 1957, and the 17th day of November, 1958, under the provisions of *The Corporations Act, 1953*, being chapter 19; that further supplementary letters patent were issued to the Corporation on the 2nd day of August, 1961, and the 17th day of November, 1964, under the provisions of *The Corporations Act*, being chapter 71 of the Revised Statutes of Ontario, 1960; that a certificate of amendment of articles, effective on the 12th day of July, 1971, was issued to the Corporation under the provisions of *The Business Corporations Act*; that the Corporation is not a resident of and does not carry on any business in Canada; that all the outstanding shares of the Corporation are beneficially owned by Shell Petroleum N.V., a Netherlands corporation; and whereas the Corporation desires to be continued under the jurisdiction of the Netherlands; and whereas the applicant hereby applies for special legislation for such purpose; and whereas it is expedient to grant the application;

R.S.O.
1970, c. 53

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 shareholders of the Corporation may authorize an application for a decree by the proper officer of the Netherlands, under applicable legislation of the Netherlands, continuing without interruption the Corporation with its identity as a body corporate under the laws of that country and with its assets and liabilities unimpaired. ^{Application to the Netherlands authorized}

(2) Such authorization shall be by resolution of the shareholders of the Corporation consented to by the signatures of ^{Resolution}

all the shareholders entitled to vote at a meeting of shareholders, or passed at a general meeting of the shareholders duly called for the purpose in accordance with the by-laws of the Corporation by the unanimous vote of shareholders present in person or represented by proxy holding all the issued and outstanding shares in the capital stock of the Corporation.

Application
of R.S.O.
1970, c. 53

2. On and after the effective date specified in the said decree, if such effective date is not later than the 31st day of December, 1974, *The Business Corporations Act* of Ontario and any successor thereof shall not apply to the Corporation and the continuation without interruption of the Corporation with its identity as a body corporate under the laws of the Netherlands and with its assets and liabilities unimpaired is recognized.

Certificate

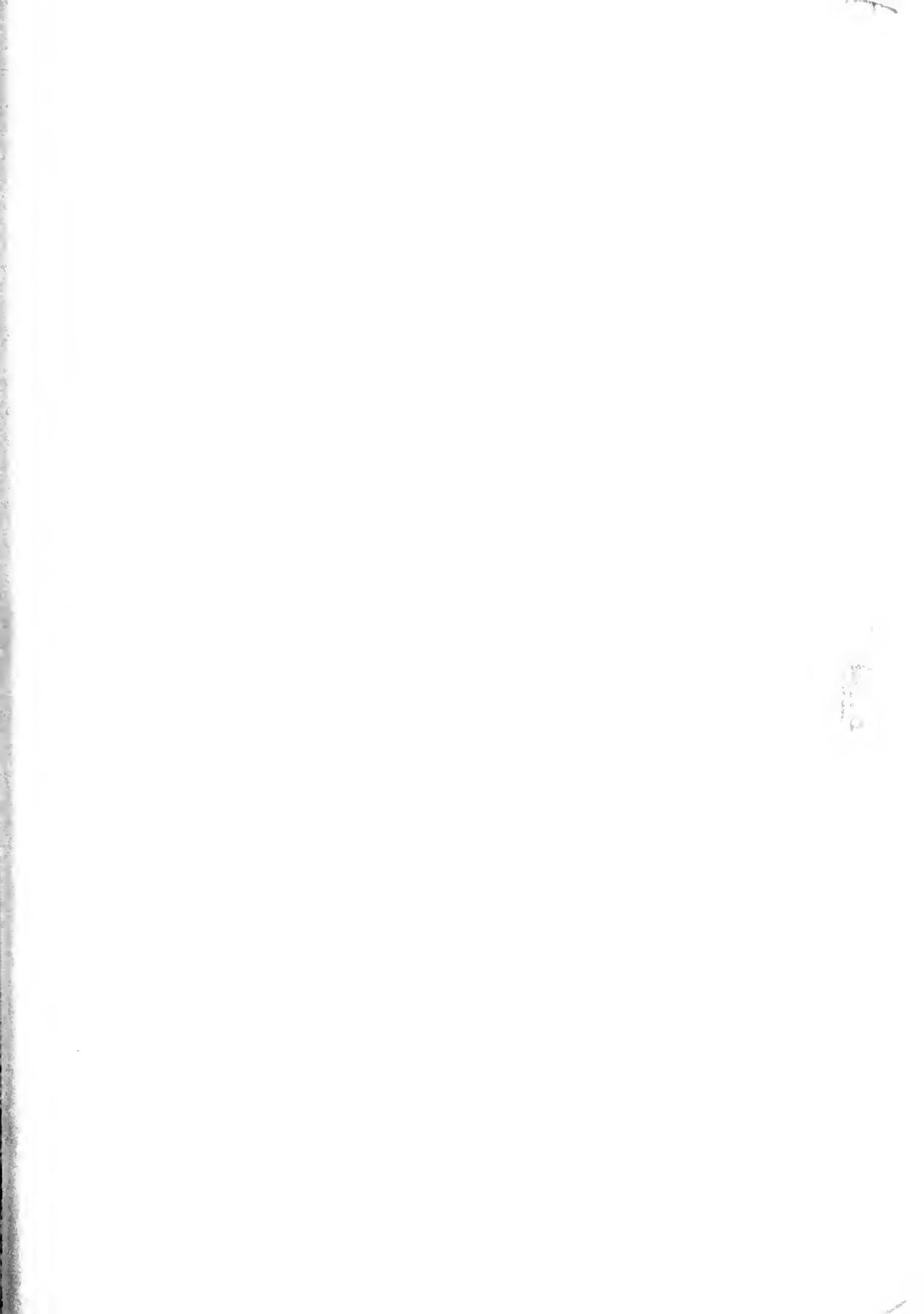
3. The Minister of Consumer and Commercial Relations may, upon receipt by him of a copy of the said decree of the Netherlands, together with a translation thereof certified by a member of the consular or diplomatic staff of Canada in the Netherlands, issue a certificate to the Corporation confirming the date on which the provisions of section 2 take effect.

Commence-
ment

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

Short title

5. This Act may be cited as *The Compañia Shell de Venezuela Limited Act, 1973*.



An Act respecting
Compañía Shell de Venezuela Limited

1st Reading

2nd Reading

3rd Reading

MR. MACBETH

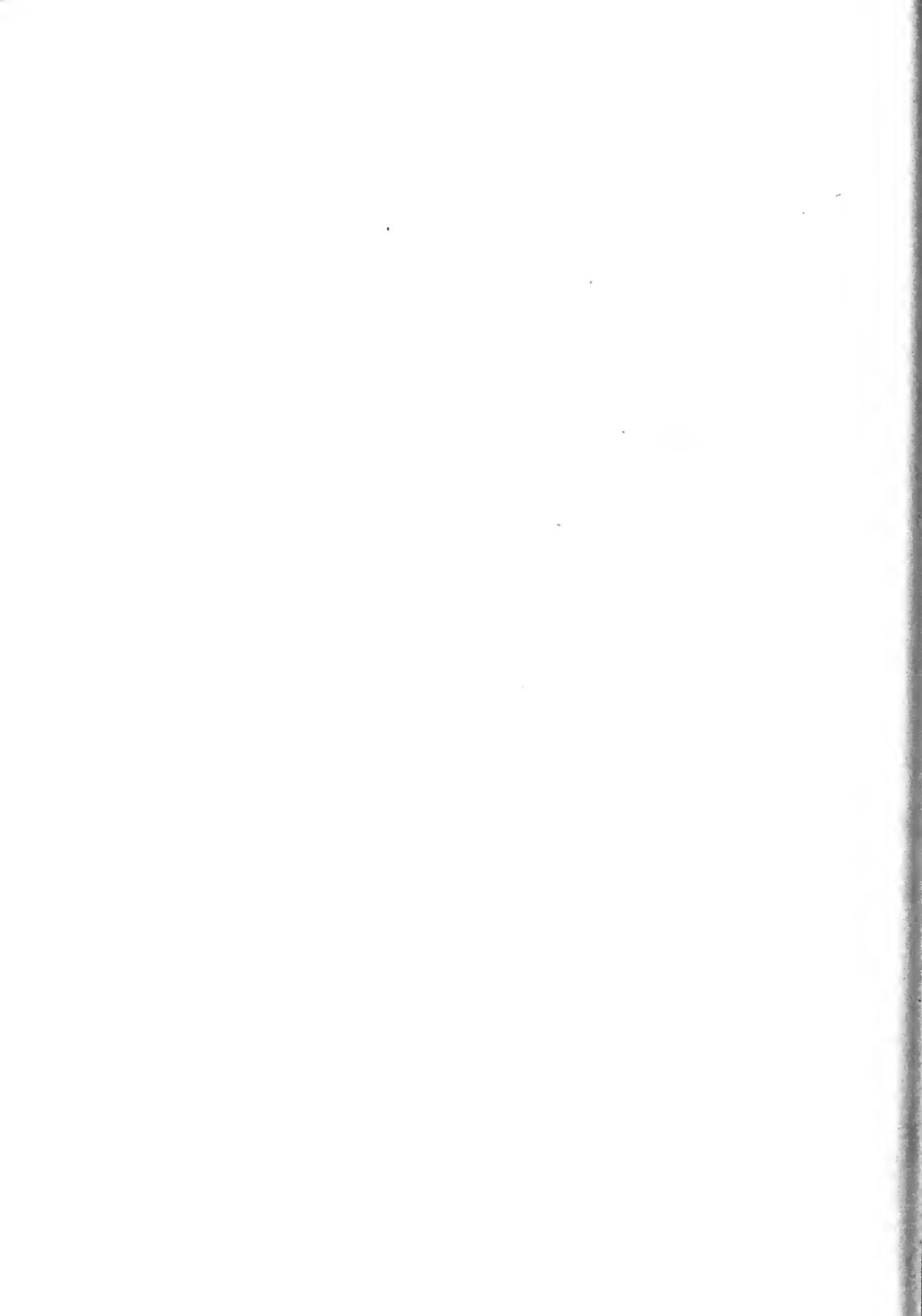
(Private Bill)

BILL Pr25

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
Compañia Shell de Venezuela Limited**

MR. MACBETH



BILL Pr25

1973

**An Act respecting
Compañía Shell de Venezuela Limited**

WHEREAS Compañía Shell de Venezuela Limited, here-^{Preamble}
inafter called the Corporation, hereby represents that it is a corporation continued by letters patent of amalgamation dated August 1, 1953, issued under the provisions of *The Companies Act*, being chapter 59 of the Revised Statutes of Ontario, 1950; that supplementary letters patent were issued to the Corporation on the 26th day of November, 1956, the 28th day of November, 1957, and the 17th day of November, 1958, under the provisions of *The Corporations Act, 1953*, being chapter 19; that further supplementary letters patent were issued to the Corporation on the 2nd day of August, 1961, and the 17th day of November, 1964, under the provisions of *The Corporations Act*, being chapter 71 of the Revised Statutes of Ontario, 1960; that a certificate of amendment of articles, effective on the 12th day of July, 1971, was issued to the Corporation under the provisions of *The Business Corporations Act*; that the Corporation is not a resident of and does not carry on any business in Canada; that all the outstanding shares of the Corporation are beneficially owned by Shell Petroleum N.V., a Netherlands corporation; and whereas the Corporation desires to be continued under the jurisdiction of the Netherlands; and whereas the applicant hereby applies for special legislation for such purpose; and whereas it is expedient to grant the application;

R.S.O.
1970, c. 53

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 shareholders of the Corporation may authorize an application for a decree by the proper officer of the Netherlands, under applicable legislation of the Netherlands, continuing without interruption the Corporation with its identity as a body corporate under the laws of that country and with its assets and liabilities unimpaired.

Application
to the
Netherlands
authorized

(2) Such authorization shall be by resolution of the shareholders of the Corporation consented to by the signatures of

Resolution

all the shareholders entitled to vote at a meeting of shareholders, or passed at a general meeting of the shareholders duly called for the purpose in accordance with the by-laws of the Corporation by the unanimous vote of shareholders present in person or represented by proxy holding all the issued and outstanding shares in the capital stock of the Corporation.

Application
of R.S.O.
1970, c. 53

2. On and after the effective date specified in the said decree, if such effective date is not later than the 31st day of December, 1974, *The Business Corporations Act* of Ontario and any successor thereof shall not apply to the Corporation and the continuation without interruption of the Corporation with its identity as a body corporate under the laws of the Netherlands and with its assets and liabilities unimpaired is recognized.

Certificate

3. The Minister of Consumer and Commercial Relations may, upon receipt by him of a copy of the said decree of the Netherlands, together with a translation thereof certified by a member of the consular or diplomatic staff of Canada in the Netherlands, issue a certificate to the Corporation confirming the date on which the provisions of section 2 take effect.

Commence-
ment

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

Short title

5. This Act may be cited as *The Compañia Shell de Venezuela Limited Act, 1973*.

An Act respecting
Compañía Shell de Venezuela Limited

1st Reading

April 3rd, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. MACBETH

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Windsor

MR. NEWMAN (Windsor-Walkerville)



BILL Pr26

1973

An Act respecting the City of Windsor

WHEREAS The Corporation of the City of Windsor, ^{Preamble} herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1. The council of the Corporation may, by by-law, au- ^{Investment of} ^{moneys}thorize the treasurer of the Corporation to invest moneys not immediately required for the purposes of the Corporation with any other Ontario municipality or local board or commission of the City of Windsor or any other Ontario municipality and generally under terms provided for by section 312 of *The Municipal Act*.

R.S.O. 1970,
c. 284

2. The council of the Corporation may, by resolution, au- ^{Investment of} ^{funds for} ^{capital} ^{projects}thorize and empower the treasurer of the Corporation to invest funds of the Corporation, not immediately required, for the purpose of interim financing of capital projects.

3. The council of the Corporation may, by by-law, au- ^{Investment} ^{of reserve} ^{funds}thorize the treasurer of the Corporation, in addition to the powers contained in section 308 of *The Municipal Act*, to invest reserve funds in the general fund of the municipality, subject to the following:

1. Not more than 50 per cent of the total reserve funds may be so invested at any one time.
2. A rate of interest equal to the interest paid by the City of Windsor on its temporary borrowings shall be paid to the reserve funds from which the temporary borrowing was made.

4.—(1) All property and all interests in property, both ^{Vesting} ^{and transfer} ^{of title} real and personal, including but not limited to the lands,

1946, c. 145
R.S.O. 1970,
c. 89

assets, buildings, fixtures and equipment of The Metropolitan General Hospital, herein called the Hospital, a body corporate and politic, established pursuant to the provisions of *The City of Windsor Act, 1946*, are transferred to and vested in The Metropolitan General Hospital, a corporation without share capital, incorporated by letters patent under *The Corporations Act*.

Idem

R.S.O. 1970,
cc. 409, 234, 44

(2) For the purposes of *The Registry Act*, *The Land Titles Act*, *The Bills of Sale and Chattel Mortgages Act* or any other Act affecting the title to property, it shall be sufficient to cite this Act as effecting the vesting in and the conveyance, transfer or transmission of title from the Hospital to The Metropolitan General Hospital of real or personal property or of an interest in real or personal property.

Liabilities

(3) All liabilities, debts and obligations of the Hospital attach to The Metropolitan General Hospital and may be enforced against it.

Contracts

5. The Metropolitan General Hospital shall be bound by and enjoy all rights and privileges under any contract existing before this Act comes into force that has the Hospital as a contracting party to the same extent as though named therein either as a contracting party or a party to benefit thereunder.

Creditors

6. All rights of creditors of the Hospital are unimpaired and may be enforced against The Metropolitan General Hospital.

Charitable
Gifts

7.—(1) The Metropolitan General Hospital shall be entitled to all donations, endorsements, gifts, grants, devises and bequests of real or personal property made to the Hospital, or made in trust for the Hospital, whether *inter vivos* or testamentary, and whether made before or after this Act comes into force, to the same extent as if made to or for The Metropolitan General Hospital.

Substitution
of name

(2) The Metropolitan General Hospital shall be substituted for the Hospital where the Hospital is named or described in a will, deed, or other legal instrument made before or after this Act comes into force.

Repeals

8. The following are repealed:

1. Sections 9, 11, 12, 13, 16 and 17 of *The City of Windsor Act, 1946*, being chapter 145.
2. Section 1 of *The City of Windsor Act, 1955*, being chapter 119.

3. Section 1 of *The City of Windsor Act, 1961-62*, being chapter 174.
4. Section 2 of *The City of Windsor Act, 1968-69*, being chapter 172.
5. Section 5 of *The City of Windsor Act, 1972*, being chapter 204.

9. This Act comes into force on the day it receives Royal ^{Commence-} Assent._{ment}

10. This Act may be cited as *The City of Windsor Act, 1973*.^{Short title}



An Act respecting
the City of Windsor

1st Reading

April 12th, 1973

2nd Reading

3rd Reading

MR. NEWMAN (Windsor-Walkerville)

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Windsor

MR. NEWMAN (Windsor-Walkerville)

(Reprinted as amended by the Private Bills Committee)



BILL Pr26

1973

An Act respecting the City of Windsor

WHEREAS The Corporation of the City of Windsor, ^{Preamble}
 herein called the Corporation, hereby applies for special
 legislation in respect of the matters hereinafter set forth;
 and whereas it is expedient to grant the application;

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

1. The council of the Corporation may, by by-law, au- ^{Investment of}
 thorize the treasurer of the Corporation to invest moneys ^{moneys}
 not immediately required for the purposes of the Corporation
 with any other Ontario municipality or local board or com-
 mission of the City of Windsor or any other Ontario munici-
 pality and generally under terms provided for by section 312
 of *The Municipal Act*.

R.S.O. 1970,
 c. 284

2. The council of the Corporation may, by resolution, au- ^{Investment of}
 thorize and empower the treasurer of the Corporation to invest ^{funds for}
 funds of the Corporation, not immediately required, for the ^{capital}
 purpose of interim financing of capital projects. ^{projects}

3. The council of the Corporation may, by by-law, au- ^{Investment of}
 thorize the treasurer of the Corporation, in addition to the ^{reserve}
 powers contained in section 308 of *The Municipal Act*, to ^{funds}
 invest reserve funds in the general fund of the municipality,
 subject to the following:

1. Not more than 50 per cent of the total reserve funds
 may be so invested at any one time.
2. A rate of interest equal to the interest paid by the
 City of Windsor on its temporary borrowings shall
 be paid to the reserve funds from which the tem-
 porary borrowing was made.

4.—(1) All property and all interests in property, both ^{Vesting}
 real and personal, including but not limited to the lands, ^{and transfer}
 of title

1946, c. 145
R.S.O. 1970,
c. 89

assets, buildings, fixtures and equipment of The Metropolitan General Hospital, herein called the Hospital, a body corporate and politic, established pursuant to the provisions of *The City of Windsor Act, 1946*, are transferred to and vested in The Metropolitan General Hospital, a corporation without share capital, incorporated by letters patent under *The Corporations Act*.

Idem

R.S.O. 1970,
cc. 409, 234, 44

(2) For the purposes of *The Registry Act, The Land Titles Act, The Bills of Sale and Chattel Mortgages Act* or any other Act affecting the title to property, it shall be sufficient to cite this Act as effecting the vesting in and the conveyance, transfer or transmission of title from the Hospital to The Metropolitan General Hospital of real or personal property or of an interest in real or personal property.

Liabilities

(3) All liabilities, debts and obligations of the Hospital attach to The Metropolitan General Hospital and may be enforced against it.

Contracts

5. The Metropolitan General Hospital shall be bound by and enjoy all rights and privileges under any contract existing before this Act comes into force that has the Hospital as a contracting party to the same extent as though named therein either as a contracting party or a party to benefit thereunder.

Creditors

6. All rights of creditors of the Hospital are unimpaired and may be enforced against The Metropolitan General Hospital.

Charitable
Gifts

7.—(1) The Metropolitan General Hospital shall be entitled to all donations, endorsements, gifts, grants, devises and bequests of real or personal property made to the Hospital, or made in trust for the Hospital, whether *inter vivos* or testamentary, and whether made before or after this Act comes into force, to the same extent as if made to or for The Metropolitan General Hospital.

Substitution
of name

(2) The Metropolitan General Hospital shall be substituted for the Hospital where the Hospital is named or described in a will, deed, or other legal instrument made before or after this Act comes into force.

Employees of
Hospital
become
employees
of The
Metropolitan
General
Hospital

8. The employees of the Hospital shall become the employees of The Metropolitan General Hospital, and all the terms and conditions of employment respecting such employees and, without restricting the generality of the foregoing, including seniority, remuneration and other benefits in force, shall be assumed by The Metropolitan General Hospital.

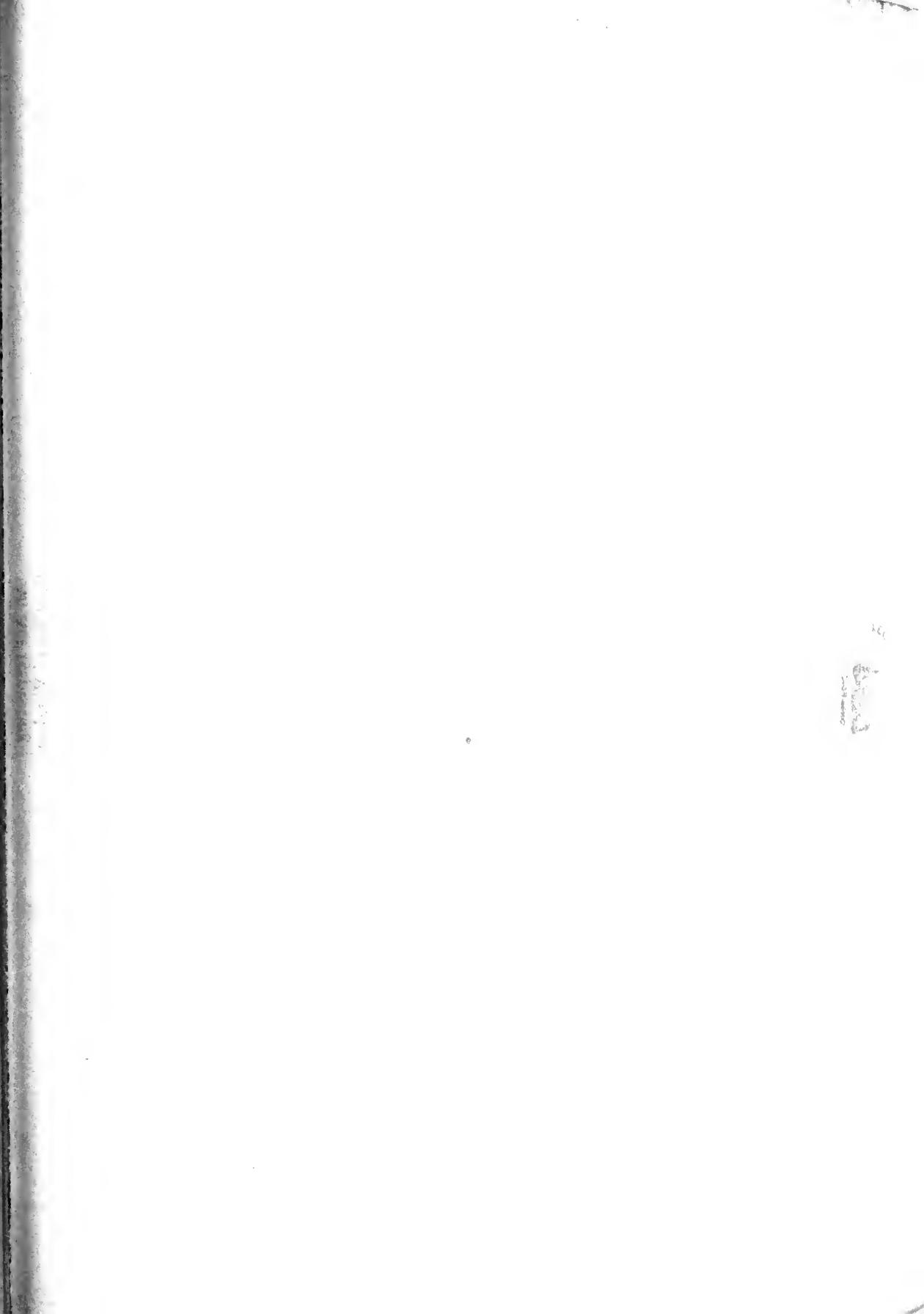
9. The following are repealed:

Repeals

1. Sections 9, 11, 12, 13, 16 and 17 of *The City of Windsor Act, 1946*, being chapter 145.
2. Section 1 of *The City of Windsor Act, 1955*, being chapter 119.
3. Section 1 of *The City of Windsor Act, 1961-62*, being chapter 174.
4. Section 2 of *The City of Windsor Act, 1968-69*, being chapter 172.
5. Section 5 of *The City of Windsor Act, 1972*, being chapter 204.

10. This Act comes into force on the day it receives Royal ^{Commence-} Assent._{ment}

11. This Act may be cited as *The City of Windsor Act, 1973*. ^{Short title}



An Act respecting
the City of Windsor

1st Reading

April 12th, 1973

2nd Reading

3rd Reading

MR. NEWMAN (Windsor-Walkerville)

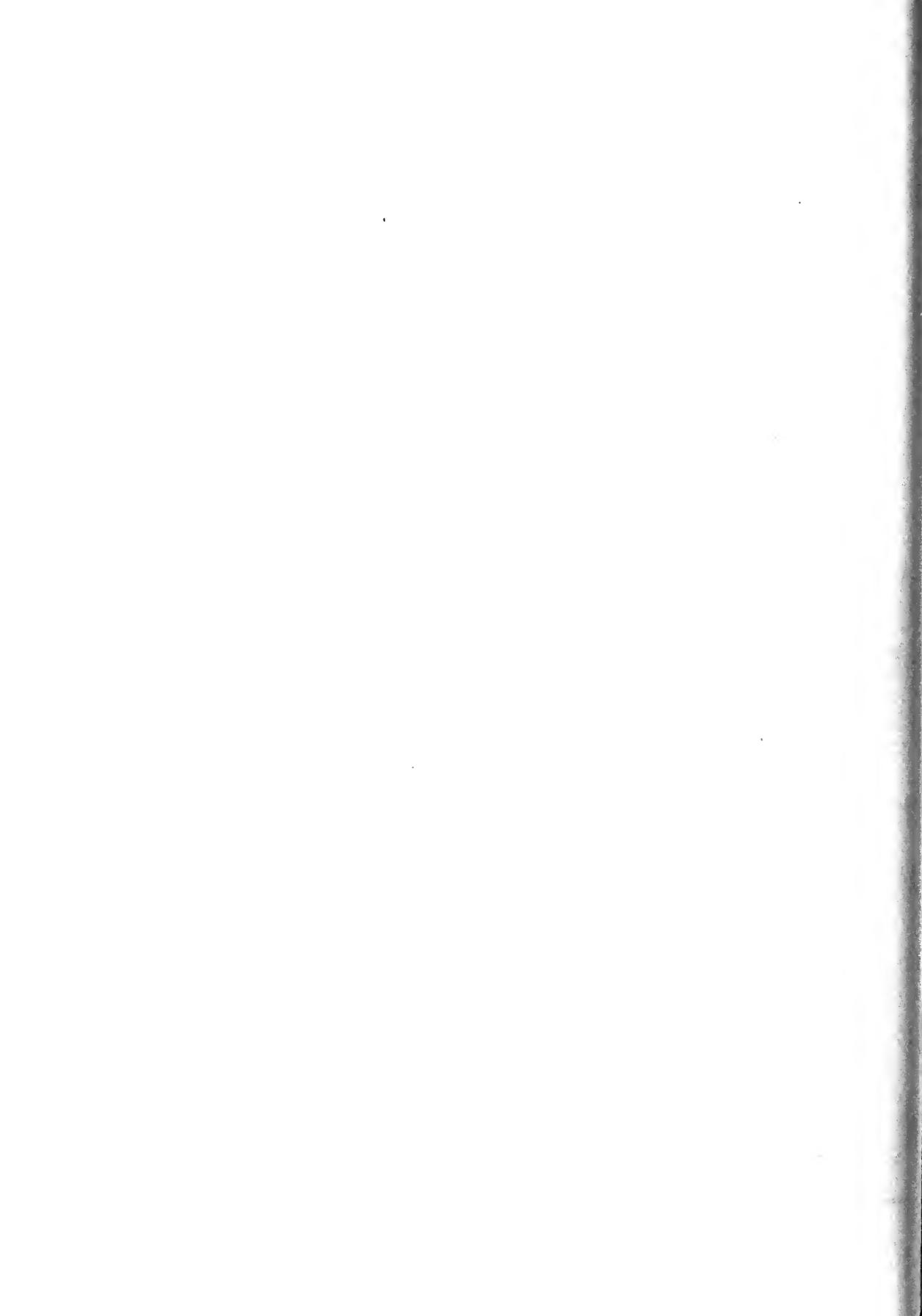
*(Reprinted as amended by the
Private Bills Committee)*

BILL Pr26

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Windsor

MR. NEWMAN (Windsor-Walkerville)



BILL Pr26

1973

An Act respecting the City of Windsor

WHEREAS The Corporation of the City of Windsor, ^{Preamble} herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1. The council of the Corporation may, by by-law, au- ^{Investment of} ^{moneys}thorize the treasurer of the Corporation to invest moneys not immediately required for the purposes of the Corporation with any other Ontario municipality or local board or commission of the City of Windsor or any other Ontario municipality and generally under terms provided for by section 312 of *The Municipal Act*.

R.S.O. 1970,
c. 284

2. The council of the Corporation may, by resolution, au- ^{Investment of} ^{funds for} ^{capital} ^{projects}thorize and empower the treasurer of the Corporation to invest funds of the Corporation, not immediately required, for the purpose of interim financing of capital projects.

3. The council of the Corporation may, by by-law, au- ^{Investment} ^{of reserve} ^{funds}thorize the treasurer of the Corporation, in addition to the powers contained in section 308 of *The Municipal Act*, to invest reserve funds in the general fund of the municipality, subject to the following:

1. Not more than 50 per cent of the total reserve funds may be so invested at any one time.
2. A rate of interest equal to the interest paid by the City of Windsor on its temporary borrowings shall be paid to the reserve funds from which the temporary borrowing was made.

4.—(1) All property and all interests in property, both ^{Vesting} ^{and transfer} ^{of title} real and personal, including but not limited to the lands,

1946, c. 145
R.S.O. 1970,
c. 89

assets, buildings, fixtures and equipment of The Metropolitan General Hospital, herein called the Hospital, a body corporate and politic, established pursuant to the provisions of *The City of Windsor Act, 1946*, are transferred to and vested in The Metropolitan General Hospital, a corporation without share capital, incorporated by letters patent under *The Corporations Act*.

Idem

R.S.O. 1970,
cc. 409, 234, 44

(2) For the purposes of *The Registry Act*, *The Land Titles Act*, *The Bills of Sale and Chattel Mortgages Act* or any other Act affecting the title to property, it shall be sufficient to cite this Act as effecting the vesting in and the conveyance, transfer or transmission of title from the Hospital to The Metropolitan General Hospital of real or personal property or of an interest in real or personal property.

Liabilities

(3) All liabilities, debts and obligations of the Hospital attach to The Metropolitan General Hospital and may be enforced against it.

Contracts

5. The Metropolitan General Hospital shall be bound by and enjoy all rights and privileges under any contract existing before this Act comes into force that has the Hospital as a contracting party to the same extent as though named therein either as a contracting party or a party to benefit thereunder.

Creditors

6. All rights of creditors of the Hospital are unimpaired and may be enforced against The Metropolitan General Hospital.

Charitable
Gifts

7.—(1) The Metropolitan General Hospital shall be entitled to all donations, endorsements, gifts, grants, devises and bequests of real or personal property made to the Hospital, or made in trust for the Hospital, whether *inter vivos* or testamentary, and whether made before or after this Act comes into force, to the same extent as if made to or for The Metropolitan General Hospital.

Substitution
of name

(2) The Metropolitan General Hospital shall be substituted for the Hospital where the Hospital is named or described in a will, deed, or other legal instrument made before or after this Act comes into force.

Employees of
Hospital
become
employees
of The
Metropolitan
General
Hospital

8. The employees of the Hospital shall become the employees of The Metropolitan General Hospital, and all the terms and conditions of employment respecting such employees and, without restricting the generality of the foregoing, including seniority, remuneration and other benefits in force, shall be assumed by The Metropolitan General Hospital.

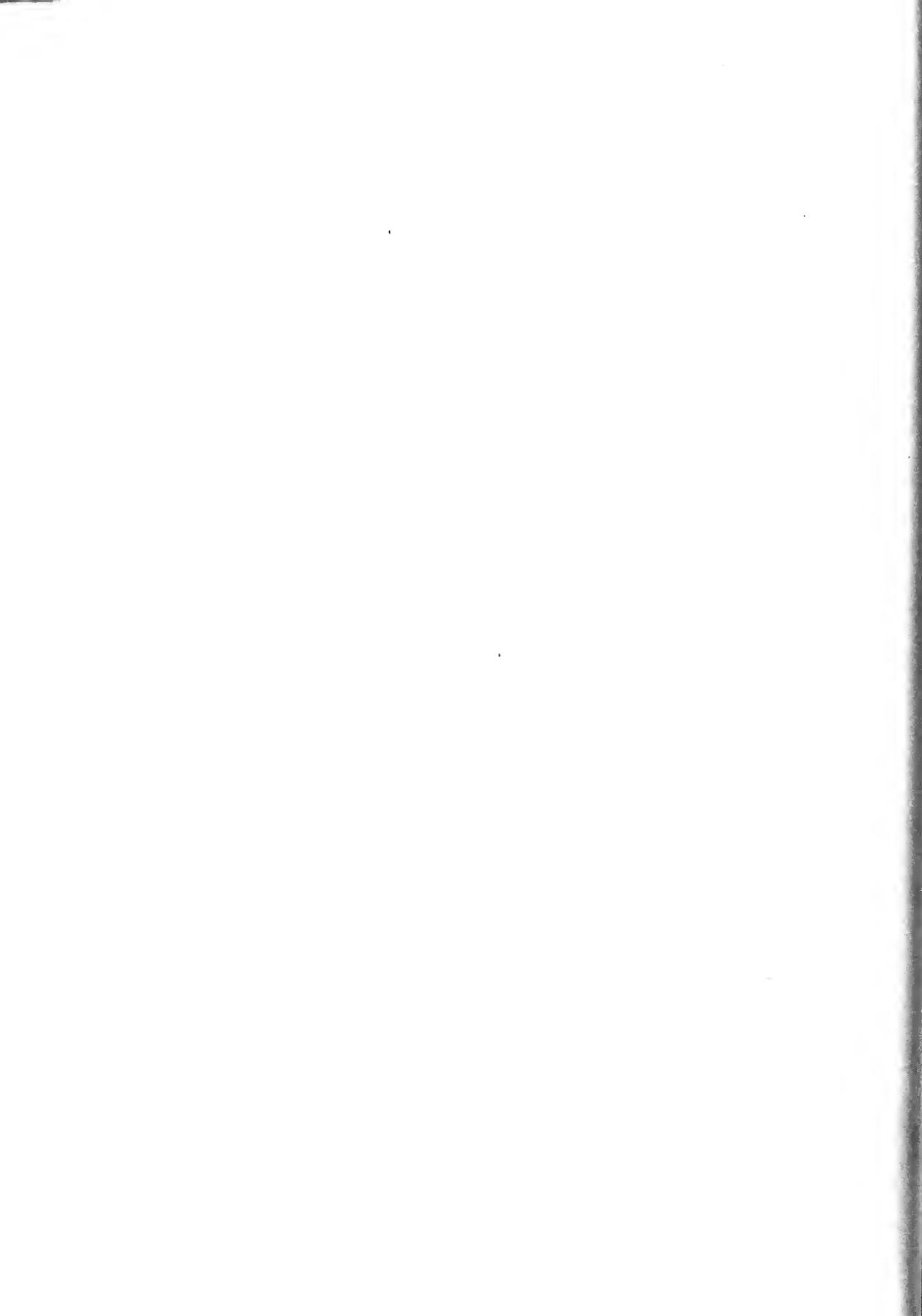
9. The following are repealed:

Repeals

1. Sections 9, 11, 12, 13, 16 and 17 of *The City of Windsor Act, 1946*, being chapter 145.
2. Section 1 of *The City of Windsor Act, 1955*, being chapter 119.
3. Section 1 of *The City of Windsor Act, 1961-62*, being chapter 174.
4. Section 2 of *The City of Windsor Act, 1968-69*, being chapter 172.
5. Section 5 of *The City of Windsor Act, 1972*, being chapter 204.

10. This Act comes into force on the day it receives Royal ^{Commence-}Assent._{ment}

11. This Act may be cited as *The City of Windsor Act, 1973*.^{Short title}



An Act respecting
the City of Windsor

1st Reading

April 12th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. NEWMAN (Windsor-Walkerville)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting Service Hardware Limited

MR. NEWMAN



BILL Pr27

1973

An Act respecting Service Hardware Limited

WHEREAS Frank Louis Sloan, Joseph John Homer, and Stella Homer hereby represent that Service Hardware Limited, herein called the Corporation, was incorporated by letters patent dated the 7th day of October, 1949; that the Provincial Secretary by order made under the authority of subsection 2 of section 326 of *The Corporations Act*, being chapter 71 of the Revised Statutes of Ontario, 1960, cancelled the letters patent of the Corporation and declared it to be dissolved on the 13th day of May, 1965; that the applicants were all the directors and holders of all the common shares of the Corporation at the time of the said dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act*, although sent to each of the applicants as directors, was not received by any of them, and none of them were aware of the dissolution of the Corporation until more than one year after the date thereof; that the Corporation was carrying on, at the time of its dissolution, active commercial business; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

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

1. Service Hardware Limited, incorporated by letters patent dated the 7th day of October, 1949, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution, in the same manner and to the same extent as if it had not been dissolved.

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

3. This Act may be cited as *The Service Hardware Limited Act, 1973*.

An Act respecting
Service Hardware Limited

1st Reading

2nd Reading

3rd Reading

MR. NEWMAN

(Private Bill)

BILL Pr27

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting Service Hardware Limited

MR. NEWMAN (Windsor-Walkerville)



BILL Pr27

1973

An Act respecting Service Hardware Limited

WHEREAS Frank Louis Sloan, Joseph John Homer, and Stella Homer hereby represent that Service Hardware Limited, herein called the Corporation, was incorporated by letters patent dated the 7th day of October, 1949; that the Provincial Secretary by order made under the authority of subsection 2 of section 326 of *The Corporations Act*, being chapter 71 of the Revised Statutes of Ontario, 1960, cancelled the letters patent of the Corporation and declared it to be dissolved on the 13th day of May, 1965; that the applicants were all the directors and holders of all the common shares of the Corporation at the time of the said dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act*, although sent to each of the applicants as directors, was not received by any of them, and none of them were aware of the dissolution of the Corporation until more than one year after the date thereof; that the Corporation was carrying on, at the time of its dissolution, active commercial business; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

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

1. Service Hardware Limited, incorporated by letters patent dated the 7th day of October, 1949, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution, in the same manner and to the same extent as if it had not been dissolved.

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

3. This Act may be cited as *The Service Hardware Limited Act, 1973*.

An Act respecting
Service Hardware Limited

1st Reading

April 18th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. NEWMAN (Windsor-Walkerville)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Barrie

MR. EVANS



BILL Pr28

1973

An Act respecting the City of Barrie

WHEREAS The Corporation of the City of Barrie hereby ^{Preamble} represents that it is desirous of dissolving The Parks and Recreation Commission of the City of Barrie established by *The City of Barrie Act, 1968*, being chapter 144; The Barrie Arena Commission established by *The Town of Barrie Act, 1945*, being chapter 29; The Kinsmen Park Community Centre Board, The Lions Pool Community Centre Board, The Queen's Park Community Centre Board, The Sunnidale Park Community Centre Board and The Eastview Arena Community Centre Board, all established under *The Com-* ^{R.S.O. 1970.} ^{c. 73} *munity Centres Act*; and whereas the council of The Corporation of the City of Barrie deems it in the best interest of the people that the functions of the said several boards and commissions be amalgamated and the general management, regulation and control thereof be placed under the control of the council of The Corporation of the City of Barrie; and whereas the applicant hereby applies for special legislation in respect of such matters; and whereas it is expedient to grant the application;

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

1.—(1) The following named boards and commissions ^{Boards, etc.,} ^{dissolved} of the City of Barrie are hereby dissolved on the 1st day of January, 1974:

1. The Parks and Recreation Commission of the City of Barrie.
2. The Barrie Arena Commission.
3. The Kinsmen Park Community Centre Board.
4. The Lions Pool Community Centre Board.
5. The Queen's Park Community Centre Board.

6. The Sunnidale Park Community Centre Board.

7. The Eastview Arena Community Centre Board.

Assets
vested in
city

(2) On the 1st day of January, 1974, all of such assets and liabilities of such boards and commissions as are not already the assets and liabilities of The Corporation of the City of Barrie shall become the assets and liabilities of The Corporation of the City of Barrie, without compensation.

Employees
of boards,
etc., become
employees of
city

(3) On the dissolution of the boards and commissions named in subsection 1, the employees thereof shall become employees of The Corporation of the City of Barrie, and all the terms and conditions of employment respecting such employees and, without limiting the generality of the foregoing, including seniority, remuneration and other benefits in force, shall be assumed by The Corporation of the City of Barrie.

Council
deemed
committee,
etc.
R.S.O. 1970,
cc. 120, 73

2. The council of The Corporation of the City of Barrie shall be deemed to be a recreation committee under *The Ministry of Community and Social Services Act* and regulations made thereunder and a board of a community centre under *The Community Centres Act*.

Repeals

3. The following are repealed:

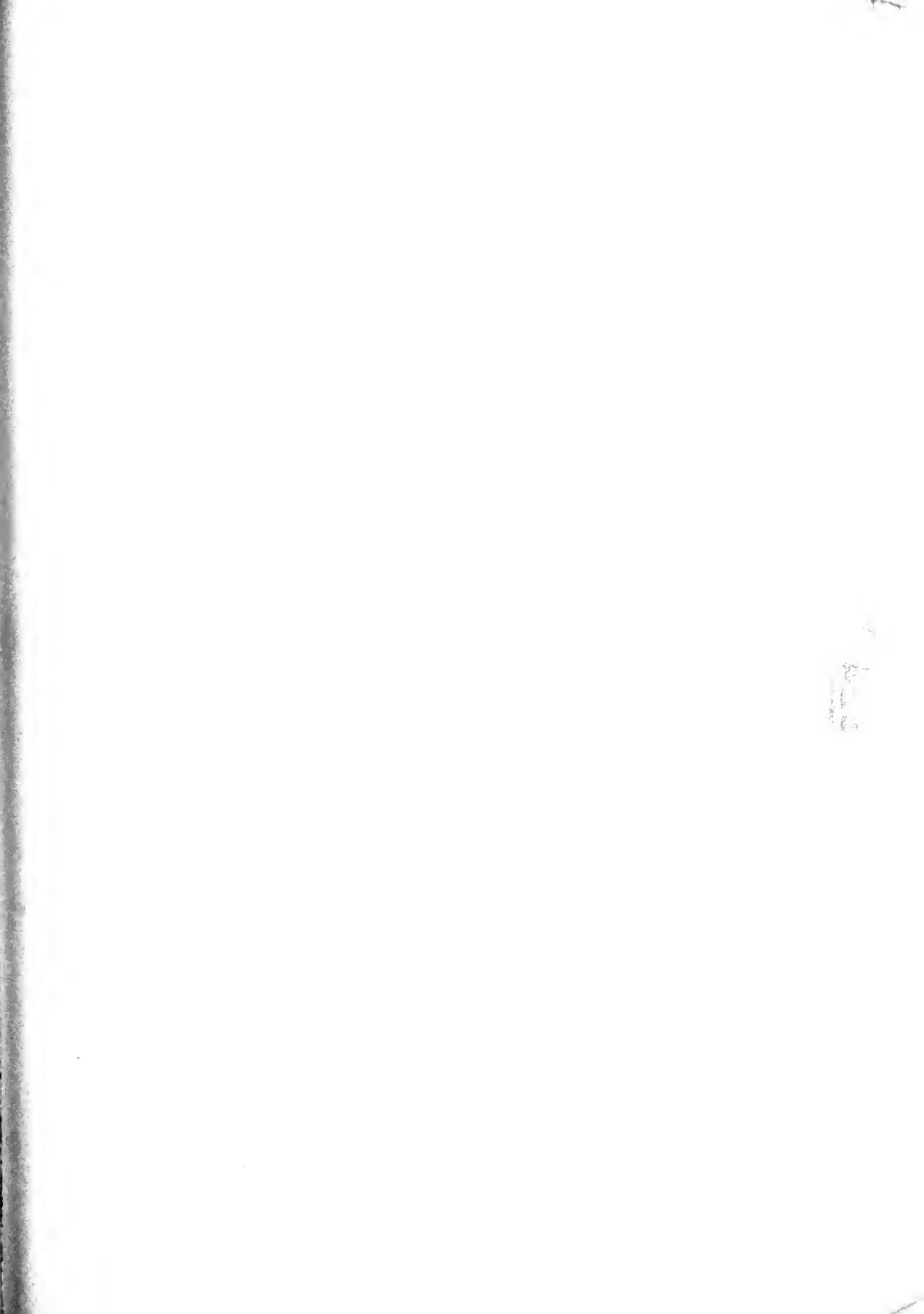
1. Section 3 of *The Town of Barrie Act, 1945*, being chapter 29.
2. Sections 1, 2, 3, 5 and 6 of *The City of Barrie Act, 1968*, being chapter 144.
3. Sections 11 and 12 of *The City of Barrie Act, 1970*, being chapter 138.

Commence-
ment

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 Barrie Act, 1973*.



An Act respecting
the City of Barrie

1st Reading

2nd Reading

3rd Reading

MR. EVANS

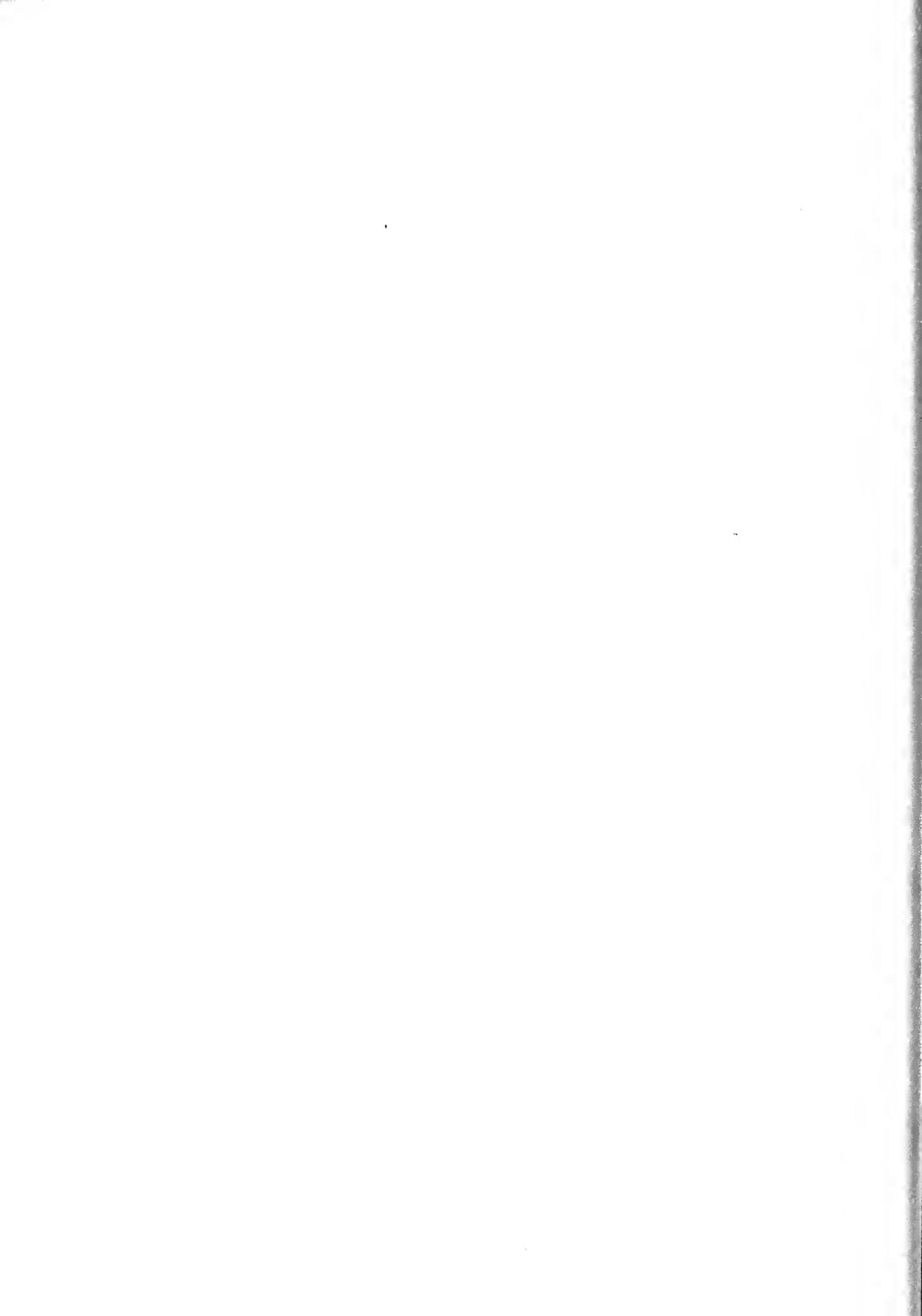
(Private Bill)

BILL Pr28

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Barrie

MR. EVANS



BILL Pr28

1973

An Act respecting the City of Barrie

WHEREAS The Corporation of the City of Barrie hereby ^{Preamble} represents that it is desirous of dissolving The Parks and Recreation Commission of the City of Barrie established by *The City of Barrie Act, 1968*, being chapter 144; The Barrie Arena Commission established by *The Town of Barrie Act, 1945*, being chapter 29; The Kinsmen Park Community Centre Board, The Lions Pool Community Centre Board, The Queen's Park Community Centre Board, The Sunnidale Park Community Centre Board and The Eastview Arena Community Centre Board, all established under *The Com-* <sup>R.S.O. 1970,
c. 73</sup> *munity Centres Act*; and whereas the council of The Corporation of the City of Barrie deems it in the best interest of the people that the functions of the said several boards and commissions be amalgamated and the general management, regulation and control thereof be placed under the control of the council of The Corporation of the City of Barrie; and whereas the applicant hereby applies for special legislation in respect of such matters; and whereas it is expedient to grant the application;

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

1.—(1) The following named boards and commissions <sup>Boards, etc.,
dissolved</sup> of the City of Barrie are hereby dissolved on the 1st day of January, 1974:

1. The Parks and Recreation Commission of the City of Barrie.
2. The Barrie Arena Commission.
3. The Kinsmen Park Community Centre Board.
4. The Lions Pool Community Centre Board.
5. The Queen's Park Community Centre Board.

6. The Sunnidale Park Community Centre Board.

7. The Eastview Arena Community Centre Board.

Assets
vested in
city

(2) On the 1st day of January, 1974, all of such assets and liabilities of such boards and commissions as are not already the assets and liabilities of The Corporation of the City of Barrie shall become the assets and liabilities of The Corporation of the City of Barrie, without compensation.

Employees
of boards,
etc., become
employees of
city

(3) On the dissolution of the boards and commissions named in subsection 1, the employees thereof shall become employees of The Corporation of the City of Barrie, and all the terms and conditions of employment respecting such employees and, without limiting the generality of the foregoing, including seniority, remuneration and other benefits in force, shall be assumed by The Corporation of the City of Barrie.

Council
deemed
committee,
etc.
R.S.O. 1970,
cc. 120. 73

2. The council of The Corporation of the City of Barrie shall be deemed to be a recreation committee under *The Ministry of Community and Social Services Act* and regulations made thereunder and a board of a community centre under *The Community Centres Act*.

Repeals

3. The following are repealed:

1. Section 3 of *The Town of Barrie Act, 1945*, being chapter 29.
2. Sections 1, 2, 3, 5 and 6 of *The City of Barrie Act, 1968*, being chapter 144.
3. Sections 11 and 12 of *The City of Barrie Act, 1970*, being chapter 138.

Commence-
ment

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 Barrie Act, 1973*.



An Act respecting
the City of Barrie

1st Reading

April 18th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. EVANS

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Town of Vaughan

MR. DEACON

BILL Pr29

1973

An Act respecting the Town of Vaughan

WHEREAS The Corporation of the Town of Vaughan, ^{Preamble} herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1.—(1) The council of the Corporation, in determining whether any land is to be zoned or rezoned to permit multiple residential use thereof, shall have regard to the matters to be had regard to under subsection 4 of section 33 of *The Planning Act*, and, subject to subsection 2, has the same powers with respect to such zoning or rezoning as the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs has with respect to an approval of a plan of subdivision under subsections 5 and 8 of the said section 33 and shall require, by by-law, that all conditions be included in an agreement to be signed prior to the passing of the by-law zoning or rezoning the said land. ^{Council may impose conditions prior to rezoning. R.S.O. 1970, c. 349}

(2) The agreement mentioned in subsection 1 shall take effect only upon the approval of the by-law zoning or rezoning the land by the Ontario Municipal Board. ^{When agreement takes effect}

(3) Notice of the requirements of council set out in subsection 1 shall be sent by registered mail by the Corporation to the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs, the applicant for rezoning and to the owner of the land within fourteen days of the passing of the by-law requiring the said conditions. ^{Notice}

(4) The municipality may enter into agreements providing for fulfillment by the owner of the lands of all or any of the conditions imposed under subsection 1 and such agreements, when registered on the title of the land, shall run against the land to the benefit of the Corporation. ^{Agreements}

Appeal (5) The owner, the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs or any other person who has an interest in the matter may appeal to the Ontario Municipal Board against the conditions imposed or any of them by council by virtue of subsection 1 by sending notice of appeal to the secretary of the Ontario Municipal Board and to the clerk of the Corporation within fourteen days after the sending of the notice provided for in subsection 3.

Effect of registration of agreements to R.S.O. 1970, c. 349 2. Any agreement entered into by the Corporation pursuant to subsection 6 of section 33 or pursuant to subsection 14 of section 29 of *The Planning Act*, when registered on the title of the land affected by the agreement, shall run against the land to the benefit of the Corporation.

Order for demolition of building or clearing of land 3.—(1) The council of the Corporation may, by a by-law passed at any general meeting thereof by a vote of three-fourths of all the members of council,

(a) order the removal or demolition of any building, fence, scaffolding or erection that is in a ruinous or dilapidated state; or

(b) order the levelling or grading of any grounds, yards or vacant lots or the cleaning or clearing of any such lands of any trash, refuse, building materials, junk, waste paper, bottles, used motor vehicles, automobile tires, automobile parts, old metal and other scrap material and salvage.

Notice of intention (2) Prior to the passing of a by-law pursuant to subsection 1, notice of council's intention to consider its passing shall be given by prepaid registered mail to the owner of the affected lands according to the last revised assessment roll and to all persons shown by the records of the land registry offices and the sheriff's office to have an interest in the lands and to the addresses shown on the records.

Particulars (3) The notice shall give reasonable particulars of the purpose of the proposed by-law and the time and date of the council meeting at which it will be considered and this shall be at least two weeks after the mailing of the notice.

Registration (4) If a by-law is passed pursuant to subsection 1, notice of the by-law shall be registered in the proper land registry office and shall be served by prepaid registered mail upon the persons designated in subsection 2.

Where interest subsequently acquired (5) Any person acquiring any interest in the land subsequent to the registration of the notice shall be deemed to have been

given notice of the by-law on the date on which notice was given to the registered owner of the lands.

(6) The notice of the by-law shall include a copy of the ^{Contents of notice} by-law and shall set out the method and time for appealing from the decision of the council of the Corporation.

(7) Any person entitled to notice under subsection 2 has the ^{Appeal} right to appeal to a county judge of the county court of the Judicial District of York from the decision of the council, as expressed in the by-law, by a written notice of appeal delivered to the clerk of the Corporation within thirty days after the mailing of the notice of the by-law to such person.

(8) If no notice of an appeal is received by the clerk of the ^{Powers of Town Engineer to carry out order} Corporation within the time stated in subsection 7 and the works required by the by-law are not completed within the time prescribed in the by-law, then such works may be carried out forthwith by the Town Engineer on behalf of the Corporation, and for this purpose, the Corporation with its servants and agents may, from time to time, enter upon the lands of the owner and the Corporation is not liable to compensate the owner or any other person by reason of anything done by or on behalf of the Corporation under the authority of this section.

(9) The Corporation has a lien for the amount expended by or ^{Lien} on behalf of the Corporation in carrying out the decision of the council and the certificate of the clerk of the Corporation as to the amount so expended is final and such amount shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as real property taxes.

(10) If the decision of the council of the Corporation is ^{Hearing of appeal} appealed, the clerk of the Corporation shall obtain an appointment for hearing before the judge of the county court of the Judicial District of York and shall give notice thereof by such means and to such persons as the judge may require.

(11) After hearing the persons who attend on the appeal, the ^{Powers of Judge} judge may confirm the decision of the council of the Corporation and dismiss the appeal, in which case, the Corporation may proceed forthwith to carry out the works required by the by-law or the judge may make such other order as he considers advisable under the circumstances.

4. This Act comes into force on the day it receives Royal ^{Commencement} Assent.

5. This Act may be cited as *The Town of Vaughan Act, 1973*. ^{Short title}



An Act respecting
the Town of Vaughan

1st Reading

2nd Reading

3rd Reading

MR. DEACON

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of London

MR. WALKER



BILL Pr30

1973

An Act respecting the City of London

WHEREAS the Board of Hospital Trustees of the City ^{Preamble} of London and The Corporation of the City of London hereby represent that it is desirable to separate the affairs of Victoria Hospital and War Memorial Children's Hospital, London, from The Corporation of the City of London; and to provide for the uninterrupted provision of health care services to the public by vesting the assets, including the lands, subject to the liabilities of the said hospitals, in a non-profit non-share corporation known as Victoria Hospital Corporation; and whereas the applicants hereby apply for special legislation for such purposes; and whereas it is expedient to grant the application;

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

1. In this Act,

Interpre-
tation

- (a) "Board" means The Board of Hospital Trustees of the City of London, established by an Act respecting the General Hospital of the City of London, being chapter 58 of the Statutes of Ontario, 1887;
- (b) "Victoria Hospital" and "War Memorial Children's Hospital" means Victoria Hospital, London, and War Memorial Children's Hospital, London, including laboratories, teaching facilities, residences and other buildings ancillary thereto or used in connection therewith;
- (c) "Victoria Hospital Corporation" means Victoria Hospital Corporation, a corporation without share capital incorporated under Part III of *The Corporations Act* by letters patent dated the 19th day of January, 1973. <sup>R.S.O. 1970,
c. 89</sup>

2.—(1) All assets of every nature and kind both real and personal and tangible and intangible employed in respect of <sup>Vesting and
transfer of
title</sup>

the operation of Victoria Hospital and War Memorial Children's Hospital, including, but without limiting the generality thereof, the real property described in Schedule A hereto, together with all buildings, improvements, fixtures (together with any chattel which may be considered a fixture) and other appurtenances presently situate in or upon the lands described in the said Schedule A and in or upon the lands described in Schedule B hereto, but excluding the said lands described in the said Schedule B hereto, the lessee's interest in all leases, the benefit of all provincial grants and loans, and all furniture, equipment, supplies, accounts receivable, cash on hand, endowment funds, rights, privileges, benefits, trademarks, trade names, patient records and registers and medical records all of which have heretofore been or are now vested in The Corporation of the City of London or in the Board, shall on the 1st day of January, 1974, belong to and be vested in Victoria Hospital Corporation.

Idem

R.S.O. 1970,
cc. 409, 234,
45

(2) For the purposes of *The Registry Act*, *The Land Titles Act*, *The Bills of Sale and Chattel Mortgages Act* or any other Act affecting the title to property, it shall be sufficient to cite this Act as effecting the conveyance, transfer or transmission of title from The Corporation of the City of London and the Board to and the vesting in Victoria Hospital Corporation of real or personal property or of an interest in real or personal property.

Lease of
lands

(3) The Corporation of the City of London is hereby empowered to lease to Victoria Hospital Corporation the said lands described in Schedule B hereto upon such terms and subject to such conditions as The Corporation of the City of London and Victoria Hospital Corporation shall agree, subject to the approval thereof by the Minister of Health.

Liabilities of
Victoria
Hospital
Corporation

(4) Victoria Hospital Corporation shall,

- (a) assume and be liable for the payment of all liabilities existing on the 31st day of December, 1973, in respect of the general management, operation and maintenance of Victoria Hospital and War Memorial Children's Hospital, including construction loans repayable to the Province of Ontario; and
- (b) be bound by the terms of and succeed to the benefit of all contracts, agreements, leases and all other engagements existing on the 31st day of December, 1973, made by The Corporation of the City of London and by the Board in respect of the general management, operation and maintenance of Victoria Hospital and War Memorial Children's Hospital,

provided that notwithstanding the foregoing, The Corporation of the City of London shall retire the presently existing debenture debt created by By-Law No. D.194-461.

3. Subject to *The Public Hospitals Act* and any regulations made thereunder, the general management, operation, equipment and control of Victoria Hospital and War Memorial Children's Hospital shall, on the 1st day of January, 1974, belong to, be vested in and shall be exercised by, Victoria Hospital Corporation. ^{Management and control of hospitals R.S.O. 1970, c. 378}

4.—(1) All gifts, trusts, bequests, devises and grants of real or personal property or of the income or proceeds thereof, heretofore or hereafter expressed by any person, body politic or corporation by deed or will, to be made, given or conveyed, or intended to be made, given or conveyed to Victoria Hospital or War Memorial Children's Hospital shall, in so far as the same shall not have vested in possession or been carried into effect at the date of the coming into force of this Act, in the absence of an expressed intention to the contrary set out in such deed or will, be construed as though the same had been expressed to be made to Victoria Hospital Corporation and the executor, trustee or other person or corporation charged with the duty of carrying into effect or administering such deed or will shall pay over or transfer all such property to Victoria Hospital Corporation as and when the same became or may become payable, and the receipt of Victoria Hospital Corporation shall be a sufficient discharge therefor. ^{Charitable gifts}

(2) The reference to the Chairman of the Board of Trustees of Victoria Hospital in the City of London in the last Will and Testament of Harry Meek, deceased, and in the last Will and Testament of Mary E. Meek, deceased, shall be deemed a reference to the Chairman of the governing board of Victoria Hospital Corporation. ^{Inter-pretation}

5. The powers and duties of the Board shall cease on the 31st day of December, 1973, and the terms of office of each member of the Board shall terminate on such date. ^{When powers of Board cease}

6. On and after the 1st day of January, 1974, all claims against and demands arising from or relating to the management, operation or maintenance of Victoria Hospital or War Memorial Children's Hospital or from the exercise of any of the powers of the Board shall be continued against or made upon and brought against Victoria Hospital Corporation and not upon or against the Board or The Corporation of the City of London. ^{Claims}

Repeals

7. The following are repealed:

1. *An Act respecting the General Hospital of the City of London*, being chapter 58 of the Statutes of Ontario, 1887.
2. Subsection 2 of section 4 of *The City of London Act, 1948*, being chapter 114.
3. Section 9 of *The City of London Act, 1960*, being chapter 153.
4. *The City of London Act, 1968-69*, being chapter 152.

Commence-
ment

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

Short title

9. This Act may be cited as *The City of London Act, 1973*.

SCHEDULE A

ALL AND SINGULAR those certain parcels or tracts of lands and premises situate, lying and being in the City of London, in the County of Middlesex and being composed of:

FIRSTLY: the East half in perpendicular width of Lot Number Four (4) on the South side of East Hill Street;

SECONDLY: part of the West half of Lot Number Eight (8) on the North side of Hill Street East, which part of said lot may be more particularly described as follows:

COMMENCING on the North side of Hill Street, at the Southwest corner of said lot;

THENCE Easterly along Hill Street, Sixty-Six feet (66');

THENCE Northerly parallel with the side lines of the Lot One Hundred and Sixty-Five feet (165') more or less to the rear of said lot;

THENCE Westerly along the rear of said lot Sixty-Six feet (66') to the North-west corner thereof;

THENCE Southerly along the Western boundary of the lot to the place of beginning.

THIRDLY: that part of Lot Number Eight (8) on the North side of East Hill Street described as follows:

COMMENCING at a point on the North side of East Hill Street distant Forty-Six feet (46') Westerly from the Southeast angle of said lot;

THENCE Westerly along the North side of Hill Street Twenty feet (20');

THENCE Northerly parallel with the side lines of said lot One Hundred and Sixty feet (160') more or less to the Northerly limit of said lot;

THENCE Easterly along the Northerly limit of the said lot Twenty feet (20');

THENCE southerly parallel with the side lines of said lot One Hundred and Sixty feet (160') more or less to the place of beginning.

TOGETHER WITH a right-of-way for all purposes over a strip of land consisting of the Westerly Seven and One-half feet ($7\frac{1}{2}'$) of the Easterly Twenty-Seven and one-half feet ($27\frac{1}{2}'$) of said lot extending from Hill Street to the Northern limit of said lot;

AND TOGETHER WITH a right-of-way for all purposes over a strip of land Ten feet (10') in width extending Westerly from said first mentioned right-of-way to the lands hereby conveyed and adjoining the Northern limit of said lot on the South side thereof, together with the appurtenances thereto.

FOURTHLY: part lot Seven (7) on the North side of East Hill Street in the said City of London and may be more particularly knowu and described as follows:

COMMENCING on the North side of Hill Street at the Southeast angle of the said Lot;

THENCE West along the North side of Hill Street Sixty-Two feet (62');

THENCE North on a line parallel to the Easterly boundary line of the lot to the rear of the said lot;

THENCE Easterly along the rear or Northerly boundary line of the said lot, Sixty-Two feet (62') to the North-east angle of the said lot;

THENCE South along the Eastern boundary line of the said lot to the place of beginning.

FIFTHLY: part of Lot Number Twenty-Seven (27) in the Plan and sub-division made by Samuel Peters, Provincial Land Surveyor, of Lot Number Eleven (11) on the South side of Hill Street East in the said City of London and other lands, which Plan is registered in the Registry Office of the said City of London as Number 172 and described as follows, that is to say:

COMMENCING at a point in the Easterly limit of Colborne Street distant Sixty-Eight feet (68') South from the North-West angle of said Lot Number Twenty-Seven (27);

THENCE Easterly parallel with East Hill Street Seventy feet (70') more or less to the Easterly limit of lands owned by one Morris Bardenstein, the said point being Fifty feet (50') West of the Easterly limit of said lot;

THENCE Northerly parallel with the Easterly limit of Colborne Street, Sixty-Eight feet (68') more or less to the South limit of East Hill Street;

THENCE Westerly along the Southerly limit of East Hill Street Seventy feet (70') more or less to the Easterly limit of Colborne Street, being the North-West angle of said Lot Number Twenty-Seven (27);

THENCE Southerly along the Easterly limit of Colborne Street Sixty-Eight feet (68') more or less to the place of beginning.

SIXTHLY: part of Lot Number Twenty-Seven (27) according to Registered Plan Number 172 which said part may be more particularly known and described as follows, that is to say:

COMMENCING at a point in the Easterly limit of Colborne Street distant Southerly Sixty-Eight feet (68') from the North-westerly angle of said Lot Number Twenty-Seven (27);

THENCE Southerly along the Easterly limit of Colborne Street Thirty-Two feet (32');

THENCE Easterly parallel to Hill Street, Seventy feet (70');

THENCE Northerly parallel to Colborne Street Thirty-Two feet (32');

THENCE Westerly parallel to Hill Street Seventy feet (70') more or less, to the place of beginning.

SEVENTHLY: the Southerly part of Lot Number Twenty-Six (26) on the South side of East Hill Street in the said City of London according to Registered Plan Number 172, and better known and described as follows, that is to say:

COMMENCING on the East side of Colborne Street at the distance of Thirty-Three feet (33') South from the North-west angle of the lot, and

THENCE South along the Easterly limit of Colborne Street Thirty-Three feet (33');

THENCE Easterly parallel with the Northerly limit of the lot to the Easterly limit of the said lot;

THENCE North along the Easterly limit of the lot Thirty-Three feet (33') to a point Thirty-Three feet (33') Southerly from the North-east angle thereof;

THENCE Westerly parallel to the Northerly limit of the said lot to the place of beginning.

SUBJECT TO AND TOGETHER WITH a right-of-way in, over, and upon a strip of land of the said last described premises which said strip of land may be better described as follows:

COMMENCING on the East side Colborne Street at the distance of Thirty-Three feet (33') South from the North-west angle of the lot;

THENCE North along the East side of Colborne Street Five feet (5');

THENCE East parallel with the Northerly limit of the lot Sixty-Two feet (62');

THENCE in a South-westerly direction One Hundred and Thirty degrees Twelve feet more or less to a point Thirty-Eight feet (38') distant from the Northerly limit of the lot;

THENCE West parallel to the Northerly limit Fifty-one feet Eight inches (51' 8") more or less to the place of beginning.

EIGHTHLY: the whole of Lot Thirty-Four (34) on the East side of Colborne Street, according to Registered Plan 172;

NINTHLY: the whole of Lot Number Thirty-five (35) on the East side of Colborne Street, according to Registered Plan Number 172.

TENTHLY: part of Lot Number Eleven (11) on the South side of East South Street, in the said City of London, which may be described as follows:

COMMENCING on the East side of Colborne Street in the Westerly limit of said Lot, at a point distant Thirty-Five feet (35') Northerly from the South-west angle of the said Lot;

THENCE Northerly along the said Westerly limit, Thirty-Two feet (32');

THENCE Easterly parallel to the Southerly limit of the said Lot, One Hundred feet (100');

THENCE Southerly parallel to Colborne Street, Thirty-Two feet (32');

THENCE Westerly parallel to the Southerly limit of the said lot, One Hundred feet (100') to the place of beginning.

ELEVENTHLY: the Southerly Thirty-Five feet (35') in frontage on Colborne Street, of Lot Number Eleven (11) on the South side of East South Street, in the said City of London and having a depth equal to the width of the lot.

TWELFTHLY: part of Lot Number Eleven (11) on the North side of East Nelson Street in the said City of London which said part may be better known and described as follows:

COMMENCING at a point on the East side of Colborne Street, One Hundred feet (100') North of the South-west angle of said Lot Number Eleven (11);

THENCE Northerly along the East side of Colborne Street, Thirty feet (30');

THENCE Easterly parallel with said East Nelson Street, one Hundred and Thirty-Two feet (132') more or less to the Easterly boundary of said Lot Number Eleven (11);

THENCE Southerly along the said Easterly boundary of said Lot Number Eleven (11) Thirty feet (30');

THENCE Westerly parallel with said East Nelson Street One Hundred and Thirty-Two feet (132'), more or less to the place of beginning.

THIRTEENTHLY: part of Lot Number Eleven (11), on the North side of East Nelson Street and more particularly described as follows:

COMMENCING at the South-west angle of said Lot Number Eleven (11);

THENCE Easterly along the Southerly boundary of the said lot, Eighty-Two feet (82') more or less to a point Fifty feet (50') West of the South-east angle of the said lot;

THENCE Northerly parallel to the Westerly limit of the said lot, Thirty-Three feet (33');

THENCE westerly parallel to the Southerly limit of the said lot, Eighty-Two feet (82') more or less to the Westerly limit of the said lot;

THENCE Southerly along the Westerly limit of the said lot, Thirty-Three feet (33') more or less to the place of beginning.

FOURTEENTHLY: part of Lot Eleven (11) on the South side of Nelson Street in the City of London, in the County of Middlesex,

COMMENCING at the Northwest angle of the lot;

THENCE Easterly along the Northerly limit thereof Thirteen feet (13');

THENCE Southerly in a line parallel with the Easterly limit of the said lot One Hundred and Sixty-Five feet (165');

THENCE Easterly in a line parallel with the Northerly limit of the said Lot Seventeen feet (17');

THENCE Southerly in a line parallel with the Easterly limit of the said Lot to the River Thames;

THENCE along the bank of the River with the stream to the Eastern limit of Colborne Street;

THENCE along the Eastern limit of Colborne Street Northerly to the place of beginning.

FIFTEENTHLY: part of Lot Number Twelve (12) on the South side of East Nelson Street described as follows:—

COMMENCING at a point on the Northern limit of said lot, distant One Hundred and Fifty feet (150') Easterly from the North-west angle of Lot Number Eleven (11) on the South side of East Nelson Street;

THENCE Easterly along the Northern limit of said Lot Number Twelve (12) Forty feet (40');

THENCE Southerly parallel with the Eastern limit of said Lot Number Twelve (12) to the Southern limit;

THENCE Westerly along the Southerly limit thereof Forty feet (40');

THENCE Northerly parallel with the Eastern boundary thereof to the place of beginning.

SIXTEENTHLY: that part of Lot Number Twelve (12) on the South side of East Nelson Street described as:

COMMENCING at a point on the Northern limit of said Lot Number Twelve (12) distant One Hundred and Ninety feet (190') from the North-west angle of Lot Number Eleven (11) on the South side of East Nelson Street;

THENCE Easterly along the North limit of Lot Number Twelve (12) Forty feet (40');

THENCE Southerly parallel to the East boundary of Lot Number Twelve (12) to the Southerly boundary thereof;

THENCE Westerly along the South boundary Forty feet (40');

AND THENCE Northerly parallel with the Easterly boundary to the place of beginning.

TOGETHER WITH a right-of-way in, over and upon the Northerly Twelve feet (12') of Lots Numbers Eleven (11) and Twelve (12) on the Northerly side of Trafalgar Street, extending from the River bank on the West across the said last mentioned lands a uniform width of Twelve feet (12').

SEVENTEENTHLY: part of Lot Twelve (12) on the South side of Nelson Street, more particularly described as follows:

COMMENCING on the Northerly limit of Lot Twelve (12), Two Hundred and Thirty feet (230') distant Easterly from the North-west angle of Lot Eleven (11), on the South side of Nelson Street;

THENCE East along the North boundary of Lot Twelve (12), to the East boundary Thirty-four feet (34') more or less;

THENCE South along the East boundary to the South boundary thereof;

THENCE West along the South boundary Thirty-four feet (34');

THENCE North parallel with the East boundary to the place of beginning.

TOGETHER WITH a right-of-way in, over and upon the North Twelve feet (12') of Lots Eleven (11) and Twelve (12) on the North side of Trafalgar Street, extending across the last mentioned lots the uniform width of Twelve feet (12') and the full right and liberty at all times in common with all other persons to a strip of land Twelve feet (12') in width running along the South boundary of Lot Eleven (11) on the South side of Nelson Street.

EIGHTEENTHLY: the whole of Lot 6 and parts of Lots 7 and 8 on the South side of East Hill Street, in the said City of London, and all of Lot 6 and parts of Lots 7 and 8 on the North side of East South Street, in the said City of London, more particularly described as follows:

PREMISING that all bearings herein are referred to the bearing North 20 degrees 45 minutes 00 seconds West of the Westerly limit of Colborne Street, as shown on Registered Plan Number 172;

COMMENCING at the South-westerly angle of said Lot Number 6 on the North side of East South Street;

THENCE North 20 degrees 44 minutes 20 seconds West, along the easterly limit of Waterloo Street, 330.14 feet more or less to the Southerly limit of East Hill Street;

THENCE North 68 degrees 52 minutes 40 seconds East, along the Southerly limit of East Hill Street, 190.93 feet more or less to the production Northerly of the Westerly face of the Westerly face of present School of Nursing situate upon the lands immediately to the East of the lands herein described;

THENCE South 20 degrees 53 minutes 20 seconds East, along said production, along the Westerly face of said wall and along said Westerly face produced Southerly, 117.32 feet more or less to the Southwesterly corner of present concrete area-way on the South side of said School of Nursing;

THENCE North 69 degrees 06 minutes 40 seconds East, 77.20 feet more or less to the Westerly face of the Westerly wall of present Nurses' Residence situate upon the lands immediately to the east of the lands herein described;

THENCE South 20 degrees 52 minutes 10 seconds East, along said Westerly face of said Westerly wall of said Nurses' Residence, 36.80 feet more or less to a jog to the West in said wall;

THENCE South 69 degrees 07 minutes 50 seconds West, along the Northerly face of said jog, 0.72 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

THENCE South 20 degrees 52 minutes 10 seconds East, along the Westerly face of said wall, 20.17 feet more or less to a jog to the East in said wall;

THENCE North 69 degrees 07 minutes 50 seconds East, along the Southerly face of said jog, 0.72 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

THENCE South 20 degrees 52 minutes 10 seconds East, along the Westerly face of said wall, 129.35 feet more or less to a jog to the West in said wall;

THENCE South 68 degrees 41 minutes 30 seconds West, along the northerly face of said jog, 9.27 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

THENCE South 21 degrees 18 minutes 30 seconds East, along the Westerly face of said Westerly wall and along its production Southerly, 26.03 feet more or less to the Northerly limit of East South Street;

THENCE South 68 degrees 58 minutes 40 seconds West, along the Northerly limit of East South Street, 259.74 inches more or less to the place of beginning.

NINETEENTHLY: Lots Numbers Five, Six, Seven, Eight, Nine and Ten (5, 6, 7, 8, 9 and 10) on the South side of Ardaven Place in the said City of London according to Plan Number 445 for the Fourth Division and that part of Lot Number Seven (7) on the East side of Wortley Road more particularly described as follows:

COMMENCING on the East limit of Ridout Street South at the dividing line between Lots Numbers Seven and Eight (7 and 8) on the East side of Wortley Road;

THENCE Southerly along the East side of Ridout Street One Hundred and Seventy-five feet (175');

THENCE Easterly parallel with Grand Avenue One Hundred and Fifty feet (150');

THENCE Southerly parallel with Ridout Street South One Hundred and Twenty feet (120');

THENCE Easterly parallel with Grand Avenue Four Hundred and Twelve point Eighty-seven feet (412.87') more or less to a point distant Westerly One Hundred and Fifty point Thirty-eight feet (150.38') from the Northwest angle of Lot Number Thirteen (13) according to Registered Plan Number 475 being also the Northwest angle of Registered Plan Number 475;

THENCE Northerly in a straight line Two Hundred and Eighty-five point Forty-eight feet (285.48') more or less to the Southwest angle of Lot Number Ten (10) according to Registered Plan Number 451 which angle is a point in the limit between Lots Numbers Seven and Eight (7 and 8) on the East side of Wortley Road;

THENCE Westerly along the limit between Lots Numbers Seven and Eight (7 and 8) on the East side of Wortley Road Five Hundred and Forty-nine point Ninety-four feet (549.94') more or less to the place of beginning.

SCHEDULE B

ALL AND SINGULAR those certain parcels or tracts of lands and premises situate, lying and being in the City of London, in the County of Middlesex and being composed of:

FIRSTLY: part of Lot Number Two (2) on the North side of East Nelson Street in the said City of London, which part of said Lot Number Two (2) may be more particularly described as follows:

COMMENCING at a point on the North side of East Nelson Street being the South west angle of the said Lot:

THENCE Northerly along the Westerly limit thereof One Hundred and Forty-Five feet (145') to a point distant Twenty feet (20') Southerly from the North west angle of the said lot;

THENCE Easterly and parallel with the Northerly limit Thirty-five feet (35');

THENCE Southerly and parallel with the said Westerly limit One hundred and forty-feet (140') to the Southerly limit and East Nelson Street and

THENCE Westerly along the said Southerly limit Thirty-five feet (35') to the place of beginning.

SECONDLY: the Easterly Ninety feet (90') in perpendicular width of Lot Number three (3) on the south side of East South Street;

THIRDLY: the whole of Lot Number four (4) on the south side of East South Street;

FOURTHLY: the northerly One hundred and Thirty-five feet (135') of the westerly Thirty feet (30') of Lot 5 on the south side of east South Street in the said City of London;

FIFTHLY: part of Lot Number Five (5) on the South side of East South Street, which parcel may be more particularly described as follows:

COMMENCING at the North-east angle of said Lot Number five (5);

THENCE Westerly along the Northerly limit of said Lot Seventy-five feet (75');

THENCE Southerly parallel to the Easterly limit of said Lot One Hundred and Thirty-five feet (135');

THENCE Easterly parallel to the Northerly limit of said Lot Seventy-five feet (75') to the Easterly limit thereof;

THENCE Northerly along the Easterly limit of said Lot Number five (5), One hundred and Thirty-five feet (135') to the place of beginning;

SIXTHLY: the Easterly Eighty feet (80') in perpendicular width of Lot three (3) on the North side of East Nelson Street;

SEVENTHLY: of the Southerly Sixty-five feet (65') in perpendicular width of Lot Number four and five (4 and 5) on the North side of East Nelson Street, save and except parts thereof acquired for road widening purposes;

EIGHTHLY: part of the East half of Waterloo Street lying South of South Street in the said City of London, which may be more particularly described as follows:

COMMENCING at the intersection of the Southerly limit of South Street and the original Easterly limit of Waterloo Street, being also the North-west angle of Lot One (1), Registered Plan 189;

THENCE Southerly along the original Easterly limit of Waterloo Street, being also the Westerly limit of said Lot One (1) according to Registered Plan 189, Ninety-Eight feet (98');

THENCE Westerly parallel to the Southerly limit of South Street, Fifty-Seven feet (57');

THENCE North-westerly in a straight line, Thirty-Four feet (34') more or less, to a point in the original centre line of Waterloo Street distant Sixty-Four feet (64') Southerly along the said centre line from its intersection with the said Southerly limit of South Street produced Westerly in a straight line;

THENCE Northerly along the said centre line of Waterloo Street, Sixty-Four feet (64') to the Southerly limit of South Street produced Westerly in a straight line;

AND THENCE Easterly along the Southerly limit of South Street produced Westerly to the place of beginning.

NINTHLY: the whole of Lot Numbers One, Two, Three, Four, Five, Six, Seven and Eight (1, 2, 3, 4, 5, 6, 7 and 8), according to Registered Plan 189.

TENTHLY: the whole of Lot Numbers Seven, Eight, Nine and Ten (7, 8, 9 and 10) on the North side of Nelson Street, the whole of Lot Numbers Seven, Eight, Nine and Ten (7, 8, 9 and 10) on the South side of South Street East, the whole of that part of Nelson Street which lies between the Westerly limit of Colborne Street and the centre of Waterloo Street closed and stopped up by By-Law Number 3411 and all those certain lands lying South of the Southerly limit of that part of Nelson Street closed up as aforesaid and the North bank of the South Branch of the River Thames.

ELEVENTHLY: The whole of Lot Numbers 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 according to Registered Plan No. 215.

TWELFTHLY: those parts of Lots Numbers 11 and 12 on the South side of Nelson Street more particularly described as follows:

COMMENCING on the South side of Nelson Street at a point distant 150 feet measured easterly from the North west angle of Lot Number 11;

THENCE Southerly parallel to the side lines of the said Lots, 165 feet to the point of commencement;

THENCE continuing Southerly in a straight line to the southerly limit of said Lot Number 12;

THENCE Westerly along the southerly limit of said Lot Number 12 and along the Southerly limit of Lot Number 11 to the intersection thereof with the North bank of the South branch of the River Thames;

THENCE continuing Westerly along the said North bank to the intersection thereof with a line drawn parallel to the easterly limit of Colborne Street and distant 30 feet measured easterly along a line drawn parallel to the northerly limit of the said Lot 11 therefrom;

THENCE Northerly along the said last mentioned parallel line to a point distant 165 feet Southerly therealong from the Northerly limit of the said Lot;

THENCE Easterly in a straight line parallel to the Northerly limits of said Lots 11 and 12 to the point of commencement.

THIRTEENTHLY: The whole of the lands bounded on the East by the Westerly limits of Lots 11 and 18 according to Registered Plan Number 215, bounded on the North by the Southerly limits of Lots 11 and 12 on the South side of Nelson Street and bounded on the West and on the South by the North bank of the South branch of the River Thames;

FOURTEENTHLY: The whole of Lots Numbers 21, 22, 23, 24, 25, 36, 37, 38, 39 and 40 according to Registered Plan Number 172 and parts of Lots 7 and 8 on the South side of East Hill Street, in the said City of London, and parts of Lots 7 and 8 on the North side of East South Street, in the said City of London, more particularly described as follows:

PREMISING that all bearings herein are referred to the bearing North 20 degrees 45 minutes 00 seconds West of the Westerly limit of Colborne Street, as shown on said Registered Plan Number 172;

COMMENCING at the South-easterly angle of said Lot 36, being the intersection of the northerly limit of East South Street with the Westerly limit of Colborne Street;

THENCE North 20 degrees 45 minutes 00 seconds West, along the Westerly limit of Colborne Street, 331.32 feet more or less to the Southerly limit of East Hill Street;

THENCE South 68 degrees 52 minutes 40 seconds West, along the southerly limit of East Hill Street, 474.54 feet more or less to the production Northerly of the Westerly face of the Westerly wall of present School of Nursing situate upon the lands herein described;

THENCE South 20 degrees 53 minutes 20 seconds East, along said production, along the Westerly face of said wall and along said Westerly face of said wall produced southerly, 117.32 feet more or less to the south-westerly corner of present concrete area-way on the south side of said School of Nursing;

THENCE North 69 degrees 06 minutes 40 seconds East, 77.20 feet more or less to the Westerly face of the Westerly wall of present Nurses' Residence situate upon the lands herein described;

THENCE South 20 degrees 52 minutes 10 seconds East, along said Westerly face of said Westerly wall of Nurses' Residence, 36.80 feet more or less to a jog to the West in said wall;

THENCE South 69 degrees 07 minutes 50 seconds West, along the Northerly face of said jog, 0.72 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

THENCE South 20 degrees 52 minutes 10 seconds East, along the Westerly face of said wall, 20.77 feet more or less to a jog to the east in said wall;

THENCE North 69 degrees 07 minutes 50 seconds East, along the southerly face of said jog, 0.72 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

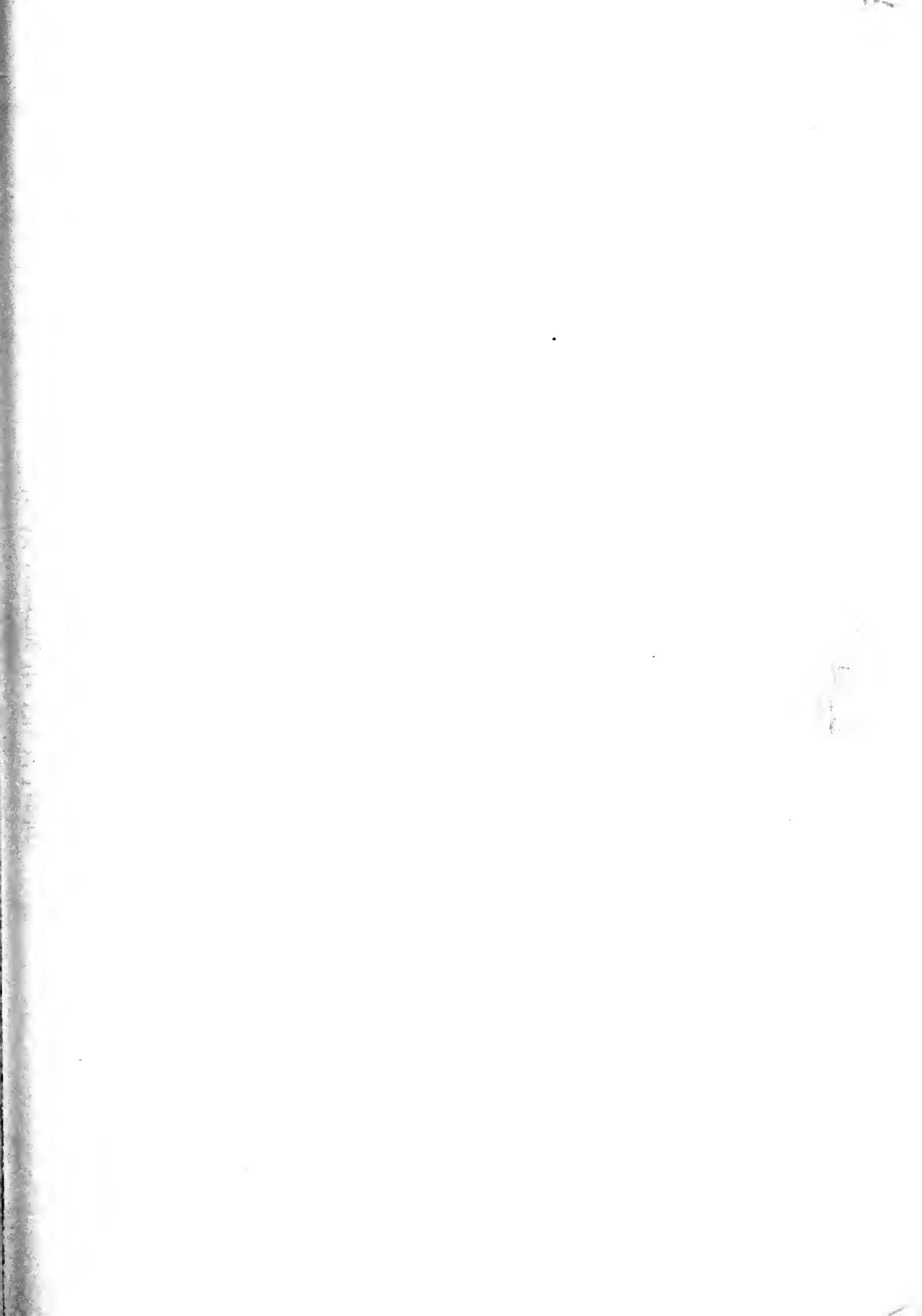
THENCE South 20 degrees 52 minutes 10 seconds East, along said Westerly face of said wall, 129.35 feet more or less to a jog to the West in said wall;

THENCE South 68 degrees 41 minutes 30 seconds West, along the northerly face of said jog, 9.27 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

THENCE South 21 degrees 18 minutes 30 seconds East, along the Westerly face of said Westerly wall and along its production Southerly, 26.03 feet more or less to the Northerly limit of East South Street;

THENCE North 68 degrees 58 minutes 40 seconds East, along the Northerly limit of East South Street, 405.78 feet more or less to the place of beginning.

Provided the aforesaid lands shall not be deemed to include any lands lying South of the South limit of Nelson Street and the lands lying South of the South limit of Nelson Street now closed and lying between Waterloo and Colborne Street which lie within the area defined by the Upper Thames River Conservation Authority as "flood plain".



An Act respecting the City of London

1st Reading

2nd Reading

3rd Reading

MR. WALKER

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of London

MR. WALKER

(Reprinted as amended by the Private Bills Committee)



BILL Pr30

1973

An Act respecting the City of London

WHEREAS the Board of Hospital Trustees of the City ^{Preamble} of London and The Corporation of the City of London hereby represent that it is desirable to separate the affairs of Victoria Hospital and War Memorial Children's Hospital, London, from The Corporation of the City of London; and to provide for the uninterrupted provision of health care services to the public by vesting the assets, including the lands, subject to the liabilities of the said hospitals, in a non-profit non-share corporation known as Victoria Hospital Corporation; and whereas the applicants hereby apply for special legislation for such purposes; and whereas it is expedient to grant the application;

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

1. In this Act,

Interpre-
tation

- (a) "Board" means The Board of Hospital Trustees of the City of London, established by an Act respecting the General Hospital of the City of London, being chapter 58 of the Statutes of Ontario, 1887;
- (b) "Victoria Hospital" and "War Memorial Children's Hospital" means Victoria Hospital, London, and War Memorial Children's Hospital, London, including laboratories, teaching facilities, residences and other buildings ancillary thereto or used in connection therewith;
- (c) "Victoria Hospital Corporation" means Victoria Hospital Corporation, a corporation without share capital incorporated under Part III of *The Corporations Act* by letters patent dated the 19th day of January, 1973.

R.S.O. 1970,
c. 89

2.—(1) All assets of every nature and kind both real and personal and tangible and intangible employed in respect of ^{Vesting and transfer of title}

the operation of Victoria Hospital and War Memorial Children's Hospital, including, but without limiting the generality thereof, the real property described in Schedule A hereto, together with all buildings, improvements, fixtures (together with any chattel which may be considered a fixture) and other appurtenances presently situate in or upon the lands described in the said Schedule A and in or upon the lands described in Schedule B hereto, but excluding the said lands described in the said Schedule B hereto, the lessee's interest in all leases, the benefit of all provincial grants and loans, and all furniture, equipment, supplies, accounts receivable, cash on hand, endowment funds, rights, privileges, benefits, trademarks, trade names, patient records and registers and medical records all of which have heretofore been or are now vested in The Corporation of the City of London or in the Board, shall on the 1st day of January, 1974, belong to and be vested in Victoria Hospital Corporation.

Idem

R.S.O. 1970,
cc. 409, 234,
45

(2) For the purposes of *The Registry Act*, *The Land Titles Act*, *The Bills of Sale and Chattel Mortgages Act* or any other Act affecting the title to property, it shall be sufficient to cite this Act as effecting the conveyance, transfer or transmission of title from The Corporation of the City of London and the Board to and the vesting in Victoria Hospital Corporation of real or personal property or of an interest in real or personal property.

Lease of
lands

(3) The Corporation of the City of London is hereby empowered to lease to Victoria Hospital Corporation the said lands described in Schedule B hereto upon such terms and subject to such conditions as The Corporation of the City of London and Victoria Hospital Corporation shall agree, subject to the approval thereof by the Minister of Health.

Liabilities of
Victoria
Hospital
Corporation

(4) Victoria Hospital Corporation shall,

- (a) assume and be liable for the payment of all liabilities existing on the 31st day of December, 1973, in respect of the general management, operation and maintenance of Victoria Hospital and War Memorial Children's Hospital, including construction loans repayable to the Province of Ontario; and
- (b) be bound by the terms of and succeed to the benefit of all contracts, agreements, leases and all other engagements existing on the 31st day of December, 1973, made by The Corporation of the City of London and by the Board in respect of the general management, operation and maintenance of Victoria Hospital and War Memorial Children's Hospital,

provided that notwithstanding the foregoing, The Corporation of the City of London shall retire the presently existing debenture debt created by By-Law No. D.194-461.

3. Subject to *The Public Hospitals Act* and any regulations made thereunder, the general management, operation, equipment and control of Victoria Hospital and War Memorial Children's Hospital shall, on the 1st day of January, 1974, belong to, be vested in and shall be exercised by, Victoria Hospital Corporation.

Management and control of hospitals
R.S.O. 1970,
c. 378

4.—(1) All gifts, trusts, bequests, devises and grants of real or personal property or of the income or proceeds thereof, heretofore or hereafter expressed by any person, body politic or corporation by deed or will, to be made, given or conveyed, or intended to be made, given or conveyed to Victoria Hospital or War Memorial Children's Hospital shall, in so far as the same shall not have vested in possession or been carried into effect at the date of the coming into force of this Act, in the absence of an expressed intention to the contrary set out in such deed or will, be construed as though the same had been expressed to be made to Victoria Hospital Corporation and the executor, trustee or other person or corporation charged with the duty of carrying into effect or administering such deed or will shall pay over or transfer all such property to Victoria Hospital Corporation as and when the same became or may become payable, and the receipt of Victoria Hospital Corporation shall be a sufficient discharge therefor.

Charitable gifts

(2) The reference to the Chairman of the Board of Trustees of Victoria Hospital in the City of London in the last Will and Testament of Harry Meek, deceased, and in the last Will and Testament of Mary E. Meek, deceased, shall be deemed a reference to the Chairman of the governing board of Victoria Hospital Corporation.

Interpretation

5. The powers and duties of the Board shall cease on the 31st day of December, 1973, and the terms of office of each member of the Board shall terminate on such date.

When powers of Board cease

6. On and after the 1st day of January, 1974, all claims against and demands arising from or relating to the management, operation or maintenance of Victoria Hospital or War Memorial Children's Hospital or from the exercise of any of the powers of the Board shall be continued against or made upon and brought against Victoria Hospital Corporation and not upon or against the Board or The Corporation of the City of London.

Claims

- Repeals **7.** The following are repealed:
1. *An Act respecting the General Hospital of the City of London*, being chapter 58 of the Statutes of Ontario, 1887.
 2. Subsection 2 of section 4 of *The City of London Act, 1948*, being chapter 114.
 3. Section 9 of *The City of London Act, 1960*, being chapter 153.
 4. *The City of London Act, 1968-69*, being chapter 152.
- Commence-
ment **8.**—(1) This Act, except section 7, comes into force on the day it receives Royal Assent.
- Idem (2) Section 7 comes into force on the 1st day of January, 1974.
- Short title **9.** This Act may be cited as *The City of London Act, 1973*.

SCHEDULE A

ALL AND SINGULAR those certain parcels or tracts of lands and premises situate, lying and being in the City of London, in the County of Middlesex and being composed of:

FIRSTLY: the East half in perpendicular width of Lot Number Four (4) on the South side of East Hill Street;

SECONDLY: part of the West half of Lot Number Eight (8) on the North side of Hill Street East, which part of said lot may be more particularly described as follows:

COMMENCING on the North side of Hill Street, at the Southwest corner of said lot;

THENCE Easterly along Hill Street, Sixty-Six feet (66');

THENCE Northerly parallel with the side lines of the Lot One Hundred and Sixty-Five feet (165') more or less to the rear of said lot;

THENCE Westerly along the rear of said lot Sixty-Six feet (66') to the North-west corner thereof;

THENCE Southerly along the Western boundary of the lot to the place of beginning.

THIRDLY: that part of Lot Number Eight (8) on the North side of East Hill Street described as follows:

COMMENCING at a point on the North side of East Hill Street distant Forty-Six feet (46') Westerly from the Southeast angle of said lot;

THENCE Westerly along the North side of Hill Street Twenty feet (20');

THENCE Northerly parallel with the side lines of said lot One Hundred and Sixty feet (160') more or less to the Northerly limit of said lot;

THENCE Easterly along the Northerly limit of the said lot Twenty feet (20');

THENCE southerly parallel with the side lines of said lot One Hundred and Sixty feet (160') more or less to the place of beginning.

TOGETHER WITH a right-of-way for all purposes over a strip of land consisting of the Westerly Seven and One-half feet ($7\frac{1}{2}'$) of the Easterly Twenty-Seven and one-half feet ($27\frac{1}{2}'$) of said lot extending from Hill Street to the Northern limit of said lot;

AND TOGETHER WITH a right-of-way for all purposes over a strip of land Ten feet (10') in width extending Westerly from said first mentioned right-of-way to the lands hereby conveyed and adjoining the Northern limit of said lot on the South side thereof, together with the appurtenances thereto.

FOURTHLY: part lot Seven (7) on the North side of East Hill Street in the said City of London and may be more particularly known and described as follows:

COMMENCING on the North side of Hill Street at the Southeast angle of the said Lot;

THENCE West along the North side of Hill Street Sixty-Two feet (62');

THENCE North on a line parallel to the Easterly boundary line of the lot to the rear of the said lot;

THENCE Easterly along the rear or Northerly boundary line of the said lot, Sixty-Two feet (62') to the North-east angle of the said lot;

THENCE South along the Eastern boundary line of the said lot to the place of beginning.

FIFTHLY: part of Lot Number Twenty-Seven (27) in the Plan and sub-division made by Samuel Peters, Provincial Land Surveyor, of Lot Number Eleven (11) on the South side of Hill Street East in the said City of London and other lands, which Plan is registered in the Registry Office of the said City of London as Number 172 and described as follows, that is to say:

COMMENCING at a point in the Easterly limit of Colborne Street distant Sixty-Eight feet (68') South from the North-West angle of said Lot Number Twenty-Seven (27);

THENCE Easterly parallel with East Hill Street Seventy feet (70') more or less to the Easterly limit of lands owned by one Morris Bardenstein, the said point being Fifty feet (50') West of the Easterly limit of said lot;

THENCE Northerly parallel with the Easterly limit of Colborne Street, Sixty-Eight feet (68') more or less to the South limit of East Hill Street;

THENCE Westerly along the Southerly limit of East Hill Street Seventy feet (70') more or less to the Easterly limit of Colborne Street, being the North-West angle of said Lot Number Twenty-Seven (27);

THENCE Southerly along the Easterly limit of Colborne Street Sixty-Eight feet (68') more or less to the place of beginning.

SIXTHLY: part of Lot Number Twenty-Seven (27) according to Registered Plan Number 172 which said part may be more particularly known and described as follows, that is to say:

COMMENCING at a point in the Easterly limit of Colborne Street distant Southerly Sixty-Eight feet (68') from the North-westerly angle of said Lot Number Twenty-Seven (27);

THENCE Southerly along the Easterly limit of Colborne Street Thirty-Two feet (32');

THENCE Easterly parallel to Hill Street, Seventy feet (70');

THENCE Northerly parallel to Colborne Street Thirty-Two feet (32');

THENCE Westerly parallel to Hill Street Seventy feet (70') more or less, to the place of beginning.

SEVENTHLY: the Southerly part of Lot Number Twenty-Six (26) on the South side of East Hill Street in the said City of London according to Registered Plan Number 172, and better known and described as follows, that is to say:

COMMENCING on the East side of Colborne Street at the distance of Thirty-Three feet (33') South from the North-west angle of the lot, and

THENCE South along the Easterly limit of Colborne Street Thirty-Three feet (33');

THENCE Easterly parallel with the Northerly limit of the lot to the Easterly limit of the said lot;

THENCE North along the Easterly limit of the lot Thirty-Three feet (33') to a point Thirty-Three feet (33') Southerly from the North-east angle thereof;

THENCE Westerly parallel to the Northerly limit of the said lot to the place of beginning.

SUBJECT TO AND TOGETHER WITH a right-of-way in, over, and upon a strip of land of the said last described premises which said strip of land may be better described as follows:

COMMENCING on the East side Colborne Street at the distance of Thirty-Three feet (33') South from the North-west angle of the lot;

THENCE North along the East side of Colborne Street Five feet (5');

THENCE East parallel with the Northerly limit of the lot Sixty-Two feet (62');

THENCE in a South-westerly direction One Hundred and Thirty degrees Twelve feet more or less to a point Thirty-Eight feet (38') distant from the Northerly limit of the lot;

THENCE West parallel to the Northerly limit Fifty-one feet Eight inches (51' 8") more or less to the place of beginning.

EIGHTHLY: the whole of Lot Thirty-Four (34) on the East side of Colborne Street, according to Registered Plan 172;

NINTHLY: the whole of Lot Number Thirty-five (35) on the East side of Colborne Street, according to Registered Plan Number 172.

TENTHLY: part of Lot Number Eleven (11) on the South side of East South Street, in the said City of London, which may be described as follows:

COMMENCING on the East side of Colborne Street in the Westerly limit of said Lot, at a point distant Thirty-Five feet (35') Northerly from the South-west angle of the said Lot;

THENCE Northerly along the said Westerly limit, Thirty-Two feet (32');

THENCE Easterly parallel to the Southerly limit of the said Lot, One Hundred feet (100');

THENCE Southerly parallel to Colborne Street, Thirty-Two feet (32');

THENCE Westerly parallel to the Southerly limit of the said lot, One Hundred feet (100') to the place of beginning.

ELEVENTHLY: the Southerly Thirty-Five feet (35') in frontage on Colborne Street, of Lot Number Eleven (11) on the South side of East South Street, in the said City of London and having a depth equal to the width of the lot.

TWELFTHLY: part of Lot Number Eleven (11) on the North side of East Nelson Street in the said City of London which said part may be better known and described as follows:

COMMENCING at a point on the East side of Colborne Street, One Hundred feet (100') North of the South-west angle of said Lot Number Eleven (11);

THENCE Northerly along the East side of Colborne Street, Thirty feet (30');

THENCE Easterly parallel with said East Nelson Street, one Hundred and Thirty-Two feet (132') more or less to the Easterly boundary of said Lot Number Eleven (11);

THENCE Southerly along the said Easterly boundary of said Lot Number Eleven (11) Thirty feet (30');

THENCE Westerly parallel with said East Nelson Street One Hundred and Thirty-Two feet (132'), more or less to the place of beginning.

THIRTEENTHLY: part of Lot Number Eleven (11), on the North side of East Nelson Street and more particularly described as follows:

COMMENCING at the South-west angle of said Lot Number Eleven (11);

THENCE Easterly along the Southerly boundary of the said lot, Eighty-Two feet (82') more or less to a point Fifty feet (50') West of the South-east angle of the said lot;

THENCE Northerly parallel to the Westerly limit of the said lot, Thirty-Three feet (33');

THENCE westerly parallel to the Southerly limit of the said lot, Eighty-Two feet (82') more or less to the Westerly limit of the said lot;

THENCE Southerly along the Westerly limit of the said lot, Thirty-Three feet (33') more or less to the place of beginning.

FOURTEENTHLY: part of Lot Eleven (11) on the South side of Nelson Street in the City of London, in the County of Middlesex,

COMMENCING at the Northwest angle of the lot;

THENCE Easterly along the Northerly limit thereof Thirteen feet (13');

THENCE Southerly in a line parallel with the Easterly limit of the said lot One Hundred and Sixty-Five feet (165');

THENCE Easterly in a line parallel with the Northerly limit of the said Lot Seventeen feet (17');

THENCE Southerly in a line parallel with the Easterly limit of the said Lot to the River Thames;

THENCE along the bank of the River with the stream to the Eastern limit of Colborne Street;

THENCE along the Eastern limit of Colborne Street Northerly to the place of beginning.

FIFTEENTHLY: part of Lot Number Twelve (12) on the South side of East Nelson Street described as follows:—

COMMENCING at a point on the Northern limit of said lot, distant One Hundred and Fifty feet (150') Easterly from the North-west angle of Lot Number Eleven (11) on the South side of East Nelson Street;

THENCE Easterly along the Northern limit of said Lot Number Twelve (12) Forty feet (40');

THENCE Southerly parallel with the Eastern limit of said Lot Number Twelve (12) to the Southern limit;

THENCE Westerly along the Southerly limit thereof Forty feet (40');

THENCE Northerly parallel with the Eastern boundary thereof to the place of beginning.

SIXTEENTHLY: that part of Lot Number Twelve (12) on the South side of East Nelson Street described as:

COMMENCING at a point on the Northern limit of said Lot Number Twelve (12) distant One Hundred and Ninety feet (190') from the North-west angle of Lot Number Eleven (11) on the South side of East Nelson Street;

THENCE Easterly along the North limit of Lot Number Twelve (12) Forty feet (40');

THENCE Southerly parallel to the East boundary of Lot Number Twelve (12) to the Southerly boundary thereof;

THENCE Westerly along the South boundary Forty feet (40');

AND THENCE Northerly parallel with the Easterly boundary to the place of beginning.

TOGETHER WITH a right-of-way in, over and upon the Northerly Twelve feet (12') of Lots Numbers Eleven (11) and Twelve (12) on the Northerly side of Trafalgar Street, extending from the River bank on the West across the said last mentioned lands a uniform width of Twelve feet (12').

SEVENTEENTHLY: part of Lot Twelve (12) on the South side of Nelson Street, more particularly described as follows:

COMMENCING on the Northerly limit of Lot Twelve (12), Two Hundred and Thirty feet (230') distant Easterly from the North-west angle of Lot Eleven (11), on the South side of Nelson Street;

THENCE East along the North boundary of Lot Twelve (12), to the East boundary Thirty-four feet (34') more or less;

THENCE South along the East boundary to the South boundary thereof;

THENCE West along the South boundary Thirty-four feet (34');

THENCE North parallel with the East boundary to the place of beginning.

TOGETHER WITH a right-of-way in, over and upon the North Twelve feet (12') of Lots Eleven (11) and Twelve (12) on the North side of Trafalgar Street, extending across the last mentioned lots the uniform width of Twelve feet (12') and the full right and liberty at all times in common with all other persons to a strip of land Twelve feet (12') in width running along the South boundary of Lot Eleven (11) on the South side of Nelson Street.

EIGHTEENTHLY: the whole of Lot 6 and parts of Lots 7 and 8 on the South side of East Hill Street, in the said City of London, and all of Lot 6 and parts of Lots 7 and 8 on the North side of East South Street, in the said City of London, more particularly described as follows:

PREMISING that all bearings herein are referred to the bearing North 20 degrees 45 minutes 00 seconds West of the Westerly limit of Colborne Street, as shown on Registered Plan Number 172;

COMMENCING at the South-westerly angle of said Lot Number 6 on the North side of East South Street;

THENCE North 20 degrees 44 minutes 20 seconds West, along the easterly limit of Waterloo Street, 330.14 feet more or less to the Southerly limit of East Hill Street;

THENCE North 68 degrees 52 minutes 40 seconds East, along the Southerly limit of East Hill Street, 190.93 feet more or less to the production Northerly of the Westerly face of the Westerly face of present School of Nursing situate upon the lands immediately to the East of the lands herein described;

THENCE South 20 degrees 53 minutes 20 seconds East, along said production, along the Westerly face of said wall and along said Westerly face produced Southerly, 117.32 feet more or less to the Southwesterly corner of present concrete area-way on the South side of said School of Nursing;

THENCE North 69 degrees 06 minutes 40 seconds East, 77.20 feet more or less to the Westerly face of the Westerly wall of present Nurses' Residence situate upon the lands immediately to the east of the lands herein described;

THENCE South 20 degrees 52 minutes 10 seconds East, along said Westerly face of said Westerly wall of said Nurses' Residence, 36.80 feet more or less to a jog to the West in said wall;

THENCE South 69 degrees 07 minutes 50 seconds West, along the Northerly face of said jog, 0.72 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

THENCE South 20 degrees 52 minutes 10 seconds East, along the Westerly face of said wall, 20.17 feet more or less to a jog to the East in said wall;

THENCE North 69 degrees 07 minutes 50 seconds East, along the Southerly face of said jog, 0.72 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

THENCE South 20 degrees 52 minutes 10 seconds East, along the Westerly face of said wall, 129.35 feet more or less to a jog to the West in said wall;

THENCE South 68 degrees 41 minutes 30 seconds West, along the northerly face of said jog, 9.27 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

THENCE South 21 degrees 18 minutes 30 seconds East, along the Westerly face of said Westerly wall and along its production Southerly, 26.03 feet more or less to the Northerly limit of East South Street;

THENCE South 68 degrees 58 minutes 40 seconds West, along the Northerly limit of East South Street, 259.74 inches more or less to the place of beginning.

NINETEENTHLY: Lots Numbers Five, Six, Seven, Eight, Nine and Ten (5, 6, 7, 8, 9 and 10) on the South side of Ardaven Place in the said City of London according to Plan Number 445 for the Fourth Division and that part of Lot Number Seven (7) on the East side of Wortley Road more particularly described as follows:

COMMENCING on the East limit of Ridout Street South at the dividing line between Lots Numbers Seven and Eight (7 and 8) on the East side of Wortley Road;

THENCE Southerly along the East side of Ridout Street One Hundred and Seventy-five feet (175');

THENCE Easterly parallel with Grand Avenue One Hundred and Fifty feet (150');

THENCE Southerly parallel with Ridout Street South One Hundred and Twenty feet (120');

THENCE Easterly parallel with Grand Avenue Four Hundred and Twelve point Eighty-seven feet (412.87') more or less to a point distant Westerly One Hundred and Fifty point Thirty-eight feet (150.38') from the Northwest angle of Lot Number Thirteen (13) according to Registered Plan Number 475 being also the Northwest angle of Registered Plan Number 475;

THENCE Northerly in a straight line Two Hundred and Eighty-five point Forty-eight feet (285.48') more or less to the Southwest angle of Lot Number Ten (10) according to Registered Plan Number 451 which angle is a point in the limit between Lots Numbers Seven and Eight (7 and 8) on the East side of Wortley Road;

THENCE Westerly along the limit between Lots Numbers Seven and Eight (7 and 8) on the East side of Wortley Road Five Hundred and Forty-nine point Ninety-four feet (549.94') more or less to the place of beginning.

SCHEDULE B

ALL AND SINGULAR those certain parcels or tracts of lands and premises situate, lying and being in the City of London, in the County of Middlesex and being composed of:

FIRSTLY: part of Lot Number Two (2) on the North side of East Nelson Street in the said City of London, which part of said Lot Number Two (2) may be more particularly described as follows:

COMMENCING at a point on the North side of East Nelson Street being the South west angle of the said Lot:

THENCE Northerly along the Westerly limit thereof One Hundred and Forty-Five feet (145') to a point distant Twenty feet (20') Southerly from the North west angle of the said lot;

THENCE Easterly and parallel with the Northerly limit Thirty-five feet (35');

THENCE Southerly and parallel with the said Westerly limit One hundred and forty-feet (140') to the Southerly limit and East Nelson Street and

THENCE Westerly along the said Southerly limit Thirty-five feet (35') to the place of beginning.

SECONDLY: the Easterly Ninety feet (90') in perpendicular width of Lot Number three (3) on the south side of East South Street;

THIRDLY: the whole of Lot Number four (4) on the south side of East South Street;

FOURTHLY: the northerly One hundred and Thirty-five feet (135') of the westerly Thirty feet (30') of Lot 5 on the south side of east South Street in the said City of London;

FIFTHLY: part of Lot Number Five (5) on the South side of East South Street, which parcel may be more particularly described as follows:

COMMENCING at the North-east angle of said Lot Number five (5);

THENCE Westerly along the Northerly limit of said Lot Seventy-five feet (75');

THENCE Southerly parallel to the Easterly limit of said Lot One Hundred and Thirty-five feet (135');

THENCE Easterly parallel to the Northerly limit of said Lot Seventy-five feet (75') to the Easterly limit thereof;

THENCE Northerly along the Easterly limit of said Lot Number five (5), One hundred and Thirty-five feet (135') to the place of beginning;

SIXTHLY: the Easterly Eighty feet (80') in perpendicular width of Lot three (3) on the North side of East Nelson Street;

SEVENTHLY: of the Southerly Sixty-five feet (65') in perpendicular width of Lot Number four and five (4 and 5) on the North side of East Nelson Street, save and except parts thereof acquired for road widening purposes;

EIGHTHLY: part of the East half of Waterloo Street lying South of South Street in the said City of London, which may be more particularly described as follows:

COMMENCING at the intersection of the Southerly limit of South Street and the original Easterly limit of Waterloo Street, being also the North-west angle of Lot One (1), Registered Plan 189;

THENCE Southerly along the original Easterly limit of Waterloo Street, being also the Westerly limit of said Lot One (1) according to Registered Plan 189, Ninety-Eight feet (98');

THENCE Westerly parallel to the Southerly limit of South Street, Fifty-Seven feet (57');

THENCE North-westerly in a straight line, Thirty-Four feet (34') more or less, to a point in the original centre line of Waterloo Street distant Sixty-Four feet (64') Southerly along the said centre line from its intersection with the said Southerly limit of South Street produced Westerly in a straight line;

THENCE Northerly along the said centre line of Waterloo Street, Sixty-Four feet (64') to the Southerly limit of South Street produced Westerly in a straight line;

AND THENCE Easterly along the Southerly limit of South Street produced Westerly to the place of beginning.

NINTHLY: the whole of Lot Numbers One, Two, Three, Four, Five, Six, Seven and Eight (1, 2, 3, 4, 5, 6, 7 and 8), according to Registered Plan 189.

TENTHLY: the whole of Lot Numbers Seven, Eight, Nine and Ten (7, 8, 9 and 10) on the North side of Nelson Street, the whole of Lot Numbers Seven, Eight, Nine and Ten (7, 8, 9 and 10) on the South side of South Street East, the whole of that part of Nelson Street which lies between the Westerly limit of Colborne Street and the centre of Waterloo Street closed and stopped up by By-Law Number 3411 and all those certain lands lying South of the Southerly limit of that part of Nelson Street closed up as aforesaid and the North bank of the South Branch of the River Thames.

ELEVENTHLY: The whole of Lot Numbers 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 according to Registered Plan No. 215.

TWELFTHLY: those parts of Lots Numbers 11 and 12 on the South side of Nelson Street more particularly described as follows:

COMMENCING on the South side of Nelson Street at a point distant 150 feet measured easterly from the North west angle of Lot Number 11;

THENCE Southerly parallel to the side lines of the said Lots, 165 feet to the point of commencement;

THENCE continuing Southerly in a straight line to the southerly limit of said Lot Number 12;

THENCE Westerly along the southerly limit of said Lot Number 12 and along the Southerly limit of Lot Number 11 to the intersection thereof with the North bank of the South branch of the River Thames;

THENCE continuing Westerly along the said North bank to the intersection thereof with a line drawn parallel to the easterly limit of Colborne Street and distant 30 feet measured easterly along a line drawn parallel to the northerly limit of the said Lot 11 therefrom;

THENCE Northerly along the said last mentioned parallel line to a point distant 165 feet Southerly therealong from the Northerly limit of the said Lot;

THENCE Easterly in a straight line parallel to the Northerly limits of said Lots 11 and 12 to the point of commencement.

THIRTEENTHLY: The whole of the lands bounded on the East by the Westerly limits of Lots 11 and 18 according to Registered Plan Number 215, bounded on the North by the Southerly limits of Lots 11 and 12 on the South side of Nelson Street and bounded on the West and on the South by the North bank of the South branch of the River Thames;

FOURTEENTHLY: The whole of Lots Numbers 21, 22, 23, 24, 25, 36, 37, 38, 39 and 40 according to Registered Plan Number 172 and parts of Lots 7 and 8 on the South side of East Hill Street, in the said City of London, and parts of Lots 7 and 8 on the North side of East South Street, in the said City of London, more particularly described as follows:

PREMISING that all bearings herein are referred to the bearing North 20 degrees 45 minutes 00 seconds West of the Westerly limit of Colborne Street, as shown on said Registered Plan Number 172;

COMMENCING at the South-easterly angle of said Lot 36, being the intersection of the northerly limit of East South Street with the Westerly limit of Colborne Street;

THENCE North 20 degrees 45 minutes 00 seconds West, along the Westerly limit of Colborne Street, 331.32 feet more or less to the Southerly limit of East Hill Street;

THENCE South 68 degrees 52 minutes 40 seconds West, along the southerly limit of East Hill Street, 474.54 feet more or less to the production Northerly of the Westerly face of the Westerly wall of present School of Nursing situate upon the lands herein described;

THENCE South 20 degrees 53 minutes 20 seconds East, along said production, along the Westerly face of said wall and along said Westerly face of said wall produced southerly, 117.32 feet more or less to the south-westerly corner of present concrete area-way on the south side of said School of Nursing;

THENCE North 69 degrees 06 minutes 40 seconds East, 77.20 feet more or less to the Westerly face of the Westerly wall of present Nurses' Residence situate upon the lands herein described;

THENCE South 20 degrees 52 minutes 10 seconds East, along said Westerly face of said Westerly wall of Nurses' Residence, 36.80 feet more or less to a jog to the West in said wall;

THENCE South 69 degrees 07 minutes 50 seconds West, along the Northerly face of said jog, 0.72 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

THENCE South 20 degrees 52 minutes 10 seconds East, along the Westerly face of said wall, 20.77 feet more or less to a jog to the east in said wall;

THENCE North 69 degrees 07 minutes 50 seconds East, along the southerly face of said jog, 0.72 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

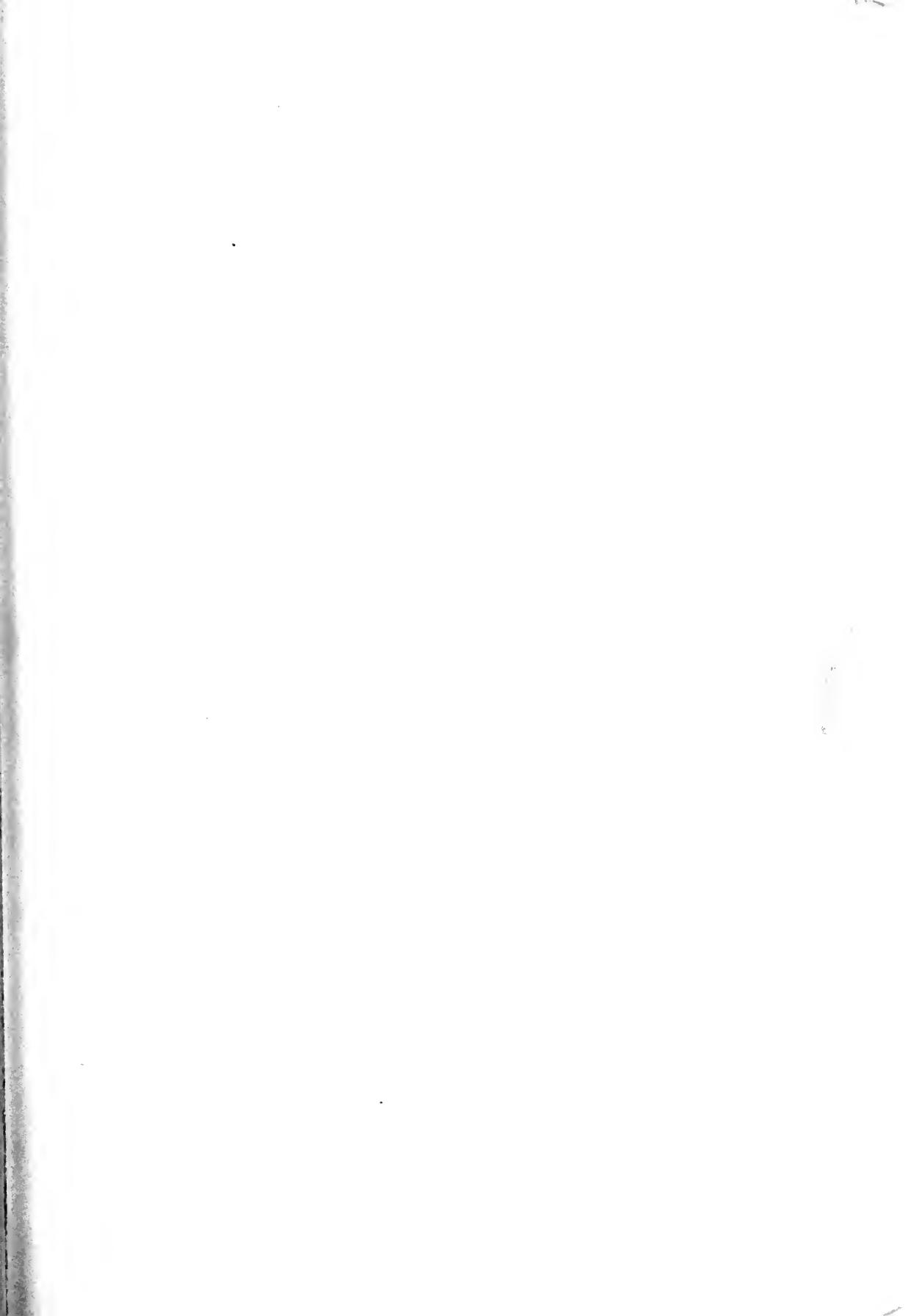
THENCE South 20 degrees 52 minutes 10 seconds East, along said Westerly face of said wall, 129.35 feet more or less to a jog to the West in said wall;

THENCE South 68 degrees 41 minutes 30 seconds West, along the northerly face of said jog, 9.27 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

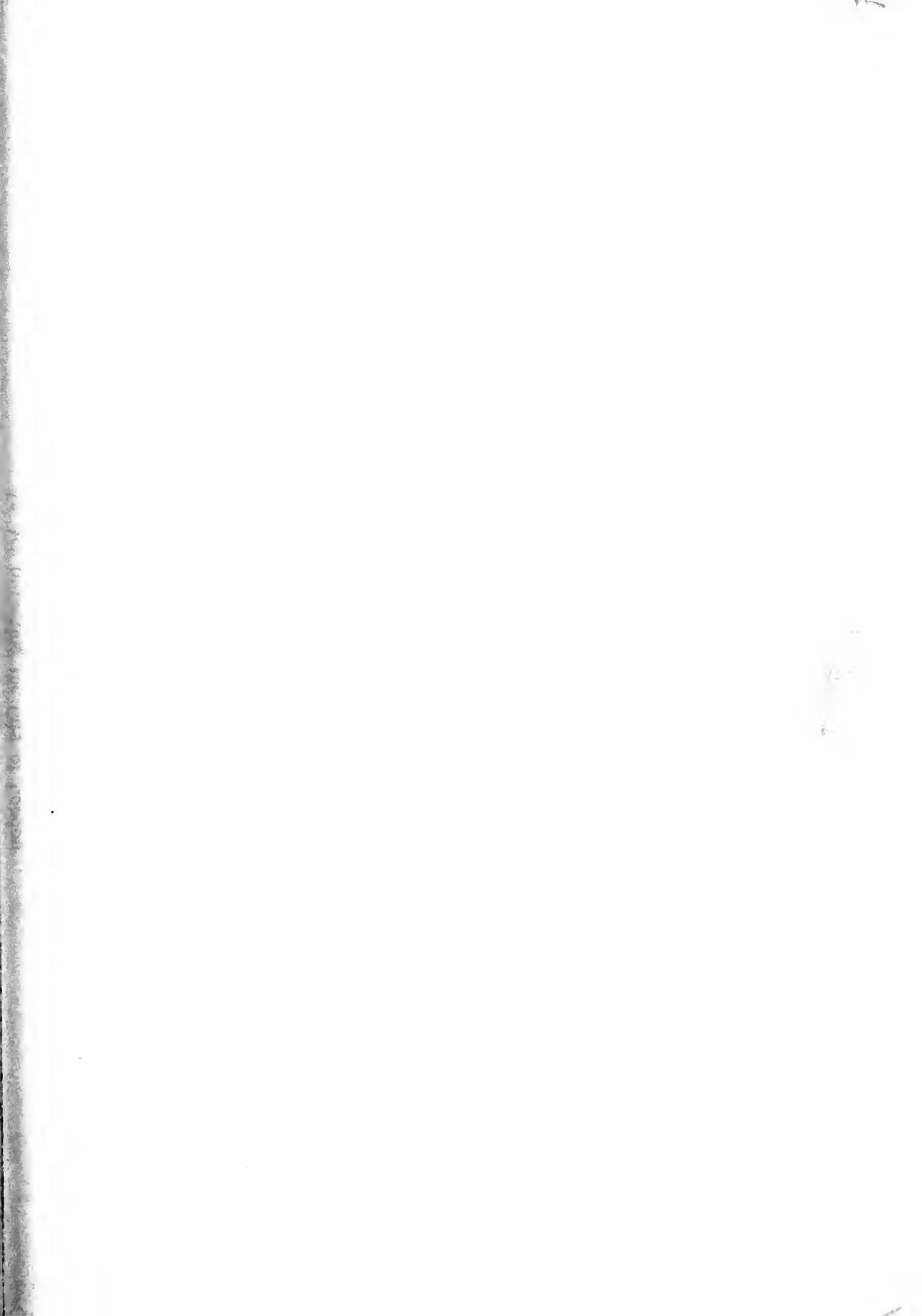
THENCE South 21 degrees 18 minutes 30 seconds East, along the Westerly face of said Westerly wall and along its production Southerly, 26.03 feet more or less to the Northerly limit of East South Street;

THENCE North 68 degrees 58 minutes 40 seconds East, along the Northerly limit of East South Street, 405.78 feet more or less to the place of beginning.

Provided the aforesaid lands shall not be deemed to include any lands lying South of the South limit of Nelson Street and the lands lying South of the South limit of Nelson Street now closed and lying between Waterloo and Colborne Street which lie within the area defined by the Upper Thames River Conservation Authority as "flood plain".







An Act respecting the City of London

1st Reading

April 6th, 1973

2nd Reading

3rd Reading

MR. WALKER

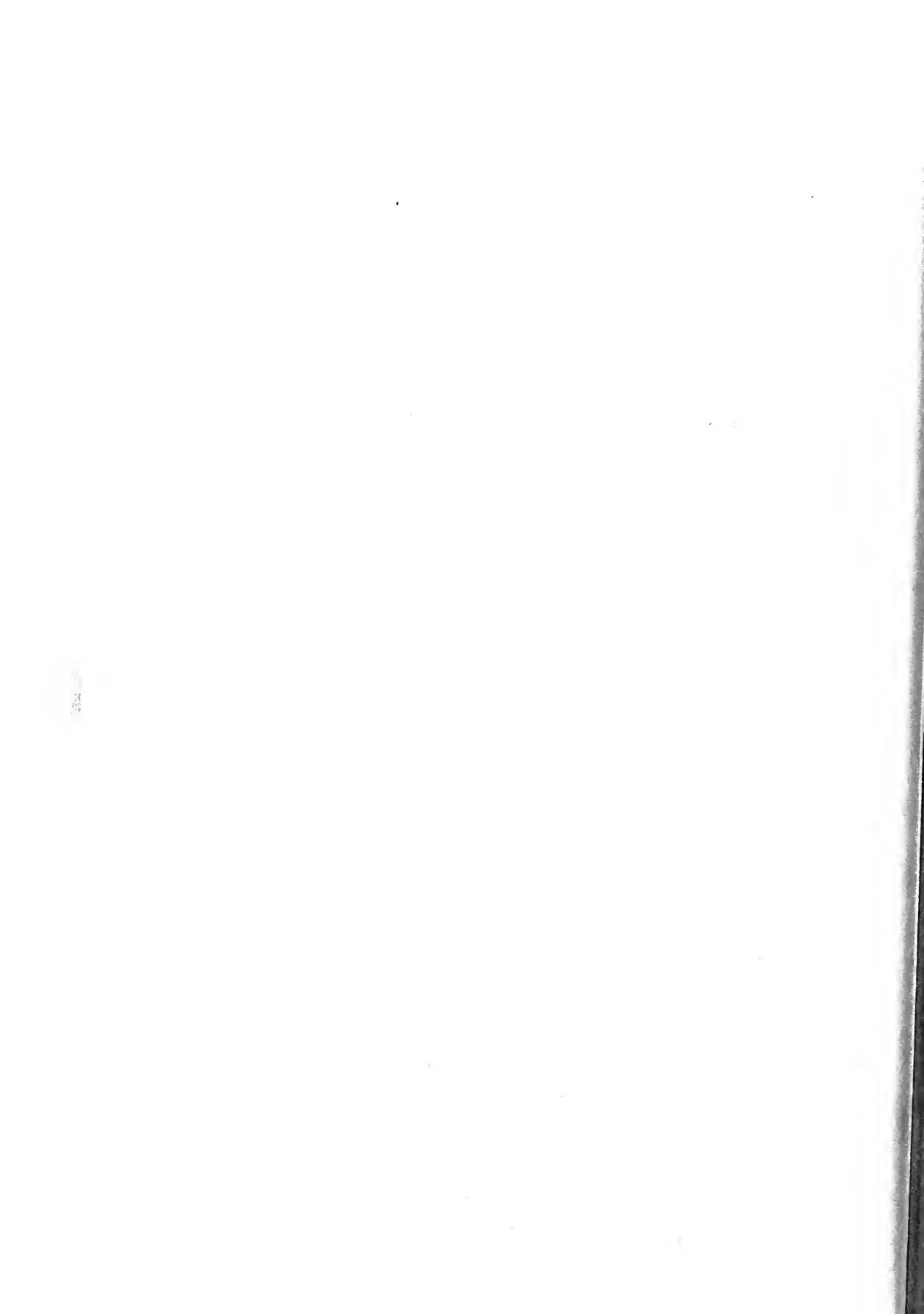
*(Reprinted as amended by
the Private Bills Committee)*

BILL Pr30

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of London

MR. WALKER



BILL Pr30

1973

An Act respecting the City of London

WHEREAS the Board of Hospital Trustees of the City ^{Preamble} of London and The Corporation of the City of London hereby represent that it is desirable to separate the affairs of Victoria Hospital and War Memorial Children's Hospital, London, from The Corporation of the City of London; and to provide for the uninterrupted provision of health care services to the public by vesting the assets, including the lands, subject to the liabilities of the said hospitals, in a non-profit non-share corporation known as Victoria Hospital Corporation; and whereas the applicants hereby apply for special legislation for such purposes; and whereas it is expedient to grant the application;

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

1. In this Act,

Interpre-
tation

- (a) "Board" means The Board of Hospital Trustees of the City of London, established by an Act respecting the General Hospital of the City of London, being chapter 58 of the Statutes of Ontario, 1887;
- (b) "Victoria Hospital" and "War Memorial Children's Hospital" means Victoria Hospital, London, and War Memorial Children's Hospital, London, including laboratories, teaching facilities, residences and other buildings ancillary thereto or used in connection therewith;
- (c) "Victoria Hospital Corporation" means Victoria Hospital Corporation, a corporation without share capital incorporated under Part III of *The Corporations Act* by letters patent dated the 19th day of January, 1973. ^{R.S.O. 1970, c. 89}

2.—(1) All assets of every nature and kind both real and personal and tangible and intangible employed in respect of ^{Vesting and transfer of title}

the operation of Victoria Hospital and War Memorial Children's Hospital, including, but without limiting the generality thereof, the real property described in Schedule A hereto, together with all buildings, improvements, fixtures (together with any chattel which may be considered a fixture) and other 'appurtenances presently situate in or upon the lands described in the said Schedule A and in or upon the lands described in Schedule B hereto, but excluding the said lands described in the said Schedule B hereto, the lessee's interest in all leases, the benefit of all provincial grants and loans, and all furniture, equipment, supplies, accounts receivable, cash on hand, endowment funds, rights, privileges, benefits, trademarks, trade names, patient records and registers and medical records all of which have heretofore been or are now vested in The Corporation of the City of London or in the Board, shall on the 1st day of January, 1974, belong to and be vested in Victoria Hospital Corporation.

Idem

R.S.O. 1970,
cc. 409, 234,
45

(2) For the purposes of *The Registry Act*, *The Land Titles Act*, *The Bills of Sale and Chattel Mortgages Act* or any other Act affecting the title to property, it shall be sufficient to cite this Act as effecting the conveyance, transfer or transmission of title from The Corporation of the City of London and the Board to and the vesting in Victoria Hospital Corporation of real or personal property or of an interest in real or personal property.

Lease of
lands

(3) The Corporation of the City of London is hereby empowered to lease to Victoria Hospital Corporation the said lands described in Schedule B hereto upon such terms and subject to such conditions as The Corporation of the City of London and Victoria Hospital Corporation shall agree, subject to the approval thereof by the Minister of Health.

Liabilities of
Victoria
Hospital
Corporation

(4) Victoria Hospital Corporation shall,

- (a) assume and be liable for the payment of all liabilities existing on the 31st day of December, 1973, in respect of the general management, operation and maintenance of Victoria Hospital and War Memorial Children's Hospital, including construction loans repayable to the Province of Ontario; and
- (b) be bound by the terms of and succeed to the benefit of all contracts, agreements, leases and all other engagements existing on the 31st day of December, 1973, made by The Corporation of the City of London and by the Board in respect of the general management, operation and maintenance of Victoria Hospital and War Memorial Children's Hospital,

provided that notwithstanding the foregoing, The Corporation of the City of London shall retire the presently existing debenture debt created by By-Law No. D.194-461.

3. Subject to *The Public Hospitals Act* and any regulations made thereunder, the general management, operation, equipment and control of Victoria Hospital and War Memorial Children's Hospital shall, on the 1st day of January, 1974, belong to, be vested in and shall be exercised by, Victoria Hospital Corporation.

Management
and control
of hospitals
R.S.O. 1970,
c. 378

4.—(1) All gifts, trusts, bequests, devises and grants of real or personal property or of the income or proceeds thereof, heretofore or hereafter expressed by any person, body politic or corporation by deed or will, to be made, given or conveyed, or intended to be made, given or conveyed to Victoria Hospital or War Memorial Children's Hospital shall, in so far as the same shall not have vested in possession or been carried into effect at the date of the coming into force of this Act, in the absence of an expressed intention to the contrary set out in such deed or will, be construed as though the same had been expressed to be made to Victoria Hospital Corporation and the executor, trustee or other person or corporation charged with the duty of carrying into effect or administering such deed or will shall pay over or transfer all such property to Victoria Hospital Corporation as and when the same became or may become payable, and the receipt of Victoria Hospital Corporation shall be a sufficient discharge therefor.

Charitable
gifts

(2) The reference to the Chairman of the Board of Trustees of Victoria Hospital in the City of London in the last Will and Testament of Harry Meek, deceased, and in the last Will and Testament of Mary E. Meek, deceased, shall be deemed a reference to the Chairman of the governing board of Victoria Hospital Corporation.

Inter-
pretation

5. The powers and duties of the Board shall cease on the 31st day of December, 1973, and the terms of office of each member of the Board shall terminate on such date.

When powers
of Board
cease

6. On and after the 1st day of January, 1974, all claims against and demands arising from or relating to the management, operation or maintenance of Victoria Hospital or War Memorial Children's Hospital or from the exercise of any of the powers of the Board shall be continued against or made upon and brought against Victoria Hospital Corporation and not upon or against the Board or The Corporation of the City of London.

Claims

- Repeals** **7.** The following are repealed:
1. *An Act respecting the General Hospital of the City of London*, being chapter 58 of the Statutes of Ontario, 1887.
 2. Subsection 2 of section 4 of *The City of London Act, 1948*, being chapter 114.
 3. Section 9 of *The City of London Act, 1960*, being chapter 153.
 4. *The City of London Act, 1968-69*, being chapter 152.
- Commence-
ment** **8.**—(1) This Act, except section 7, comes into force on the day it receives Royal Assent.
- Idem** (2) Section 7 comes into force on the 1st day of January, 1974.
- Short title** **9.** This Act may be cited as *The City of London Act, 1973*.

SCHEDULE A

ALL AND SINGULAR those certain parcels or tracts of lands and premises situate, lying and being in the City of London, in the County of Middlesex and being composed of:

FIRSTLY: the East half in perpendicular width of Lot Number Four (4) on the South side of East Hill Street;

SECONDLY: part of the West half of Lot Number Eight (8) on the North side of Hill Street East, which part of said lot may be more particularly described as follows:

COMMENCING on the North side of Hill Street, at the Southwest corner of said lot;

THENCE Easterly along Hill Street, Sixty-Six feet (66');

THENCE Northerly parallel with the side lines of the Lot One Hundred and Sixty-Five feet (165') more or less to the rear of said lot;

THENCE Westerly along the rear of said lot Sixty-Six feet (66') to the North-west corner thereof;

THENCE Southerly along the Western boundary of the lot to the place of beginning.

THIRDLY: that part of Lot Number Eight (8) on the North side of East Hill Street described as follows:

COMMENCING at a point on the North side of East Hill Street distant Forty-Six feet (46') Westerly from the Southeast angle of said lot;

THENCE Westerly along the North side of Hill Street Twenty feet (20');

THENCE Northerly parallel with the side lines of said lot One Hundred and Sixty feet (160') more or less to the Northerly limit of said lot;

THENCE Easterly along the Northerly limit of the said lot Twenty feet (20');

THENCE southerly parallel with the side lines of said lot One Hundred and Sixty feet (160') more or less to the place of beginning.

TOGETHER WITH a right-of-way for all purposes over a strip of land consisting of the Westerly Seven and One-half feet ($7\frac{1}{2}'$) of the Easterly Twenty-Seven and one-half feet ($27\frac{1}{2}'$) of said lot extending from Hill Street to the Northern limit of said lot;

AND TOGETHER WITH a right-of-way for all purposes over a strip of land Ten feet (10') in width extending Westerly from said first mentioned right-of-way to the lands hereby conveyed and adjoining the Northern limit of said lot on the South side thereof, together with the appurtenances thereto.

FOURTHLY: part lot Seven (7) on the North side of East Hill Street in the said City of London and may be more particularly known and described as follows:

COMMENCING on the North side of Hill Street at the Southeast angle of the said Lot;

THENCE West along the North side of Hill Street Sixty-Two feet (62');

THENCE North on a line parallel to the Easterly boundary line of the lot to the rear of the said lot;

THENCE Easterly along the rear or Northerly boundary line of the said lot, Sixty-Two feet (62') to the North-east angle of the said lot;

THENCE South along the Eastern boundary line of the said lot to the place of beginning.

FIFTHLY: part of Lot Number Twenty-Seven (27) in the Plan and sub-division made by Samuel Peters, Provincial Land Surveyor, of Lot Number Eleven (11) on the South side of Hill Street East in the said City of London and other lands, which Plan is registered in the Registry Office of the said City of London as Number 172 and described as follows, that is to say:

COMMENCING at a point in the Easterly limit of Colborne Street distant Sixty-Eight feet (68') South from the North-West angle of said Lot Number Twenty-Seven (27);

THENCE Easterly parallel with East Hill Street Seventy feet (70') more or less to the Easterly limit of lands owned by one Morris Bardenstein, the said point being Fifty feet (50') West of the Easterly limit of said lot;

THENCE Northerly parallel with the Easterly limit of Colborne Street, Sixty-Eight feet (68') more or less to the South limit of East Hill Street;

THENCE Westerly along the Southerly limit of East Hill Street Seventy feet (70') more or less to the Easterly limit of Colborne Street, being the North-West angle of said Lot Number Twenty-Seven (27);

THENCE Southerly along the Easterly limit of Colborne Street Sixty-Eight feet (68') more or less to the place of beginning.

SIXTHLY: part of Lot Number Twenty-Seven (27) according to Registered Plan Number 172 which said part may be more particularly known and described as follows, that is to say:

COMMENCING at a point in the Easterly limit of Colborne Street distant Southerly Sixty-Eight feet (68') from the North-westerly angle of said Lot Number Twenty-Seven (27);

THENCE Southerly along the Easterly limit of Colborne Street Thirty-Two feet (32');

THENCE Easterly parallel to Hill Street, Seventy feet (70');

THENCE Northerly parallel to Colborne Street Thirty-Two feet (32');

THENCE Westerly parallel to Hill Street Seventy feet (70') more or less, to the place of beginning.

SEVENTHLY: the Southerly part of Lot Number Twenty-Six (26) on the South side of East Hill Street in the said City of London according to Registered Plan Number 172, and better known and described as follows, that is to say:

COMMENCING on the East side of Colborne Street at the distance of Thirty-Three feet (33') South from the North-west angle of the lot, and

THENCE South along the Easterly limit of Colborne Street Thirty-Three feet (33');

THENCE Easterly parallel with the Northerly limit of the lot to the Easterly limit of the said lot;

THENCE North along the Easterly limit of the lot Thirty-Three feet (33') to a point Thirty-Three feet (33') Southerly from the North-east angle thereof;

THENCE Westerly parallel to the Northerly limit of the said lot to the place of beginning.

SUBJECT TO AND TOGETHER WITH a right-of-way in, over, and upon a strip of land of the said last described premises which said strip of land may be better described as follows:

COMMENCING on the East side Colborne Street at the distance of Thirty-Three feet (33') South from the North-west angle of the lot;

THENCE North along the East side of Colborne Street Five feet (5');

THENCE East parallel with the Northerly limit of the lot Sixty-Two feet (62');

THENCE in a South-westerly direction One Hundred and Thirty degrees Twelve feet more or less to a point Thirty-Eight feet (38') distant from the Northerly limit of the lot;

THENCE West parallel to the Northerly limit Fifty-one feet Eight inches (51' 8") more or less to the place of beginning.

EIGHTHLY: the whole of Lot Thirty-Four (34) on the East side of Colborne Street, according to Registered Plan 172;

NINTHLY: the whole of Lot Number Thirty-five (35) on the East side of Colborne Street, according to Registered Plan Number 172.

TENTHLY: part of Lot Number Eleven (11) on the South side of East South Street, in the said City of London, which may be described as follows:

COMMENCING on the East side of Colborne Street in the Westerly limit of said Lot, at a point distant Thirty-Five feet (35') Northerly from the South-west angle of the said Lot;

THENCE Northerly along the said Westerly limit, Thirty-Two feet (32');

THENCE Easterly parallel to the Southerly limit of the said Lot, One Hundred feet (100');

THENCE Southerly parallel to Colborne Street, Thirty-Two feet (32');

THENCE Westerly parallel to the Southerly limit of the said lot, One Hundred feet (100') to the place of beginning.

ELEVENTHLY: the Southerly Thirty-Five feet (35') in frontage on Colborne Street, of Lot Number Eleven (11) on the South side of East South Street, in the said City of London and having a depth equal to the width of the lot.

TWELFTHLY: part of Lot Number Eleven (11) on the North side of East Nelson Street in the said City of London which said part may be better known and described as follows:

COMMENCING at a point on the East side of Colborne Street, One Hundred feet (100') North of the South-west angle of said Lot Number Eleven (11);

THENCE Northerly along the East side of Colborne Street, Thirty feet (30');

THENCE Easterly parallel with said East Nelson Street, one Hundred and Thirty-Two feet (132') more or less to the Easterly boundary of said Lot Number Eleven (11);

THENCE Southerly along the said Easterly boundary of said Lot Number Eleven (11) Thirty feet (30');

THENCE Westerly parallel with said East Nelson Street One Hundred and Thirty-Two feet (132'), more or less to the place of beginning.

THIRTEENTHLY: part of Lot Number Eleven (11), on the North side of East Nelson Street and more particularly described as follows:

COMMENCING at the South-west angle of said Lot Number Eleven (11);

THENCE Easterly along the Southerly boundary of the said lot, Eighty-Two feet (82') more or less to a point Fifty feet (50') West of the South-east angle of the said lot;

THENCE Northerly parallel to the Westerly limit of the said lot, Thirty-Three feet (33');

THENCE westerly parallel to the Southerly limit of the said lot, Eighty-Two feet (82') more or less to the Westerly limit of the said lot;

THENCE Southerly along the Westerly limit of the said lot, Thirty-Three feet (33') more or less to the place of beginning.

FOURTEENTHLY: part of Lot Eleven (11) on the South side of Nelson Street in the City of London, in the County of Middlesex,

COMMENCING at the Northwest angle of the lot;

THENCE Easterly along the Northerly limit thereof Thirteen feet (13');

THENCE Southerly in a line parallel with the Easterly limit of the said lot One Hundred and Sixty-Five feet (165');

THENCE Easterly in a line parallel with the Northerly limit of the said Lot Seventeen feet (17');

THENCE Southerly in a line parallel with the Easterly limit of the said Lot to the River Thames;

THENCE along the bank of the River with the stream to the Eastern limit of Colborne Street;

THENCE along the Eastern limit of Colborne Street Northerly to the place of beginning.

FIFTEENTHLY: part of Lot Number Twelve (12) on the South side of East Nelson Street described as follows:—

COMMENCING at a point on the Northern limit of said lot, distant One Hundred and Fifty feet (150') Easterly from the North-west angle of Lot Number Eleven (11) on the South side of East Nelson Street;

THENCE Easterly along the Northern limit of said Lot Number Twelve (12) Forty feet (40');

THENCE Southerly parallel with the Eastern limit of said Lot Number Twelve (12) to the Southern limit;

THENCE Westerly along the Southerly limit thereof Forty feet (40');

THENCE Northerly parallel with the Eastern boundary thereof to the place of beginning.

SIXTEENTHLY: that part of Lot Number Twelve (12) on the South side of East Nelson Street described as:

COMMENCING at a point on the Northern limit of said Lot Number Twelve (12) distant One Hundred and Ninety feet (190') from the North-west angle of Lot Number Eleven (11) on the South side of East Nelson Street;

THENCE Easterly along the North limit of Lot Number Twelve (12) Forty feet (40');

THENCE Southerly parallel to the East boundary of Lot Number Twelve (12) to the Southerly boundary thereof;

THENCE Westerly along the South boundary Forty feet (40');

AND THENCE Northerly parallel with the Easterly boundary to the place of beginning.

TOGETHER WITH a right-of-way in, over and upon the Northerly Twelve feet (12') of Lots Numbers Eleven (11) and Twelve (12) on the Northerly side of Trafalgar Street, extending from the River bank on the West across the said last mentioned lands a uniform width of Twelve feet (12').

SEVENTEENTHLY: part of Lot Twelve (12) on the South side of Nelson Street, more particularly described as follows:

COMMENCING on the Northerly limit of Lot Twelve (12), Two Hundred and Thirty feet (230') distant Easterly from the North-west angle of Lot Eleven (11), on the South side of Nelson Street;

THENCE East along the North boundary of Lot Twelve (12), to the East boundary Thirty-four feet (34') more or less;

THENCE South along the East boundary to the South boundary thereof;

THENCE West along the South boundary Thirty-four feet (34');

THENCE North parallel with the East boundary to the place of beginning.

TOGETHER WITH a right-of-way in, over and upon the North Twelve feet (12') of Lots Eleven (11) and Twelve (12) on the North side of Trafalgar Street, extending across the last mentioned lots the uniform width of Twelve feet (12') and the full right and liberty at all times in common with all other persons to a strip of land Twelve feet (12') in width running along the South boundary of Lot Eleven (11) on the South side of Nelson Street.

EIGHTEENTHLY: the whole of Lot 6 and parts of Lots 7 and 8 on the South side of East Hill Street, in the said City of London, and all of Lot 6 and parts of Lots 7 and 8 on the North side of East South Street, in the said City of London, more particularly described as follows:

PREMISING that all bearings herein are referred to the bearing North 20 degrees 45 minutes 00 seconds West of the Westerly limit of Colborne Street, as shown on Registered Plan Number 172;

COMMENCING at the South-westerly angle of said Lot Number 6 on the North side of East South Street;

THENCE North 20 degrees 44 minutes 20 seconds West, along the easterly limit of Waterloo Street, 330.14 feet more or less to the Southerly limit of East Hill Street;

THENCE North 68 degrees 52 minutes 40 seconds East, along the Southerly limit of East Hill Street, 190.93 feet more or less to the production Northerly of the Westerly face of the Westerly face of present School of Nursing situate upon the lands immediately to the East of the lands herein described;

THENCE South 20 degrees 53 minutes 20 seconds East, along said production, along the Westerly face of said wall and along said Westerly face produced Southerly, 117.32 feet more or less to the Southwesterly corner of present concrete area-way on the South side of said School of Nursing;

THENCE North 69 degrees 06 minutes 40 seconds East, 77.20 feet more or less to the Westerly face of the Westerly wall of present Nurses' Residence situate upon the lands immediately to the east of the lands herein described;

THENCE South 20 degrees 52 minutes 10 seconds East, along said Westerly face of said Westerly wall of said Nurses' Residence, 36.80 feet more or less to a jog to the West in said wall;

THENCE South 69 degrees 07 minutes 50 seconds West, along the Northerly face of said jog, 0.72 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

THENCE South 20 degrees 52 minutes 10 seconds East, along the Westerly face of said wall, 20.17 feet more or less to a jog to the East in said wall;

THENCE North 69 degrees 07 minutes 50 seconds East, along the Southerly face of said jog, 0.72 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

THENCE South 20 degrees 52 minutes 10 seconds East, along the Westerly face of said wall, 129.35 feet more or less to a jog to the West in said wall;

THENCE South 68 degrees 41 minutes 30 seconds West, along the northerly face of said jog, 9.27 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

THENCE South 21 degrees 18 minutes 30 seconds East, along the Westerly face of said Westerly wall and along its production Southerly, 26.03 feet more or less to the Northerly limit of East South Street;

THENCE South 68 degrees 58 minutes 40 seconds West, along the Northerly limit of East South Street, 259.74 inches more or less to the place of beginning.

NINETEENTHLY: Lots Numbers Five, Six, Seven, Eight, Nine and Ten (5, 6, 7, 8, 9 and 10) on the South side of Ardaven Place in the said City of London according to Plan Number 445 for the Fourth Division and that part of Lot Number Seven (7) on the East side of Wortley Road more particularly described as follows:

COMMENCING on the East limit of Ridout Street South at the dividing line between Lots Numbers Seven and Eight (7 and 8) on the East side of Wortley Road;

THENCE Southerly along the East side of Ridout Street One Hundred and Seventy-five feet (175');

THENCE Easterly parallel with Grand Avenue One Hundred and Fifty feet (150');

THENCE Southerly parallel with Ridout Street South One Hundred and Twenty feet (120');

THENCE Easterly parallel with Grand Avenue Four Hundred and Twelve point Eighty-seven feet (412.87') more or less to a point distant Westerly One Hundred and Fifty point Thirty-eight feet (150.38') from the Northwest angle of Lot Number Thirteen (13) according to Registered Plan Number 475 being also the Northwest angle of Registered Plan Number 475;

THENCE Northerly in a straight line Two Hundred and Eighty-five point Forty-eight feet (285.48') more or less to the Southwest angle of Lot Number Ten (10) according to Registered Plan Number 451 which angle is a point in the limit between Lots Numbers Seven and Eight (7 and 8) on the East side of Wortley Road;

THENCE Westerly along the limit between Lots Numbers Seven and Eight (7 and 8) on the East side of Wortley Road Five Hundred and Forty-nine point Ninety-four feet (549.94') more or less to the place of beginning.

SCHEDULE B

ALL AND SINGULAR those certain parcels or tracts of lands and premises situate, lying and being in the City of London, in the County of Middlesex and being composed of:

FIRSTLY: part of Lot Number Two (2) on the North side of East Nelson Street in the said City of London, which part of said Lot Number Two (2) may be more particularly described as follows:

COMMENCING at a point on the North side of East Nelson Street being the South west angle of the said Lot:

THENCE Northerly along the Westerly limit thereof One Hundred and Forty-Five feet (145') to a point distant Twenty feet (20') Southerly from the North west angle of the said lot;

THENCE Easterly and parallel with the Northerly limit Thirty-five feet (35');

THENCE Southerly and parallel with the said Westerly limit One hundred and forty-feet (140') to the Southerly limit and East Nelson Street and

THENCE Westerly along the said Southerly limit Thirty-five feet (35') to the place of beginning.

SECONDLY: the Easterly Ninety feet (90') in perpendicular width of Lot Number three (3) on the south side of East South Street;

THIRDLY: the whole of Lot Number four (4) on the south side of East South Street;

FOURTHLY: the northerly One hundred and Thirty-five feet (135') of the westerly Thirty feet (30') of Lot 5 on the south side of east South Street in the said City of London;

FIFTHLY: part of Lot Number Five (5) on the South side of East South Street, which parcel may be more particularly described as follows:

COMMENCING at the North-east angle of said Lot Number five (5);

THENCE Westerly along the Northerly limit of said Lot Seventy-five feet (75');

THENCE Southerly parallel to the Easterly limit of said Lot One Hundred and Thirty-five feet (135');

THENCE Easterly parallel to the Northerly limit of said Lot Seventy-five feet (75') to the Easterly limit thereof;

THENCE Northerly along the Easterly limit of said Lot Number five (5), One hundred and Thirty-five feet (135') to the place of beginning;

SIXTHLY: the Easterly Eighty feet (80') in perpendicular width of Lot three (3) on the North side of East Nelson Street;

SEVENTHLY: of the Southerly Sixty-five feet (65') in perpendicular width of Lot Number four and five (4 and 5) on the North side of East Nelson Street, save and except parts thereof acquired for road widening purposes;

EIGHTHLY: part of the East half of Waterloo Street lying South of South Street in the said City of London, which may be more particularly described as follows:

COMMENCING at the intersection of the Southerly limit of South Street and the original Easterly limit of Waterloo Street, being also the North-west angle of Lot One (1), Registered Plan 189;

THENCE Southerly along the original Easterly limit of Waterloo Street, being also the Westerly limit of said Lot One (1) according to Registered Plan 189, Ninety-Eight feet (98');

THENCE Westerly parallel to the Southerly limit of South Street, Fifty-Seven feet (57');

THENCE North-westerly in a straight line, Thirty-Four feet (34') more or less, to a point in the original centre line of Waterloo Street distant Sixty-Four feet (64') Southerly along the said centre line from its intersection with the said Southerly limit of South Street produced Westerly in a straight line;

THENCE Northerly along the said centre line of Waterloo Street, Sixty-Four feet (64') to the Southerly limit of South Street produced Westerly in a straight line;

AND THENCE Easterly along the Southerly limit of South Street produced Westerly to the place of beginning.

NINTHLY: the whole of Lot Numbers One, Two, Three, Four, Five, Six, Seven and Eight (1, 2, 3, 4, 5, 6, 7 and 8), according to Registered Plan 189.

TENTHLY: the whole of Lot Numbers Seven, Eight, Nine and Ten (7, 8, 9 and 10) on the North side of Nelson Street, the whole of Lot Numbers Seven, Eight, Nine and Ten (7, 8, 9 and 10) on the South side of South Street East, the whole of that part of Nelson Street which lies between the Westerly limit of Colborne Street and the centre of Waterloo Street closed and stopped up by By-Law Number 3411 and all those certain lands lying South of the Southerly limit of that part of Nelson Street closed up as aforesaid and the North bank of the South Branch of the River Thames.

ELEVENTHLY: The whole of Lot Numbers 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 according to Registered Plan No. 215.

TWELFTHLY: those parts of Lots Numbers 11 and 12 on the South side of Nelson Street more particularly described as follows:

COMMENCING on the South side of Nelson Street at a point distant 150 feet measured easterly from the North west angle of Lot Number 11;

THENCE Southerly parallel to the side lines of the said Lots, 165 feet to the point of commencement;

THENCE continuing Southerly in a straight line to the southerly limit of said Lot Number 12;

THENCE Westerly along the southerly limit of said Lot Number 12 and along the Southerly limit of Lot Number 11 to the intersection thereof with the North bank of the South branch of the River Thames;

THENCE continuing Westerly along the said North bank to the intersection thereof with a line drawn parallel to the easterly limit of Colborne Street and distant 30 feet measured easterly along a line drawn parallel to the northerly limit of the said Lot 11 therefrom;

THENCE Northerly along the said last mentioned parallel line to a point distant 165 feet Southerly therealong from the Northerly limit of the said Lot;

THENCE Easterly in a straight line parallel to the Northerly limits of said Lots 11 and 12 to the point of commencement.

THIRTEENTHLY: The whole of the lands bounded on the East by the Westerly limits of Lots 11 and 18 according to Registered Plan Number 215, bounded on the North by the Southerly limits of Lots 11 and 12 on the South side of Nelson Street and bounded on the West and on the South by the North bank of the South branch of the River Thames;

FOURTEENTHLY: The whole of Lots Numbers 21, 22, 23, 24, 25, 36, 37, 38, 39 and 40 according to Registered Plan Number 172 and parts of Lots 7 and 8 on the South side of East Hill Street, in the said City of London, and parts of Lots 7 and 8 on the North side of East South Street, in the said City of London, more particularly described as follows:

PREMISING that all bearings herein are referred to the bearing North 20 degrees 45 minutes 00 seconds West of the Westerly limit of Colborne Street, as shown on said Registered Plan Number 172;

COMMENCING at the South-easterly angle of said Lot 36, being the intersection of the northerly limit of East South Street with the Westerly limit of Colborne Street;

THENCE North 20 degrees 45 minutes 00 seconds West, along the Westerly limit of Colborne Street, 331.32 feet more or less to the Southerly limit of East Hill Street;

THENCE South 68 degrees 52 minutes 40 seconds West, along the southerly limit of East Hill Street, 474.54 feet more or less to the production Northerly of the Westerly face of the Westerly wall of present School of Nursing situate upon the lands herein described;

THENCE South 20 degrees 53 minutes 20 seconds East, along said production, along the Westerly face of said wall and along said Westerly face of said wall produced southerly, 117.32 feet more or less to the south-westerly corner of present concrete area-way on the south side of said School of Nursing;

THENCE North 69 degrees 06 minutes 40 seconds East, 77.20 feet more or less to the Westerly face of the Westerly wall of present Nurses' Residence situate upon the lands herein described;

THENCE South 20 degrees 52 minutes 10 seconds East, along said Westerly face of said Westerly wall of Nurses' Residence, 36.80 feet more or less to a jog to the West in said wall;

THENCE South 69 degrees 07 minutes 50 seconds West, along the Northerly face of said jog, 0.72 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

THENCE South 20 degrees 52 minutes 10 seconds East, along the Westerly face of said wall, 20.77 feet more or less to a jog to the east in said wall;

THENCE North 69 degrees 07 minutes 50 seconds East, along the southerly face of said jog, 0.72 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

THENCE South 20 degrees 52 minutes 10 seconds East, along said Westerly face of said wall, 129.35 feet more or less to a jog to the West in said wall;

THENCE South 68 degrees 41 minutes 30 seconds West, along the northerly face of said jog, 9.27 feet more or less to the Westerly face of the Westerly wall of said Nurses' Residence;

THENCE South 21 degrees 18 minutes 30 seconds East, along the Westerly face of said Westerly wall and along its production Southerly, 26.03 feet more or less to the Northerly limit of East South Street;

THENCE North 68 degrees 58 minutes 40 seconds East, along the Northerly limit of East South Street, 405.78 feet more or less to the place of beginning.

Provided the aforesaid lands shall not be deemed to include any lands lying South of the South limit of Nelson Street and the lands lying South of the South limit of Nelson Street now closed and lying between Waterloo and Colborne Street which lie within the area defined by the Upper Thames River Conservation Authority as "flood plain".





An Act respecting the City of London

1st Reading

April 6th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. WALKER

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Township of Sarnia

MR. BULLBROOK

BILL Pr31

1973

An Act respecting the Township of Sarnia

WHEREAS The Corporation of the Township of Sarnia, Preamble
 herein called the Corporation, hereby applies for special
 legislation in respect of the matters hereinafter set forth;
 and whereas it is expedient to grant the application;

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

1.—(1) The Corporation may, without petition but on the report of its Engineer set forth as Schedule A hereto, by By-law authorizing drainage works by-law approved by the Ontario Municipal Board, adopt the said report and undertake and complete the work provided for therein, hereinafter called the drainage works, in two stages as set forth in the said report, and all the provisions of *The Drainage Act* shall apply *mutatis mutandis* except R.S.O. 1970, c. 136 as otherwise provided in this Act or in the said report.

(2) The assessments upon lands shall be deemed to have been made under *The Drainage Act*. Assessments deemed made under R.S.O. 1970, c. 136

(3) The drainage works shall be deemed to have been undertaken in accordance with the provisions of section 3 of *The Drainage Act*. Application of R.S.O. 1970, c. 136, s. 3

(4) The said report when adopted by the said by-law shall be deemed to have been adopted in accordance with *The Drainage Act*. Report deemed adopted under R.S.O. 1970, c. 136

(5) The schedules to the said report form a part of the said report even though they are not included in Schedule A hereto. Schedules form part of report

(6) By by-law approved by the Ontario Municipal Board, the Corporation may amend the by-law passed under subsection 1 and may adopt a report of its Engineer amending a report adopted under this Act. Amendments to by-law

Passage of
by-law not
prevented by
appeals

2. A by-law may be passed under this Act before the time for any appeal under *The Drainage Act* has expired and if there is any appeal, before any appeal has been decided.

Non-appli-
cation of
R.S.O. 1970,
c. 136, s. 24,
(2, 3, 5, 6)

3.—(1) Subsections 2, 3, 5 and 6 of section 24 of *The Drainage Act* do not apply to a by-law passed pursuant to this Act.

Publication of
notice of
passage of
by-law

(2) When the by-law adopting the said report has been passed pursuant to section 1, there shall be published at least once a week for two consecutive weeks in a newspaper which in the opinion of the clerk has such circulation within the area affected by the by-law as to provide reasonable notice to those affected thereby a notice of the passing of the by-law and of the sitting of the court of revision and such notice shall state that amounts are assessed against lands and that the by-law and report and its assessment schedules may be examined in the clerk's office.

Mailing of
by-law, etc.,
not required

(3) Notwithstanding the provisions of section 29 of *The Drainage Act*, a copy of the by-law and a notice of the sitting of the court of revision need not be mailed to any owner of land.

Sittings of
court of
revision

(4) Notwithstanding the provisions of section 31 of *The Drainage Act*, the first sitting of the court of revision of the local municipality in which the lands and roads assessed are situate shall be held on a day not earlier than twenty days and not later than thirty days from the date of the last publication of the notice provided for in subsection 2.

Clerk to
alter
assessments

4. Notwithstanding the provisions of section 34 of *The Drainage Act*, any change in assessment made by the court of revision or by the judge shall be given effect to by the clerk of the local municipality altering the assessments and other parts of the schedule to comply therewith and sending notice thereof to the owners affected and the assessment schedules to the said report shall be altered to carry out any changes so made by the court of revision or by the judge.

Notice of
application to
O.M.B.

5. Notice of any application to the Ontario Municipal Board for any approval required under this Act may be given by publication thereof in a newspaper which in the opinion of the clerk has such circulation within the area affected by the by-law as to provide reasonable notice to those affected thereby in such form and manner as the Ontario Municipal Board may direct and need not be served on or sent to any person other than the persons set forth in subsection 1 of section 24 of *The Drainage Act*.

6. The by-law adopting the report and authorizing the work may be in Form 4 of *The Drainage Act*, but revised to give effect to the special provisions and powers of this Act. Form of by-law R.S.O. 1970, c. 136

7. Without limiting the generality of the provisions of *The Drainage Act* and of the said report relating to the items to be included in the costs of a drainage works, the following may be included in the costs of the drainage works: What may be included in cost of drainage works

1. Engineering expenses.
2. Cost of publishing and service of notices.
3. Interest on temporary loans and on debentures.
4. Compensation for lands acquired or taken for the purposes of the drainage works or injuriously affected by it and the expenses incurred by the Corporation in connection with acquiring lands and determining compensation.
5. The estimated cost of the issue and sale of debentures and any discount allowed to the purchasers of them.

8. In addition to raising costs of the drainage works by the assessment method authorized in *The Drainage Act*, the Corporation may raise such part of the costs of the drainage works as the report specifies by a mill rate on the rateable property in the area described in Appendix 1 to the said report and any amount so levied on the rateable property shall be deemed charges and assessments and rates for a drainage works under *The Drainage Act*. Mill rate may be imposed for part of costs of drainage works

9. The provisions of sections 13, 14, 15 and 17 of *The Drainage Act* relating to the preparation and form of the assessment schedule and the right to appeal about assessment provided for in *The Drainage Act* shall not apply to the amount to be raised by a mill rate on rateable property. Non-application of R.S.O. 1970, c. 136, ss. 13, 14, 15, 17

10. Sections 35, 36, 38 and 72 of *The Drainage Act* shall not apply to any by-law passed pursuant to this Act and to the drainage works undertaken pursuant to any such by-law and there shall be no right to appeal from the said report or with respect to the said drainage works. Idem. ss. 35, 36, 38, 72

11. Upon the practical completion of each of the two stages of the drainage works provided for in the said report, a drainage works shall be considered to have been completed. When works completed

12. The drainage works constructed under the terms hereof shall be maintained and improved in accordance with the provisions in the said report and of *The Drainage Act*. Maintenance

- Conflict** **13.** The provisions of this Act shall apply notwithstanding the provisions of any general or special Act and, in the event of any conflict between this Act and any general or special Act, this Act shall prevail.
- Power to acquire land** **14.** For the purposes of the drainage works authorized by this Act the Corporation may acquire or expropriate any land and may make any contracts relating to the said drainage works and matters incidental thereto.
- Deemed drainage works under R.S.O. 1970, c. 136** **15.** The drainage works shall be deemed to be a drainage works constructed under a by-law passed under *The Drainage Act*.
- Commencement** **16.** This Act comes into force on the day it receives Royal Assent.
- Short title** **17.** This Act may be cited as *The Township of Sarnia Act, 1973*.

SCHEDULE A

THE REEVE AND COUNCIL,
Township of Sarnia.

February 23, 1973.

Gentlemen:

In accordance with your authorization by a resolution dated November 13, 1972 we have completed an investigation relating to the drainage implications concerned with the construction of the proposed Telfer Diversion Channel and Pulse Creek Drain Diversion Channel. These joint projects are intended to be carried out in conjunction with the construction of the controlled access Highway 402 by the Ministry of Transportation and Communications. The proposed Telfer Diversion Channel is to be constructed in part during the Highway construction and completed at a later date. The proposed Pulse Creek Drain Diversion Channel is to be completed during the Highway construction.

The nature of the proposed Highway construction is such that large volumes of fill will be necessary. It is usual that the necessary fill material is obtained in borrow pits which, in level lands such as this area, would result in large areas being occupied by 10 to 12 foot deep holes with a highly undesirable impact on the environment. The Report for Sewerage and Drainage for the City of Sarnia and the Township of Sarnia dated February, 1969 by James F. McLaren Limited recommended that the rural flow from the Perch Drain, sometimes known locally as the Wawanosh Drain, be diverted northerly at the east side of 12/13 Sideroad to rejoin the Drain near its junction with the present Pulse Creek Drain in the Front Concession. This was recommended to provide a suitable outlet for the lands upstream from the proposed diversion and to avoid mixing the relatively clear rural flow with the often highly contaminated urban flow. The Perch Drain downstream from the proposed diversion will be draining an area in Sarnia Township described in Appendix I hereto which is developing in an urban manner. The anticipated runoff from the urban developing area will require some form of treatment before being discharged into Lake Huron.

It is obvious that these two projects (the construction of the Highway and the construction of the Telfer Diversion Channel) should be combined so that the acceptable fill material from the Diversion Channel will be available for use in the Highway construction. The material thus obtained would satisfy a substantial portion of the Highway needs without the necessity of defacing the landscape and also would construct for the Township the major portion of the Diversion Channel. These two projects being undertaken together now is desirable even though the Telfer Diversion Channel may not be required for some ten years.

Carrying one step further this consideration of reducing the number of borrow pits required, a diversion of the Pulse Creek Drain from its junction with the new Highway westerly into the proposed Telfer Diversion Channel would provide additional fill material and at the same time result in benefits to the Township in addition to the reduction of unsightly borrow pits. It has been estimated by the Ministry that nearly 90% of its fill requirements can be obtained from these two Diversion Channels. A conservative estimate of the long term savings for the Township by this construction now of part of the Telfer Diversion Channel is 1.5 million dollars.

The aforementioned considerations probably justify the scheme. However, certain secondary advantages would accrue to the Township by the undertaking of the Diversions. There are several drains which have been constructed or are being maintained under the provisions of *The Drainage Act* which would receive immediate benefit, with the lands upstream being provided with a more satisfactory outlet and the lands downstream benefiting by the cutting off of the continually increasing flow from the upstream lands. The latter point is particularly significant for the Telfer Diversion Channel since development in the London Road area would, in the foreseeable future result in many of the downstream structures on drains becoming inadequate as the flow rates increase due to changes in the land use. The Pulse Creek Drain Diversion Channel will result in similar benefits both upstream and downstream from the Highway. The Ministry of Transportation and Communications would be relieved of installing several structures through the new Highway which would be required to accommodate existing drains severed by the new Highway. Also the Ministry would benefit indirectly since it would normally be involved, in the form of grants, in the future reconstruction of many downstream structures on these drains which are either obsolete or would soon require replacement due to lack of capacity.

The primary purpose of this report is to deal with the implications of the proposals on the drains physically affected and those others which are tributary to the present Perch Drain and Pulse Creek Drain. While the major portion of the costs to be incurred by the Township for the Telfer Diversion Channel is to be borne by the rateable property in the urban developing area which is in fact creating the need for the diversion, there are certain costs to be incurred which are directly related to improvements to intercepted drains which should properly be assessed to those lands affected. Also, the Pulse Creek Drain Diversion Channel, which is unrelated to the urban development, will result in substantial benefits to the tributary lands and costs incurred with respect to this Channel should be the responsibility of the lands in the drainage area involved. Maintenance of these drains in their new forms can no longer be strictly related to previous drainage by-laws and therefore this report must also deal with maintenance.

It is proposed at this time to obtain all the land required for the two diversion channels, to construct the Pulse Creek Drain Diversion Channel utilizing the fill material for Highway purposes and to excavate the section of the Telfer Diversion Channel north of Highway 7 to the extent that suitable fill material is available for the Highway purposes. In view of the varying levels of acceptable fill material throughout it will be necessary to construct a relatively small auxiliary channel in the bottom of the Telfer Diversion Channel excavation through materials unacceptable for the Highway purposes in order to properly drain the larger excavation. This work will also involve the installation of bridge structures at the Airport Road, Highway 402, the Jackson Road, and Michigan Avenue together with an inlet works where the Pulse Creek Drain Diversion Channel meets the Telfer Diversion Channel. It is anticipated that the Township and the Ministry will enter into a Contract making all of the work described above in this paragraph and the costs of the land acquisition north of the London Road the responsibility of the Ministry of Transportation and Communications. Drawings which will be furnished if the work is to proceed will outline the work to be done at the present time as well as the form of the final channels. All other costs involved in the implementation of the present work and the final channels, excepting the bridge structure at the London Road, shall be the responsibility of the Township of Sarnia. The decision as to the time of completing the second stage of the Telfer Diversion Channel project shall be made by the Township when the extent of urban development dictates.

It is proposed that the O'Dolphy-Snauwaert and the Storey Drains which are located to the west of the proposed Telfer Diversion Channel be diverted into the said Diversion Channel by means of an open channel abutting the south limit of Highway 402 and proceeding easterly from the O'Dolphy-Snauwaert Drain into the said Diversion Channel. Since the excavated material from this work will be available to the Ministry for highway purposes, it is proposed to undertake this minor Diversion Channel on the same basis as the major Diversion Channels. There will, however, be costs incurred at the entrances of the aforementioned open channel and the Pollard, Hind, Rooney, Pulse Creek and Luckins Drains into the new Diversion Channels. In view of the resulting benefits to these drains both upstream and down, it is proposed that these costs be borne by the individual drainage areas affected. In this connection since the Broughton Drain will be benefited by the Pollard Drain improvements and the construction of the Telfer Diversion Channel, the Broughton Drain area should be so assessed. Included in the assessment against the Pulse Creek Drain area are all costs, in connection with the construction of the Pulse Creek Diversion Channel not otherwise provided for since this channel is not related to the separation of the rural and urban flows. All costs relating to the Telfer Diversion Channel project to be borne by the Township and not otherwise provided for shall be assessed against the rateable property in the urban developing area described in Appendix I hereto. This work shall be done and the drains and Channels operated and maintained pursuant to *The Drainage Act* except to the extent otherwise provided for in the special legislation enabling the Township to undertake this work. Cost estimates of the work relating to these drains, plans, profiles, specifications for the work, and assessment schedules for the individual drainage areas are supplements to this report.

The makeup of the tributary areas of the present Perch Drain and Pulse Creek Drain will change upon the completion of each stage of this scheme. Therefore the maintenance responsibilities for the existing drains and new channels must be established. Maintenance schedules will be prepared setting out these responsibilities with Schedule "A" relating to the maintenance of the Telfer Diversion Channel prior to the completion of both stages, Schedule "B" relating to the maintenance of the Pulse Creek Drain Diversion Channel, and Schedule "C" relating to the maintenance of the Telfer Diversion Channel after completion of both stages. Schedule "C" at that time shall also apply to maintenance downstream on the Perch Drain from the north end of the Telfer Diversion Channel to Lake Huron, but in this case, the lands tributary to those parts of the present Perch Drain and Pulse Creek Drain not being diverted shall contribute 1/3 of any costs incurred in the said maintenance with the Pulse Creek Drain lands downstream from the Pulse Creek Drain Diversion Channel contributing 10% of this amount. The existing Perch Drain shall be maintained prior to the completion of the Telfer Diversion Channel system as provided in By-law #19 of 1969 except that those lands assessed to the O'Dolphy-Snauwaert, Storey, Pollard, Broughton, and Hind Drains south of the Telfer Diversion Channel and the Luckins Drain east of the Telfer Diversion Channel shall not be assessed. Except as otherwise provided in this report and any supplements to it the existing Pulse Creek Drain shall be maintained as provided in By-law #34 of 1972 except that those lands tributary to the Rooney Drain south of the Pulse Creek Drain Diversion Channel shall not be assessed. All the drains intercepted by the Diversion Channel except the Pulse Creek Drain shall be maintained as provided in the assessment schedules which are supplements to this report. With respect to any drain intercepted by the Diversion Channels, maintenance work on such drain downstream from a Diversion Channel shall not be charged to lands tributary to that drain upstream from the Diversion Channel and maintenance work on such drain upstream from the Diversion Channel shall not be charged to lands tributary to that drain downstream from the Diversion Channel. In each case the assessment for the Ministry of Transportation and Communications shall be reduced by one-half.

Upon the completion of stage 2 of the Telfer Diversion Channel project the remaining lands tributary to the Perch Drain and not discharging into the Telfer Diversion Channel shall be responsible for maintaining the Perch Drain downstream from the south end of the Telfer Diversion Channel to the north end of the Telfer Diversion Channel as provided in the aforementioned By-law #19 of 1968. These proportions shall also apply to the heretofore stipulated share of maintenance work on the Perch Drain downstream from the north end of the Telfer Diversion Channel. Upstream from the south end of the Telfer Diversion Channel, the Perch Drain shall be maintained as provided in the last relevant by-law for the section to be maintained with only lands abutting the maintenance work and upstream being assessed.

All of the provisions for maintenance set out under this report shall remain in force until such time as they are altered under the provision of the then current *Drainage Act* of Ontario.

The work provided for by this report is conditional upon and is only to be undertaken if the Minister of Transportation and Communications and the Township enter into a Contract setting out the work and costs for which the Minister will be responsible.

Yours respectfully,

For:

Monteith-Ingram Engineering Limited,
Consulting Engineers,
Petrolia, Ontario.

APPENDIX I

DESCRIPTION OF AREA DESIGNATED FOR
URBAN DEVELOPMENT

COMMENCING at the point of intersection of the water's edge of Lake Huron with the westerly limit of the Township of Sarnia;

THENCE northeasterly along the water's edge of Lake Huron to where the same is intersected by the line between Lots 49 and 50, Front Concession;

THENCE southerly along the said line between Lots 49 and 50 [partly running approximately parallel with the easterly limit of Mater Drive and easterly therefrom at a perpendicular distance of approximately two hundred and fifty-six feet (256')] to where the same is intersected by the westerly limit of the Canadian National Railway's Right-of-way (Stratford Branch);

THENCE southerly along the said westerly limit of the Canadian National Railway Right-of-way to where the same is intersected by a line drawn parallel with and perpendicularly distant two hundred feet (200') northerly from the southerly limit of Concession 7, being also the northerly limit of Exmouth Street;

THENCE easterly along the last-mentioned line drawn parallel with the said southerly limit of Concession 7 to where the same is intersected by a line drawn parallel with and perpendicularly distant two hundred and ten feet (210') westerly from the original westerly limit of Modeland Road as shown on Deposited Plan Number 883, Plans and Profiles;

THENCE northerly along the last mentioned line drawn parallel with the said original westerly limit of Modeland Road to where the same is intersected by a line and the westerly production thereof drawn parallel with and perpendicularly distant six hundred and sixty feet (660') northerly from the centre line of construction of the King's Highway Number 7 in front of Lots 13 and 14, Concessions 6 and 7 as shown on Deposited Plan Number 427, Plans and Profiles;

THENCE easterly along the last mentioned line drawn parallel with the said centre line of construction to where the same is intersected by the westerly limit of Lot 12, Concession 7, being also the easterly limit of Blackwell Sideroad;

THENCE southerly along the said westerly limit of Lot 12 to where the same is intersected by the northerly limit of the King's Highway Number 7 as widened by Deposited Plan Number 431, Plans and Profiles;

THENCE south-easterly and easterly along the said northerly limit of the King's Highway Number 7 to where the same is intersected by the easterly limit of Lot 12, Concession 7;

THENCE southerly along the easterly limit of said Lot 12 to the south-east corner of said Lot;

THENCE southerly in a straight line to the north-east corner of Lot 12, Concession 6;

THENCE southerly along the easterly limit of Lot 12, Concession 6 to where the same is intersected by a line and the easterly production thereof drawn parallel with and perpendicularly distant six hundred and sixty feet (660') southerly from the said centre line of construction of the King's

Highway Number 7 in front of Lots 13 and 14, Concessions 6 and 7 as shown on Deposited Plan Number 427, Plans and Profiles;

THENCE westerly along the last mentioned line drawn parallel with the said centre line of construction to where the same is intersected by the line between the east and west halves of Lot 14, Concession 6;

THENCE southerly along the lines between the east and west halves of Lot 14, Concessions 6 and 5 to where the same is intersected by the line between the north and south halves of Lot 14, Concession 5;

THENCE westerly along the said line between the north and south halves of Lot 14, Concession 5 to where the same is intersected by the line between Lots 14 and 15, Concession 5;

THENCE southerly along the line between Lots 14 and 15, Concession 5 to the south-east corner of said Lot 15;

THENCE southerly in a straight line to the north-east corner of Lot 15, Concession 4;

THENCE southerly along the line between Lots 14 and 15, Concession 4 to where the same is intersected by a line drawn parallel with and perpendicularly distant three hundred feet (300') southerly from the northerly limit of Concession 4, being also the southerly limit of Confederation Street;

THENCE westerly along the last mentioned line drawn parallel with the said northerly limit of Concession 4 to where the same is intersected by a line drawn parallel with and perpendicularly distant three hundred feet (300') easterly from the most easterly limit of Modeland Road as shown on Deposited Plan Number 890, Plans and Profiles;

THENCE southerly along the last mentioned line drawn parallel with the said most easterly limit of Modeland Road to where the same is intersected by a line drawn parallel with and perpendicularly distant three hundred and ten feet (310') southerly from the northerly limit of Lot 15, Concession 2;

THENCE westerly along the last mentioned line drawn parallel with the said northerly limit of Lot 15 and the westerly production thereof to where the same is intersected by a line drawn parallel with and perpendicularly distant three hundred feet (300') southerly from the most southerly limit of Churchill Road as shown on Deposited Plan Number 889, Plans and Profiles;

THENCE continuing westerly along the last mentioned line drawn parallel with the said most southerly limit of Churchill Road to where the same is intersected by the westerly limit of the Township of Sarnia;

THENCE northerly, easterly and northerly along the westerly limit of the said Township of Sarnia to the point of commencement.





An Act respecting
the Township of Sarnia

1st Reading

April 18th, 1973

2nd Reading

3rd Reading

MR. BULLBROOK

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Township of Sarnia

MR. BULLBROOK

(Reprinted as amended by the Private Bills Committee)

BILL Pr31

1973

An Act respecting the Township of Sarnia

WHEREAS The Corporation of the Township of Sarnia, Preamble
 herein called the Corporation, hereby applies for special
 legislation in respect of the matters hereinafter set forth;
 and whereas it is expedient to grant the application;

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

1.—(1) The Corporation may, without petition but on the report of its Engineer set forth as Schedule A hereto, by By-law authorizing drainage works
 by-law approved by the Ontario Municipal Board, adopt the said report and undertake and complete the work provided for therein, hereinafter called the drainage works, in two stages as set forth in the said report, and all the provisions of *The Drainage Act* shall apply *mutatis mutandis* except R.S.O. 1970. c. 136
 as otherwise provided in this Act or in the said report.

(2) The assessments upon lands shall be deemed to have been made under *The Drainage Act*. Assessments deemed made under R.S.O. 1970. c. 136

(3) The drainage works shall be deemed to have been undertaken in accordance with the provisions of section 3 of *The Drainage Act*. Application of R.S.O. 1970. c. 136, s. 3

(4) The said report when adopted by the said by-law shall be deemed to have been adopted in accordance with *The Drainage Act*. Report deemed adopted under R.S.O. 1970, c. 136

(5) The schedules to the said report form a part of the said report even though they are not included in Schedule A hereto. Schedules form part of report

(6) By by-law approved by the Ontario Municipal Board, the Corporation may amend the by-law passed under subsection 1 and may adopt a report of its Engineer amending a report adopted under this Act. Amendments to by-law

Passage of
by-law not
prevented by
appeals

2. A by-law may be passed under this Act before the time for any appeal under *The Drainage Act* has expired and if there is any appeal, before any appeal has been decided.

Non-appli-
cation of
R.S.O. 1970,
c. 136, s. 24,
(2, 3, 5, 6)

3.—(1) Subsections 2, 3, 5 and 6 of section 24 of *The Drainage Act* do not apply to a by-law passed pursuant to this Act.

Publication of
notice of
passage of
by-law

(2) When the by-law adopting the said report has been passed pursuant to section 1, there shall be published at least once a week for two consecutive weeks in a newspaper which in the opinion of the clerk has such circulation within the area affected by the by-law as to provide reasonable notice to those affected thereby a notice of the passing of the by-law and of the sitting of the court of revision and such notice shall state that amounts are assessed against lands and that the by-law and report and its assessment schedules may be examined in the clerk's office.

Mailing of
by-law, etc.,
not required

(3) Notwithstanding the provisions of section 29 of *The Drainage Act*, a copy of the by-law and a notice of the sitting of the court of revision need not be mailed to any owner of land.

Sittings of
court of
revision

(4) Notwithstanding the provisions of section 31 of *The Drainage Act*, the first sitting of the court of revision of the local municipality in which the lands and roads assessed are situate shall be held on a day not earlier than twenty days and not later than thirty days from the date of the last publication of the notice provided for in subsection 2.

Clerk to
alter
assessments

4. Notwithstanding the provisions of section 34 of *The Drainage Act*, any change in assessment made by the court of revision or by the judge shall be given effect to by the clerk of the local municipality altering the assessments and other parts of the schedule to comply therewith and sending notice thereof to the owners affected and the assessment schedules to the said report shall be altered to carry out any changes so made by the court of revision or by the judge.

Notice of
application to
O.M.B.

5. Notice of any application to the Ontario Municipal Board for any approval required under this Act may be given by publication thereof in a newspaper which in the opinion of the clerk has such circulation within the area affected by the by-law as to provide reasonable notice to those affected thereby in such form and manner as the Ontario Municipal Board may direct and need not be served on or sent to any person other than the persons set forth in subsection 1 of section 24 of *The Drainage Act*.

6. The by-law adopting the report and authorizing the work may be in Form 4 of *The Drainage Act*, but revised to give effect to the special provisions and powers of this Act. Form of by-law R.S.O. 1970, c. 136

7. Without limiting the generality of the provisions of *The Drainage Act* and of the said report relating to the items to be included in the costs of a drainage works, the following may be included in the cost of the drainage works: What may be included in cost of drainage works

1. Engineering expenses.
2. Cost of publishing and service of notices.
3. Interest on temporary loans and on debentures.
4. Compensation for lands acquired or taken for the purposes of the drainage works or injuriously affected by it and the expenses incurred by the Corporation in connection with acquiring lands and determining compensation.
5. The estimated cost of the issue and sale of debentures and any discount allowed to the purchasers of them.

8. In addition to raising costs of the drainage works by the assessment method authorized in *The Drainage Act*, the Corporation may raise such part of the costs of the drainage works as the report specifies by a mill rate on the rateable property in the area described in Appendix 1 to the said report and any amount so levied on the rateable property shall be deemed charges and assessments and rates for a drainage works under *The Drainage Act*. Mill rate may be imposed for part of costs of drainage works

9. The provisions of sections 13, 14, 15 and 17 of *The Drainage Act* relating to the preparation and form of the assessment schedule and the right to appeal about assessment provided for in *The Drainage Act* shall not apply to the amount to be raised by a mill rate on rateable property. Non-application of R.S.O. 1970, c. 136, ss. 13, 14, 15, 17

10. Sections 35, 36, 38 and 72 of *The Drainage Act* shall not apply to any by-law passed pursuant to this Act and to the drainage works undertaken pursuant to any such by-law and there shall be no right to appeal from the said report or with respect to the said drainage works. Idem, ss. 35, 36, 38, 72

11. Upon the practical completion of each of the two stages of the drainage works provided for in the said report, a drainage works shall be considered to have been completed. When works completed

12. The drainage works constructed under the terms hereof shall be maintained and improved in accordance with the provisions in the said report and of *The Drainage Act*. Maintenance

- Conflict** **13.** The provisions of this Act shall apply notwithstanding the provisions of any general or special Act and, in the event of any conflict between this Act and any general or special Act, this Act shall prevail.
- Power to acquire land** **14.** For the purposes of the drainage works authorized by this Act the Corporation may acquire or expropriate any land and may make any contracts relating to the said drainage works and matters incidental thereto.
- Deemed drainage works under R.S.O. 1970, c. 136** **15.** The drainage works shall be deemed to be a drainage works constructed under a by-law passed under *The Drainage Act*.
- Commencement** **16.** This Act comes into force on the day it receives Royal Assent.
- Short title** **17.** This Act may be cited as *The Township of Sarnia Act, 1973*.

SCHEDULE A

THE REEVE AND COUNCIL,
Township of Sarnia.

February 23, 1973.

Gentlemen:

In accordance with your authorization by a resolution dated November 13, 1972 we have completed an investigation relating to the drainage implications concerned with the construction of the proposed Telfer Diversion Channel and Pulse Creek Drain Diversion Channel. These joint projects are intended to be carried out in conjunction with the construction of the controlled access Highway 402 by the Ministry of Transportation and Communications. The proposed Telfer Diversion Channel is to be constructed in part during the Highway construction and completed at a later date. The proposed Pulse Creek Drain Diversion Channel is to be completed during the Highway construction.

The nature of the proposed Highway construction is such that large volumes of fill will be necessary. It is usual that the necessary fill material is obtained in borrow pits which, in level lands such as this area, would result in large areas being occupied by 10 to 12 foot deep holes with a highly undesirable impact on the environment. The Report for Sewerage and Drainage for the City of Sarnia and the Township of Sarnia dated February, 1969 by James F. McLaren Limited recommended that the rural flow from the Perch Drain, sometimes known locally as the Wawanosh Drain, be diverted northerly at the east side of 12/13 Sideroad to rejoin the Drain near its junction with the present Pulse Creek Drain in the Front Concession. This was recommended to provide a suitable outlet for the lands upstream from the proposed diversion and to avoid mixing the relatively clear rural flow with the often highly contaminated urban flow. The Perch Drain downstream from the proposed diversion will be draining an area in Sarnia Township described in Appendix I hereto which is developing in an urban manner. The anticipated runoff from the urban developing area will require some form of treatment before being discharged into Lake Huron.

It is obvious that these two projects (the construction of the Highway and the construction of the Telfer Diversion Channel) should be combined so that the acceptable fill material from the Diversion Channel will be available for use in the Highway construction. The material thus obtained would satisfy a substantial portion of the Highway needs without the necessity of defacing the landscape and also would construct for the Township the major portion of the Diversion Channel. These two projects being undertaken together now is desirable even though the Telfer Diversion Channel may not be required for some ten years.

Carrying one step further this consideration of reducing the number of borrow pits required, a diversion of the Pulse Creek Drain from its junction with the new Highway westerly into the proposed Telfer Diversion Channel would provide additional fill material and at the same time result in benefits to the Township in addition to the reduction of unsightly borrow pits. It has been estimated by the Ministry that nearly 90% of its fill requirements can be obtained from these two Diversion Channels. A conservative estimate of the long term savings for the Township by this construction now of part of the Telfer Diversion Channel is 1.5 million dollars.

The aforementioned considerations probably justify the scheme. However, certain secondary advantages would accrue to the Township by the undertaking of the Diversions. There are several drains which have been constructed or are being maintained under the provisions of *The Drainage Act* which would receive immediate benefit, with the lands upstream being provided with a more satisfactory outlet and the lands downstream benefiting by the cutting off of the continually increasing flow from the upstream lands. The latter point is particularly significant for the Telfer Diversion Channel since development in the London Road area would, in the foreseeable future result in many of the downstream structures on drains becoming inadequate as the flow rates increase due to changes in the land use. The Pulse Creek Drain Diversion Channel will result in similar benefits both upstream and downstream from the Highway. The Ministry of Transportation and Communications would be relieved of installing several structures through the new Highway which would be required to accommodate existing drains severed by the new Highway. Also the Ministry would benefit indirectly since it would normally be involved, in the form of grants, in the future reconstruction of many downstream structures on these drains which are either obsolete or would soon require replacement due to lack of capacity.

The primary purpose of this report is to deal with the implications of the proposals on the drains physically affected and those others which are tributary to the present Perch Drain and Pulse Creek Drain. While the major portion of the costs to be incurred by the Township for the Telfer Diversion Channel is to be borne by the rateable property in the urban developing area which is in fact creating the need for the diversion, there are certain costs to be incurred which are directly related to improvements to intercepted drains which should properly be assessed to those lands affected. Also, the Pulse Creek Drain Diversion Channel, which is unrelated to the urban development, will result in substantial benefits to the tributary lands and costs incurred with respect to this Channel should be the responsibility of the lands in the drainage area involved. Maintenance of these drains in their new forms can no longer be strictly related to previous drainage by-laws and therefore this report must also deal with maintenance.

It is proposed at this time to obtain all the land required for the two diversion channels, to construct the Pulse Creek Drain Diversion Channel utilizing the fill material for Highway purposes and to excavate the section of the Telfer Diversion Channel north of Highway 7 to the extent that suitable fill material is available for the Highway purposes. In view of the varying levels of acceptable fill material throughout it will be necessary to construct a relatively small auxiliary channel in the bottom of the Telfer Diversion Channel excavation through materials unacceptable for the Highway purposes in order to properly drain the larger excavation. This work will also involve the installation of bridge structures at the Airport Road, Highway 402, the Jackson Road, and Michigan Avenue together with an inlet works where the Pulse Creek Drain Diversion Channel meets the Telfer Diversion Channel. It is anticipated that the Township and the Ministry will enter into a Contract making all of the work described above in this paragraph and the costs of the land acquisition north of the London Road the responsibility of the Ministry of Transportation and Communications. Drawings which will be furnished if the work is to proceed will outline the work to be done at the present time as well as the form of the final channels. All other costs involved in the implementation of the present work and the final channels, excepting the bridge structure at the London Road, shall be the responsibility of the Township of Sarnia. The decision as to the time of completing the second stage of the Telfer Diversion Channel project shall be made by the Township when the extent of urban development dictates.

It is proposed that the Storey Drain which is located to the west of the proposed Telfer Diversion Channel be diverted into that Diversion Channel by means of an open channel abutting the south limit of Highway 402 and proceeding easterly from the Storey Drain into the said Diversion Channel. Since the excavated material from this work will be available to the Ministry for highway purposes, it is proposed to undertake this minor Diversion Channel on the same basis as the major Diversion Channels. There will, however, be costs incurred at the entrances of the aforementioned open channel and the Pollard, Hind, Rooney, Pulse Creek and Luckins Drains into the new Diversion Channels. In view of the resulting benefits to these drains both upstream and down, it is proposed that these costs be borne by the individual drainage areas affected. In this connection since the Broughton Drain will be benefited by the Pollard Drain improvements and the construction of the Telfer Diversion Channel, the Broughton Drain area should be so assessed. Included in the assessment against the Pulse Creek Drain area are all costs, in connection with the construction of the Pulse Creek Diversion Channel not otherwise provided for since this channel is not related to the separation of the rural and urban flows. All costs relating to the Telfer Diversion Channel project to be borne by the Township and not otherwise provided for shall be assessed against the rateable property in the urban developing area described in Appendix I hereto. This work shall be done and the drains and Channels operated and maintained pursuant to *The Drainage Act* except to the extent otherwise provided for in the special legislation enabling the Township to undertake this work. Cost estimates of the work relating to these drains, plans, profiles, specifications for the work, and assessment schedules for the individual drainage areas are supplements to this report.

The makeup of the tributary areas of the present Perch Drain and Pulse Creek Drain will change upon the completion of each stage of this scheme. Therefore the maintenance responsibilities for the existing drains and new channels must be established. Maintenance schedules will be prepared setting out these responsibilities with Schedule "A" relating to the maintenance of the Telfer Diversion Channel prior to the completion of both stages, Schedule "B" relating to the maintenance of the Pulse Creek Drain Diversion Channel, and Schedule "C" relating to the maintenance of the Telfer Diversion Channel after completion of both stages. Schedule "C" at that time shall also apply to maintenance downstream on the Perch Drain from the north end of the Telfer Diversion Channel to Lake Huron, but in this case, the lands tributary to those parts of the present Perch Drain and Pulse Creek Drain not being diverted shall contribute 1/3 of any costs incurred in the said maintenance with the Pulse Creek Drain lands downstream from the Pulse Creek Drain Diversion Channel contributing 10% of this amount. The existing Perch Drain shall be maintained prior to the completion of the Telfer Diversion Channel system as provided in By-law #19 of 1969 except that those lands assessed to the Storey, Pollard, Broughton, and Hind Drains south of the Telfer Diversion Channel and the Luckins Drain east of the Telfer Diversion Channel shall not be assessed. Except as otherwise provided in this report and any supplements to it the existing Pulse Creek Drain shall be maintained as provided in By-law #34 of 1972 except that those lands tributary to the Rooney Drain south of the Pulse Creek Drain Diversion Channel shall not be assessed. All the drains intercepted by the Diversion Channel except the Pulse Creek Drain shall be maintained as provided in the assessment schedules which are supplements to this report. With respect to any drain intercepted by the Diversion Channels, maintenance work on such drain downstream from a Diversion Channel shall not be charged to lands tributary to that drain upstream from the Diversion Channel and maintenance work on such drain upstream from the Diversion Channel shall not be charged to lands tributary to that drain downstream from the Diversion Channel. In each case the assessment for the Ministry of Transportation and Communications shall be reduced by one-half.

Upon the completion of stage 2 of the Telfer Diversion Channel project the remaining lands tributary to the Perch Drain and not discharging into the Telfer Diversion Channel shall be responsible for maintaining the Perch Drain downstream from the south end of the Telfer Diversion Channel to the north end of the Telfer Diversion Channel as provided in the aforementioned By-law, #19 of 1968. These proportions shall also apply to the heretofore stipulated share of maintenance work on the Perch Drain downstream from the north end of the Telfer Diversion Channel. Upstream from the south end of the Telfer Diversion Channel, the Perch Drain shall be maintained as provided in the last relevant by-law for the section to be maintained with only lands abutting the maintenance work and upstream being assessed.

All of the provisions for maintenance set out under this report shall remain in force until such time as they are altered under the provision of the then current *Drainage Act* of Ontario.

The work provided for by this report is conditional upon and is only to be undertaken if the Minister of Transportation and Communications and the Township enter into a Contract setting out the work and costs for which the Minister will be responsible.

Yours respectfully,

For:

Monteith-Ingram Engineering Limited,
Consulting Engineers,
Petrolia, Ontario.

APPENDIX I

DESCRIPTION OF AREA DESIGNATED FOR
URBAN DEVELOPMENT

COMMENCING at the point of intersection of the water's edge of Lake Huron with the westerly limit of the Township of Sarnia;

THENCE northeasterly along the water's edge of Lake Huron to where the same is intersected by the line between Lots 49 and 50, Front Concession;

THENCE southerly along the said line between Lots 49 and 50 [partly running approximately parallel with the easterly limit of Mater Drive and easterly therefrom at a perpendicular distance of approximately two hundred and fifty-six feet (256')] to where the same is intersected by the westerly limit of the Canadian National Railway's Right-of-way (Stratford Branch);

THENCE southerly along the said westerly limit of the Canadian National Railway Right-of-way to where the same is intersected by a line drawn parallel with and perpendicularly distant two hundred feet (200') northerly from the southerly limit of Concession 7, being also the northerly limit of Exmouth Street;

THENCE easterly along the last-mentioned line drawn parallel with the said southerly limit of Concession 7 to where the same is intersected by a line drawn parallel with and perpendicularly distant two hundred and ten feet (210') westerly from the original westerly limit of Modeland Road as shown on Deposited Plan Number 883, Plans and Profiles;

THENCE northerly along the last mentioned line drawn parallel with the said original westerly limit of Modeland Road to where the same is intersected by a line and the westerly production thereof drawn parallel with and perpendicularly distant six hundred and sixty feet (660') northerly from the centre line of construction of the King's Highway Number 7 in front of Lots 13 and 14, Concessions 6 and 7 as shown on Deposited Plan Number 427, Plans and Profiles;

THENCE easterly along the last mentioned line drawn parallel with the said centre line of construction to where the same is intersected by the westerly limit of Lot 12, Concession 7, being also the easterly limit of Blackwell Sideroad;

THENCE southerly along the said westerly limit of Lot 12 to where the same is intersected by the northerly limit of the King's Highway Number 7 as widened by Deposited Plan Number 431, Plans and Profiles;

THENCE south-easterly and easterly along the said northerly limit of the King's Highway Number 7 to where the same is intersected by the easterly limit of Lot 12, Concession 7;

THENCE southerly along the easterly limit of said Lot 12 to the south-east corner of said Lot;

THENCE southerly in a straight line to the north-east corner of Lot 12, Concession 6;

THENCE southerly along the easterly limit of Lot 12, Concession 6 to where the same is intersected by a line and the easterly production thereof drawn parallel with and perpendicularly distant six hundred and sixty feet (660') southerly from the said centre line of construction of the King's

Highway Number 7 in front of Lots 13 and 14, Concessions 6 and 7 as shown on Deposited Plan Number 427, Plans and Profiles;

THENCE westerly along the last mentioned line drawn parallel with the said centre line of construction to where the same is intersected by the line between the east and west halves of Lot 14, Concession 6;

THENCE southerly along the lines between the east and west halves of Lot 14, Concessions 6 and 5 to where the same is intersected by the line between the north and south halves of Lot 14, Concession 5;

THENCE westerly along the said line between the north and south halves of Lot 14, Concession 5 to where the same is intersected by the line between Lots 14 and 15, Concession 5;

THENCE southerly along the line between Lots 14 and 15, Concession 5 to the south-east corner of said Lot 15;

THENCE southerly in a straight line to the north-east corner of Lot 15, Concession 4;

THENCE southerly along the line between Lots 14 and 15, Concession 4 to where the same is intersected by a line drawn parallel with and perpendicularly distant three hundred feet (300') southerly from the northerly limit of Concession 4, being also the southerly limit of Confederation Street;

THENCE westerly along the last mentioned line drawn parallel with the said northerly limit of Concession 4 to where the same is intersected by a line drawn parallel with and perpendicularly distant three hundred feet (300') easterly from the most easterly limit of Modeland Road as shown on Deposited Plan Number 890, Plans and Profiles;

THENCE southerly along the last mentioned line drawn parallel with the said most easterly limit of Modeland Road to where the same is intersected by a line drawn parallel with and perpendicularly distant three hundred and ten feet (310') southerly from the northerly limit of Lot 15, Concession 2;

THENCE westerly along the last mentioned line drawn parallel with the said northerly limit of Lot 15 and the westerly production thereof to where the same is intersected by a line drawn parallel with and perpendicularly distant three hundred feet (300') southerly from the most southerly limit of Churchill Road as shown on Deposited Plan Number 889, Plans and Profiles;

THENCE continuing westerly along the last mentioned line drawn parallel with the said most southerly limit of Churchill Road to where the same is intersected by the westerly limit of the Township of Sarnia;

THENCE northerly, easterly and northerly along the westerly limit of the said Township of Sarnia to the point of commencement.



2000-01-01
100



An Act respecting
the Township of Sarnia

1st Reading

April 18th, 1973

2nd Reading

3rd Reading

MR. BULLBROOK

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

BILL Pr31

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Township of Sarnia

MR. BULLBROOK

2000-0000

BILL Pr31

1973

An Act respecting the Township of Sarnia

WHEREAS The Corporation of the Township of Sarnia, Preamble
 herein called the Corporation, hereby applies for special
 legislation in respect of the matters hereinafter set forth;
 and whereas it is expedient to grant the application;

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

1.—(1) The Corporation may, without petition but on the report of its Engineer set forth as Schedule A hereto, by by-law approved by the Ontario Municipal Board, adopt the said report and undertake and complete the work provided for therein, hereinafter called the drainage works, in two stages as set forth in the said report, and all the provisions of *The Drainage Act* shall apply *mutatis mutandis* except as otherwise provided in this Act or in the said report. By-law authorizing drainage works
R.S.O. 1970, c. 136

(2) The assessments upon lands shall be deemed to have been made under *The Drainage Act*. Assessments deemed made under R.S.O. 1970, c. 136

(3) The drainage works shall be deemed to have been undertaken in accordance with the provisions of section 3 of *The Drainage Act*. Application of R.S.O. 1970, c. 136, s. 3

(4) The said report when adopted by the said by-law shall be deemed to have been adopted in accordance with *The Drainage Act*. Report deemed adopted under R.S.O. 1970, c. 136

(5) The schedules to the said report form a part of the said report even though they are not included in Schedule A hereto. Schedules form part of report

(6) By by-law approved by the Ontario Municipal Board, the Corporation may amend the by-law passed under subsection 1 and may adopt a report of its Engineer amending a report adopted under this Act. Amendments to by-law

Passage of by-law not prevented by appeals **2.** A by-law may be passed under this Act before the time for any appeal under *The Drainage Act* has expired and if there is any appeal, before any appeal has been decided.

Non-application of R.S.O. 1970, c. 136, s. 24, (2, 3, 5, 6) **3.—(1)** Subsections 2, 3, 5 and 6 of section 24 of *The Drainage Act* do not apply to a by-law passed pursuant to this Act.

Publication of notice of passage of by-law (2) When the by-law adopting the said report has been passed pursuant to section 1, there shall be published at least once a week for two consecutive weeks in a newspaper which in the opinion of the clerk has such circulation within the area affected by the by-law as to provide reasonable notice to those affected thereby a notice of the passing of the by-law and of the sitting of the court of revision and such notice shall state that amounts are assessed against lands and that the by-law and report and its assessment schedules may be examined in the clerk's office.

Mailing of by-law, etc., not required (3) Notwithstanding the provisions of section 29 of *The Drainage Act*, a copy of the by-law and a notice of the sitting of the court of revision need not be mailed to any owner of land.

Sittings of court of revision (4) Notwithstanding the provisions of section 31 of *The Drainage Act*, the first sitting of the court of revision of the local municipality in which the lands and roads assessed are situate shall be held on a day not earlier than twenty days and not later than thirty days from the date of the last publication of the notice provided for in subsection 2.

Clerk to alter assessments **4.** Notwithstanding the provisions of section 34 of *The Drainage Act*, any change in assessment made by the court of revision or by the judge shall be given effect to by the clerk of the local municipality altering the assessments and other parts of the schedule to comply therewith and sending notice thereof to the owners affected and the assessment schedules to the said report shall be altered to carry out any changes so made by the court of revision or by the judge.

Notice of application to O.M.B. **5.** Notice of any application to the Ontario Municipal Board for any approval required under this Act may be given by publication thereof in a newspaper which in the opinion of the clerk has such circulation within the area affected by the by-law as to provide reasonable notice to those affected thereby in such form and manner as the Ontario Municipal Board may direct and need not be served on or sent to any person other than the persons set forth in subsection 1 of section 24 of *The Drainage Act*.

6. The by-law adopting the report and authorizing the work may be in Form 4 of *The Drainage Act*, but revised to give effect to the special provisions and powers of this Act. Form of by-law R.S.O. 1970, c. 136

7. Without limiting the generality of the provisions of *The Drainage Act* and of the said report relating to the items to be included in the costs of a drainage works, the following may be included in the cost of the drainage works: What may be included in cost of drainage works

1. Engineering expenses.
2. Cost of publishing and service of notices.
3. Interest on temporary loans and on debentures.
4. Compensation for lands acquired or taken for the purposes of the drainage works or injuriously affected by it and the expenses incurred by the Corporation in connection with acquiring lands and determining compensation.
5. The estimated cost of the issue and sale of debentures and any discount allowed to the purchasers of them.

8. In addition to raising costs of the drainage works by the assessment method authorized in *The Drainage Act*, the Corporation may raise such part of the costs of the drainage works as the report specifies by a mill rate on the rateable property in the area described in Appendix 1 to the said report and any amount so levied on the rateable property shall be deemed charges and assessments and rates for a drainage works under *The Drainage Act*. Mill rate may be imposed for part of costs of drainage works

9. The provisions of sections 13, 14, 15 and 17 of *The Drainage Act* relating to the preparation and form of the assessment schedule and the right to appeal about assessment provided for in *The Drainage Act* shall not apply to the amount to be raised by a mill rate on rateable property. Non-application of R.S.O. 1970, c. 136, ss. 13, 14, 15, 17

10. Sections 35, 36, 38 and 72 of *The Drainage Act* shall not apply to any by-law passed pursuant to this Act and to the drainage works undertaken pursuant to any such by-law and there shall be no right to appeal from the said report or with respect to the said drainage works. Idem, ss. 35, 36, 38, 72

11. Upon the practical completion of each of the two stages of the drainage works provided for in the said report, a drainage works shall be considered to have been completed. When works completed

12. The drainage works constructed under the terms hereof shall be maintained and improved in accordance with the provisions in the said report and of *The Drainage Act*. Maintenance

- Conflict** **13.** The provisions of this Act shall apply notwithstanding the provisions of any general or special Act and, in the event of any conflict between this Act and any general or special Act, this Act shall prevail.
- Power to acquire land** **14.** For the purposes of the drainage works authorized by this Act the Corporation may acquire or expropriate any land and may make any contracts relating to the said drainage works and matters incidental thereto.
- Deemed drainage works under R.S.O. 1970, c. 136** **15.** The drainage works shall be deemed to be a drainage works constructed under a by-law passed under *The Drainage Act*.
- Commencement** **16.** This Act comes into force on the day it receives Royal Assent.
- Short title** **17.** This Act may be cited as *The Township of Sarnia Act, 1973*.

SCHEDULE A

THE REEVE AND COUNCIL,
Township of Sarnia.

February 23, 1973.

Gentlemen:

In accordance with your authorization by a resolution dated November 13, 1972 we have completed an investigation relating to the drainage implications concerned with the construction of the proposed Telfer Diversion Channel and Pulse Creek Drain Diversion Channel. These joint projects are intended to be carried out in conjunction with the construction of the controlled access Highway 402 by the Ministry of Transportation and Communications. The proposed Telfer Diversion Channel is to be constructed in part during the Highway construction and completed at a later date. The proposed Pulse Creek Drain Diversion Channel is to be completed during the Highway construction.

The nature of the proposed Highway construction is such that large volumes of fill will be necessary. It is usual that the necessary fill material is obtained in borrow pits which, in level lands such as this area, would result in large areas being occupied by 10 to 12 foot deep holes with a highly undesirable impact on the environment. The Report for Sewerage and Drainage for the City of Sarnia and the Township of Sarnia dated February, 1969 by James F. McLaren Limited recommended that the rural flow from the Perch Drain, sometimes known locally as the Wawanosh Drain, be diverted northerly at the east side of 12/13 Sideroad to rejoin the Drain near its junction with the present Pulse Creek Drain in the Front Concession. This was recommended to provide a suitable outlet for the lands upstream from the proposed diversion and to avoid mixing the relatively clear rural flow with the often highly contaminated urban flow. The Perch Drain downstream from the proposed diversion will be draining an area in Sarnia Township described in Appendix I hereto which is developing in an urban manner. The anticipated runoff from the urban developing area will require some form of treatment before being discharged into Lake Huron.

It is obvious that these two projects (the construction of the Highway and the construction of the Telfer Diversion Channel) should be combined so that the acceptable fill material from the Diversion Channel will be available for use in the Highway construction. The material thus obtained would satisfy a substantial portion of the Highway needs without the necessity of defacing the landscape and also would construct for the Township the major portion of the Diversion Channel. These two projects being undertaken together now is desirable even though the Telfer Diversion Channel may not be required for some ten years.

Carrying one step further this consideration of reducing the number of borrow pits required, a diversion of the Pulse Creek Drain from its junction with the new Highway westerly into the proposed Telfer Diversion Channel would provide additional fill material and at the same time result in benefits to the Township in addition to the reduction of unsightly borrow pits. It has been estimated by the Ministry that nearly 90% of its fill requirements can be obtained from these two Diversion Channels. A conservative estimate of the long term savings for the Township by this construction now of part of the Telfer Diversion Channel is 1.5 million dollars.

The aforementioned considerations probably justify the scheme. However, certain secondary advantages would accrue to the Township by the undertaking of the Diversions. There are several drains which have been constructed or are being maintained under the provisions of *The Drainage Act* which would receive immediate benefit, with the lands upstream being provided with a more satisfactory outlet and the lands downstream benefiting by the cutting off of the continually increasing flow from the upstream lands. The latter point is particularly significant for the Telfer Diversion Channel since development in the London Road area would, in the foreseeable future result in many of the downstream structures on drains becoming inadequate as the flow rates increase due to changes in the land use. The Pulse Creek Drain Diversion Channel will result in similar benefits both upstream and downstream from the Highway. The Ministry of Transportation and Communications would be relieved of installing several structures through the new Highway which would be required to accommodate existing drains severed by the new Highway. Also the Ministry would benefit indirectly since it would normally be involved, in the form of grants, in the future reconstruction of many downstream structures on these drains which are either obsolete or would soon require replacement due to lack of capacity.

The primary purpose of this report is to deal with the implications of the proposals on the drains physically affected and those others which are tributary to the present Perch Drain and Pulse Creek Drain. While the major portion of the costs to be incurred by the Township for the Telfer Diversion Channel is to be borne by the rateable property in the urban developing area which is in fact creating the need for the diversion, there are certain costs to be incurred which are directly related to improvements to intercepted drains which should properly be assessed to those lands affected. Also, the Pulse Creek Drain Diversion Channel, which is unrelated to the urban development, will result in substantial benefits to the tributary lands and costs incurred with respect to this Channel should be the responsibility of the lands in the drainage area involved. Maintenance of these drains in their new forms can no longer be strictly related to previous drainage by-laws and therefore this report must also deal with maintenance.

It is proposed at this time to obtain all the land required for the two diversion channels, to construct the Pulse Creek Drain Diversion Channel utilizing the fill material for Highway purposes and to excavate the section of the Telfer Diversion Channel north of Highway 7 to the extent that suitable fill material is available for the Highway purposes. In view of the varying levels of acceptable fill material throughout it will be necessary to construct a relatively small auxiliary channel in the bottom of the Telfer Diversion Channel excavation through materials unacceptable for the Highway purposes in order to properly drain the larger excavation. This work will also involve the installation of bridge structures at the Airport Road, Highway 402, the Jackson Road, and Michigan Avenue together with an inlet works where the Pulse Creek Drain Diversion Channel meets the Telfer Diversion Channel. It is anticipated that the Township and the Ministry will enter into a Contract making all of the work described above in this paragraph and the costs of the land acquisition north of the London Road the responsibility of the Ministry of Transportation and Communications. Drawings which will be furnished if the work is to proceed will outline the work to be done at the present time as well as the form of the final channels. All other costs involved in the implementation of the present work and the final channels, excepting the bridge structure at the London Road, shall be the responsibility of the Township of Sarnia. The decision as to the time of completing the second stage of the Telfer Diversion Channel project shall be made by the Township when the extent of urban development dictates.

It is proposed that the Storey Drain which is located to the west of the proposed Telfer Diversion Channel be diverted into that Diversion Channel by means of an open channel abutting the south limit of Highway 402 and proceeding easterly from the Storey Drain into the said Diversion Channel. Since the excavated material from this work will be available to the Ministry for highway purposes, it is proposed to undertake this minor Diversion Channel on the same basis as the major Diversion Channels. There will, however, be costs incurred at the entrances of the aforementioned open channel and the Pollard, Hind, Rooney, Pulse Creek and Luckins Drains into the new Diversion Channels. In view of the resulting benefits to these drains both upstream and down, it is proposed that these costs be borne by the individual drainage areas affected. In this connection since the Broughton Drain will be benefited by the Pollard Drain improvements and the construction of the Telfer Diversion Channel, the Broughton Drain area should be so assessed. Included in the assessment against the Pulse Creek Drain area are all costs, in connection with the construction of the Pulse Creek Diversion Channel not otherwise provided for since this channel is not related to the separation of the rural and urban flows. All costs relating to the Telfer Diversion Channel project to be borne by the Township and not otherwise provided for shall be assessed against the rateable property in the urban developing area described in Appendix I hereto. This work shall be done and the drains and Channels operated and maintained pursuant to *The Drainage Act* except to the extent otherwise provided for in the special legislation enabling the Township to undertake this work. Cost estimates of the work relating to these drains, plans, profiles, specifications for the work, and assessment schedules for the individual drainage areas are supplements to this report.

The makeup of the tributary areas of the present Perch Drain and Pulse Creek Drain will change upon the completion of each stage of this scheme. Therefore the maintenance responsibilities for the existing drains and new channels must be established. Maintenance schedules will be prepared setting out these responsibilities with Schedule "A" relating to the maintenance of the Telfer Diversion Channel prior to the completion of both stages, Schedule "B" relating to the maintenance of the Pulse Creek Drain Diversion Channel, and Schedule "C" relating to the maintenance of the Telfer Diversion Channel after completion of both stages. Schedule "C" at that time shall also apply to maintenance downstream on the Perch Drain from the north end of the Telfer Diversion Channel to Lake Huron, but in this case, the lands tributary to those parts of the present Perch Drain and Pulse Creek Drain not being diverted shall contribute 1/3 of any costs incurred in the said maintenance with the Pulse Creek Drain lands downstream from the Pulse Creek Drain Diversion Channel contributing 10% of this amount. The existing Perch Drain shall be maintained prior to the completion of the Telfer Diversion Channel system as provided in By-law #19 of 1969 except that those lands assessed to the Storey, Pollard, Broughton, and Hind Drains south of the Telfer Diversion Channel and the Luckins Drain east of the Telfer Diversion Channel shall not be assessed. Except as otherwise provided in this report and any supplements to it the existing Pulse Creek Drain shall be maintained as provided in By-law #34 of 1972 except that those lands tributary to the Rooney Drain south of the Pulse Creek Drain Diversion Channel shall not be assessed. All the drains intercepted by the Diversion Channel except the Pulse Creek Drain shall be maintained as provided in the assessment schedules which are supplements to this report. With respect to any drain intercepted by the Diversion Channels, maintenance work on such drain downstream from a Diversion Channel shall not be charged to lands tributary to that drain upstream from the Diversion Channel and maintenance work on such drain upstream from the Diversion Channel shall not be charged to lands tributary to that drain downstream from the Diversion Channel. In each case the assessment for the Ministry of Transportation and Communications shall be reduced by one-half.

Upon the completion of stage 2 of the Telfer Diversion Channel project the remaining lands tributary to the Perch Drain and not discharging into the Telfer Diversion Channel shall be responsible for maintaining the Perch Drain downstream from the south end of the Telfer Diversion Channel to the north end of the Telfer Diversion Channel as provided in the aforementioned By-law #19 of 1968. These proportions shall also apply to the heretofore stipulated share of maintenance work on the Perch Drain downstream from the north end of the Telfer Diversion Channel. Upstream from the south end of the Telfer Diversion Channel, the Perch Drain shall be maintained as provided in the last relevant by-law for the section to be maintained with only lands abutting the maintenance work and upstream being assessed.

All of the provisions for maintenance set out under this report shall remain in force until such time as they are altered under the provision of the then current *Drainage Act* of Ontario.

The work provided for by this report is conditional upon and is only to be undertaken if the Minister of Transportation and Communications and the Township enter into a Contract setting out the work and costs for which the Minister will be responsible.

Yours respectfully,

For:

Monteith-Ingram Engineering Limited,
Consulting Engineers,
Petrolia, Ontario.

APPENDIX I

DESCRIPTION OF AREA DESIGNATED FOR
URBAN DEVELOPMENT

COMMENCING at the point of intersection of the water's edge of Lake Huron with the westerly limit of the Township of Sarnia;

THENCE northeasterly along the water's edge of Lake Huron to where the same is intersected by the line between Lots 49 and 50, Front Concession;

THENCE southerly along the said line between Lots 49 and 50 [partly running approximately parallel with the easterly limit of Mater Drive and easterly therefrom at a perpendicular distance of approximately two hundred and fifty-six feet (256')] to where the same is intersected by the westerly limit of the Canadian National Railway's Right-of-way (Stratford Branch);

THENCE southerly along the said westerly limit of the Canadian National Railway Right-of-way to where the same is intersected by a line drawn parallel with and perpendicularly distant two hundred feet (200') northerly from the southerly limit of Concession 7, being also the northerly limit of Exmouth Street;

THENCE easterly along the last-mentioned line drawn parallel with the said southerly limit of Concession 7 to where the same is intersected by a line drawn parallel with and perpendicularly distant two hundred and ten feet (210') westerly from the original westerly limit of Modeland Road as shown on Deposited Plan Number 883, Plans and Profiles;

THENCE northerly along the last mentioned line drawn parallel with the said original westerly limit of Modeland Road to where the same is intersected by a line and the westerly production thereof drawn parallel with and perpendicularly distant six hundred and sixty feet (660') northerly from the centre line of construction of the King's Highway Number 7 in front of Lots 13 and 14, Concessions 6 and 7 as shown on Deposited Plan Number 427, Plans and Profiles;

THENCE easterly along the last mentioned line drawn parallel with the said centre line of construction to where the same is intersected by the westerly limit of Lot 12, Concession 7, being also the easterly limit of Blackwell Sideroad;

THENCE southerly along the said westerly limit of Lot 12 to where the same is intersected by the northerly limit of the King's Highway Number 7 as widened by Deposited Plan Number 431, Plans and Profiles;

THENCE south-easterly and easterly along the said northerly limit of the King's Highway Number 7 to where the same is intersected by the easterly limit of Lot 12, Concession 7;

THENCE southerly along the easterly limit of said Lot 12 to the south-east corner of said Lot;

THENCE southerly in a straight line to the north-east corner of Lot 12, Concession 6;

THENCE southerly along the easterly limit of Lot 12, Concession 6 to where the same is intersected by a line and the easterly production thereof drawn parallel with and perpendicularly distant six hundred and sixty feet (660') southerly from the said centre line of construction of the King's

Highway Number 7 in front of Lots 13 and 14, Concessions 6 and 7 as shown on Deposited Plan Number 427, Plans and Profiles;

THENCE westerly along the last mentioned line drawn parallel with the said centre line of construction to where the same is intersected by the line between the east and west halves of Lot 14, Concession 6;

THENCE southerly along the lines between the east and west halves of Lot 14, Concessions 6 and 5 to where the same is intersected by the line between the north and south halves of Lot 14, Concession 5;

THENCE westerly along the said line between the north and south halves of Lot 14, Concession 5 to where the same is intersected by the line between Lots 14 and 15, Concession 5;

THENCE southerly along the line between Lots 14 and 15, Concession 5 to the south-east corner of said Lot 15;

THENCE southerly in a straight line to the north-east corner of Lot 15, Concession 4;

THENCE southerly along the line between Lots 14 and 15, Concession 4 to where the same is intersected by a line drawn parallel with and perpendicularly distant three hundred feet (300') southerly from the northerly limit of Concession 4, being also the southerly limit of Confederation Street;

THENCE westerly along the last mentioned line drawn parallel with the said northerly limit of Concession 4 to where the same is intersected by a line drawn parallel with and perpendicularly distant three hundred feet (300') easterly from the most easterly limit of Modeland Road as shown on Deposited Plan Number 890, Plans and Profiles;

THENCE southerly along the last mentioned line drawn parallel with the said most easterly limit of Modeland Road to where the same is intersected by a line drawn parallel with and perpendicularly distant three hundred and ten feet (310') southerly from the northerly limit of Lot 15, Concession 2;

THENCE westerly along the last mentioned line drawn parallel with the said northerly limit of Lot 15 and the westerly production thereof to where the same is intersected by a line drawn parallel with and perpendicularly distant three hundred feet (300') southerly from the most southerly limit of Churchill Road as shown on Deposited Plan Number 889, Plans and Profiles;

THENCE continuing westerly along the last mentioned line drawn parallel with the said most southerly limit of Churchill Road to where the same is intersected by the westerly limit of the Township of Sarnia;

THENCE northerly, easterly and northerly along the westerly limit of the said Township of Sarnia to the point of commencement.



1000-1000-1000
1000-1000-1000



An Act respecting
the Township of Sarnia

1st Reading

April 18th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. BULLBROOK

1973

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting New Augarita Porcupine Mines Limited

MR. MACBETH

BILL Pr32

1973

An Act respecting New Augarita Porcupine Mines Limited

WHEREAS Michael Murray, a common shareholder, ^{Preamble} hereby represents that New Augarita Porcupine Mines Limited, herein called the Corporation, was incorporated by letters patent dated the 13th day of May, 1936; that the Provincial Secretary, by order dated the 7th day of May, 1965, and made under the authority of subsection 2 of section 326 of *The Corporations Act*, being chapter 71 of the Revised Statutes of Ontario, 1960, cancelled the letters patent of the Corporation and declared it to be dissolved on the 3rd day of June, 1965; that the applicant was a holder of common shares of the Corporation at the time of its dissolution, but not a director of the Corporation at such time; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act* was sent to each of the persons of record on the files of the Department of the Provincial Secretary and Citizenship, of whom none are applicants; that the said notice was not received by Michael Murray and he was not aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation had, by agreement dated the 5th day of July, 1957, purported to sell all its assets, subject to its liabilities, to Augdome Exploration Limited; that the Corporation despite such intent and belief has been found by the Supreme Court of Ontario not to have transferred all of its said assets; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

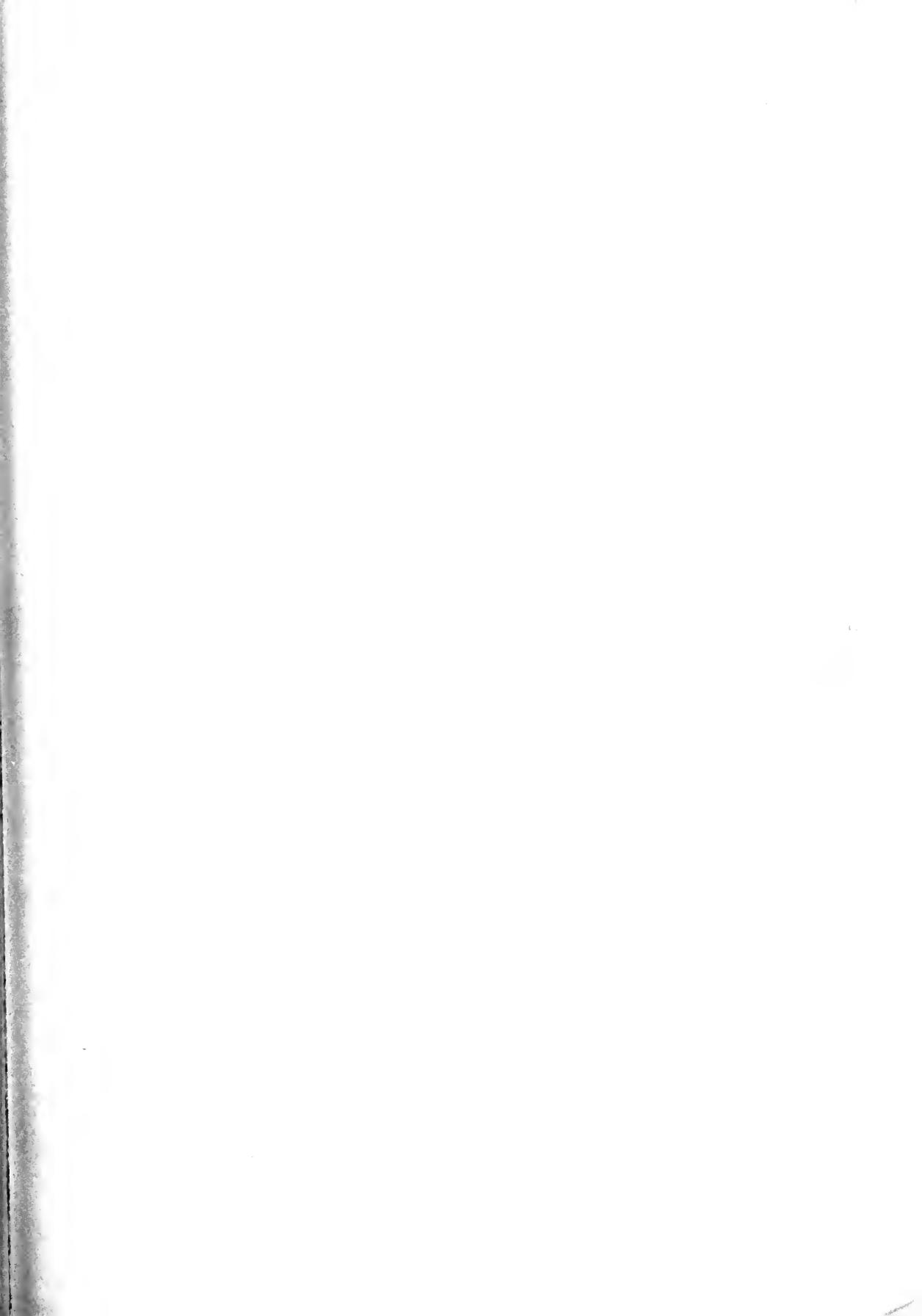
Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. New Augarita Porcupine Mines Limited, incorporated <sup>New Augarita
Porcupine
Mines
Limited</sup> by letters patent dated the 13th day of May, 1936, is hereby ^{revived} revived and is, subject to any rights acquired by any person ^{revived} after its dissolution, hereby restored to its legal position as a

company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

**Commence-
ment** **2.** This Act comes into force on the day it receives Royal Assent.

Short title **3.** This Act may be cited as *The New Augarita Porcupine Mines Limited Act, 1973*.



An Act respecting
New Angarita Porcupine Mines Limited

1st Reading

2nd Reading

3rd Reading

MR. MACBETH

(Private Bill)

BILL Pr32

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting New Augarita Porcupine Mines Limited

MR. MACBETH

BILL Pr32

1973

An Act respecting New Augarita Porcupine Mines Limited

WHEREAS Michael Murray, a common shareholder, ^{Preamble} hereby represents that New Augarita Porcupine Mines Limited, herein called the Corporation, was incorporated by letters patent dated the 13th day of May, 1936; that the Provincial Secretary, by order dated the 7th day of May, 1965, and made under the authority of subsection 2 of section 326 of *The Corporations Act*, being chapter 71 of the Revised Statutes of Ontario, 1960, cancelled the letters patent of the Corporation and declared it to be dissolved on the 3rd day of June, 1965; that the applicant was a holder of common shares of the Corporation at the time of its dissolution, but not a director of the Corporation at such time; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act* was sent to each of the persons of record on the files of the Department of the Provincial Secretary and Citizenship, of whom none are applicants; that the said notice was not received by Michael Murray and he was not aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation had, by agreement dated the 5th day of July, 1957, purported to sell all its assets, subject to its liabilities, to Augdome Exploration Limited; that the Corporation despite such intent and belief has been found by the Supreme Court of Ontario not to have transferred all of its said assets; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

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

1. New Augarita Porcupine Mines Limited, incorporated <sup>New Augarita
Porcupine
Mines
Limited</sup> by letters patent dated the 13th day of May, 1936, is hereby ^{revived} revived and is, subject to any rights acquired by any person ^{revived} after its dissolution, hereby restored to its legal position as a

company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

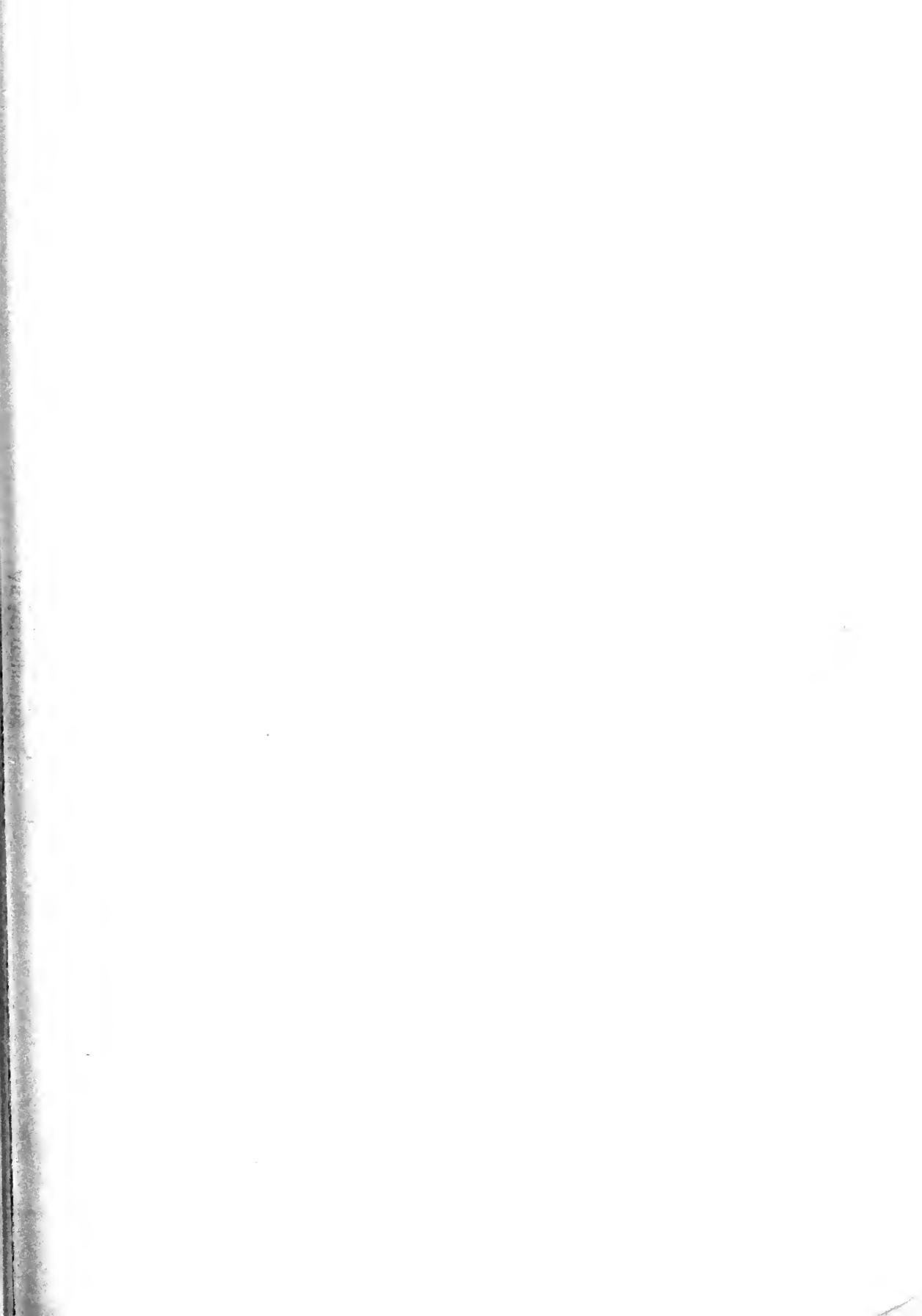
Commence-
ment

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

Short title

3. This Act may be cited as *The New Angarita Porcupine Mines Limited Act, 1973*.





An Act respecting
New Angarita Porcupine Mines Limited

1st Reading

April 12th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. MACBETH

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting S. B. Young Limited

MR. MACBETH

BILL Pr33

1973

An Act respecting S. B. Young Limited

WHEREAS Stanley B. Young hereby represents that ^{Preamble}
 S. B. Young Limited, herein called the Corporation,
 was incorporated by letters patent dated the 24th day of
 December, 1957; that the Provincial Secretary by order
 made under the authority of subsection 2 of section 326 of
The Corporations Act, being chapter 71 of the Revised
 Statutes of Ontario, 1960, cancelled the letters patent of
 the Corporation and declared it to be dissolved on the 8th
 day of December, 1966; that Stanley B. Young was the
 president and beneficial owner of all the issued and out-
 standing shares of the Corporation at the time of its dissolu-
 tion; that the notice of default in filing annual returns re-
 quired by the said subsection 2 of section 326 of *The Cor-
 porations Act* was not received by the applicant; that the
 applicant was not aware of the dissolution of the Corporation
 until more than two years after the date thereof; that the
 Corporation at the time of its dissolution was and is now
 carrying on the business authorized by its letters patent;
 and whereas the applicant hereby applies for special legisla-
 tion reviving the Corporation; and whereas it is expedient
 to grant the application;

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

1. S. B. Young Limited, incorporated by letters patent <sup>S. B.
Young
Limited
revived</sup>
 dated the 24th day of December, 1957, is hereby revived
 and is, subject to any rights acquired by any person after
 its dissolution, hereby restored to its legal position as a
 company incorporated by letters patent, including all its
 property, rights, privileges and franchises and subject to all
 its liabilities, contracts, disabilities and debts as at the date
 of dissolution in the same manner and to the same extent
 as if it had not been dissolved.

2. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup>
 Assent.

3. This Act may be cited as *The S. B. Young Limited* ^{Short title}
Act, 1973.

An Act respecting
S. B. Young Limited

1st Reading

2nd Reading

3rd Reading

MR. MACBETH

(Private Bill)

BILL Pr33

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting S. B. Young Limited

MR. MACBETH

BILL Pr33

1973

An Act respecting S. B. Young Limited

WHEREAS Stanley B. Young hereby represents that^{Preamble} S. B. Young Limited, herein called the Corporation, was incorporated by letters patent dated the 24th day of December, 1957; that the Provincial Secretary by order made under the authority of subsection 2 of section 326 of *The Corporations Act*, being chapter 71 of the Revised Statutes of Ontario, 1960, cancelled the letters patent of the Corporation and declared it to be dissolved on the 8th day of December, 1966; that Stanley B. Young was the president and beneficial owner of all the issued and outstanding shares of the Corporation at the time of its dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act* was not received by the applicant; that the applicant was not aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of its dissolution was and is now carrying on the business authorized by its letters patent; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

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

1. S. B. Young Limited, incorporated by letters patent^{S. B. Young Limited revived} dated the 24th day of December, 1957, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of dissolution in the same manner and to the same extent as if it had not been dissolved.

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

3. This Act may be cited as *The S. B. Young Limited*^{Short title} Act, 1973.

An Act respecting
S. B. Young Limited

1st Reading

April 18th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. MACBETH

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting Timrand Investments Limited

MR. SINGER

Handwritten text, possibly a date or reference number, located in the lower-left corner of the page.

BILL Pr34

1973

An Act respecting Timrand Investments Limited

WHEREAS Steve Agh hereby represents that Timrand In- ^{Preamble}
vestments Limited, herein called the Corporation, was in-
corporated by letters patent dated the 3rd day of September,
1957; that the Minister of Financial and Commercial Affairs by
order dated the 10th day of November, 1970, and made under the
authority of subsection 2 of section 326 of *The Corporations Act*,
being chapter 71 of the Revised Statutes of Ontario, 1960, can-
celled the letters patent of the Corporation for default in filing
annual returns and declared the Corporation to be dissolved
on the 16th day of December, 1970; that the applicant was
a director and the holder of the common shares of the Cor-
poration at the time of its dissolution; that the notice of default
in filing annual returns required by the said subsection 2 of
section 326 of *The Corporations Act*, although sent to the
applicant as director, was not received by him and he was
not aware of the dissolution of the Corporation until more
than two years after the date thereof; that the Corporation
at the time of its dissolution was and is now carrying on
active business; and whereas the applicant hereby applies
for special legislation reviving the Corporation; and whereas
it is expedient to grant the application;

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

1. Timrand Investments Limited, incorporated by letters <sup>Timrand
Investments
Limited
revived</sup>
patent dated the 3rd day of September, 1957, is hereby
revived and is, subject to any rights acquired by any person
after its dissolution, hereby restored to its legal position
as a company incorporated by letters patent, including all
its property, rights, privileges and franchises and subject to
all its liabilities, contracts, disabilities and debts in the same
manner and to the same extent as if it had not been dissolved.

2. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup>
Assent.

3. This Act may be cited as *The Timrand Investments* ^{Short title}
Limited Act, 1973.

An Act respecting
Timrand Investments Limited

1st Reading

2nd Reading

3rd Reading

MR. SINGER

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting Timrand Investments Limited

MR. SINGER

(Reprinted as amended by the Private Bills Committee)

2017-18
10/10/17
10/10/17

BILL Pr34

1973

An Act respecting Timrand Investments Limited

WHEREAS Steve Agh hereby represents that Timrand In-^{Preamble}vestments Limited, herein called the Corporation, was incorporated by letters patent dated the 3rd day of September, 1957; that the Minister of Financial and Commercial Affairs by order dated the 10th day of November, 1970, and made under the authority of subsection 2 of section 326 of *The Corporations Act*, being chapter 71 of the Revised Statutes of Ontario, 1960, cancelled the letters patent of the Corporation for default in filing annual returns and declared the Corporation to be dissolved on the 16th day of December, 1970; that the applicant was a director and the holder of the common shares of the Corporation at the time of its dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act*, although sent to the applicant as director, was not received by him and he was not aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of its dissolution was and is now carrying on active business; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

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

1. Timrand Investments Limited, incorporated by letters patent dated the 3rd day of September, 1957, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts in the same manner and to the same extent as if it had not been dissolved.

2. The name of the Corporation is hereby changed from Timrand Investments Limited to Timrand Holdings Limited.

3. The change in the name of the Corporation does not affect its rights or obligations.

Commence-
ment **4.** This Act comes into force on the day it receives Royal Assent.

Short title **5.** This Act may be cited as *The Timrand Investments Limited Act, 1973*.





An Act respecting
Timrand Investments Limited

1st Reading

April 18th, 1973

2nd Reading

3rd Reading

MR. SINGER

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

BILL Pr34

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting Timrand Investments Limited

MR. SINGER

BILL Pr34

1973

An Act respecting Timrand Investments Limited

WHEREAS Steve Agh hereby represents that Timrand In-vestments Limited, herein called the Corporation, was incorporated by letters patent dated the 3rd day of September, 1957; that the Minister of Financial and Commercial Affairs by order dated the 10th day of November, 1970, and made under the authority of subsection 2 of section 326 of *The Corporations Act*, being chapter 71 of the Revised Statutes of Ontario, 1960, cancelled the letters patent of the Corporation for default in filing annual returns and declared the Corporation to be dissolved on the 16th day of December, 1970; that the applicant was a director and the holder of the common shares of the Corporation at the time of its dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act*, although sent to the applicant as director, was not received by him and he was not aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of its dissolution was and is now carrying on active business; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

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

1. Timrand Investments Limited, incorporated by letters patent dated the 3rd day of September, 1957, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts in the same manner and to the same extent as if it had not been dissolved.

2. The name of the Corporation is hereby changed from Timrand Investments Limited to Timrand Holdings Limited.

3. The change in the name of the Corporation does not affect its rights or obligations.

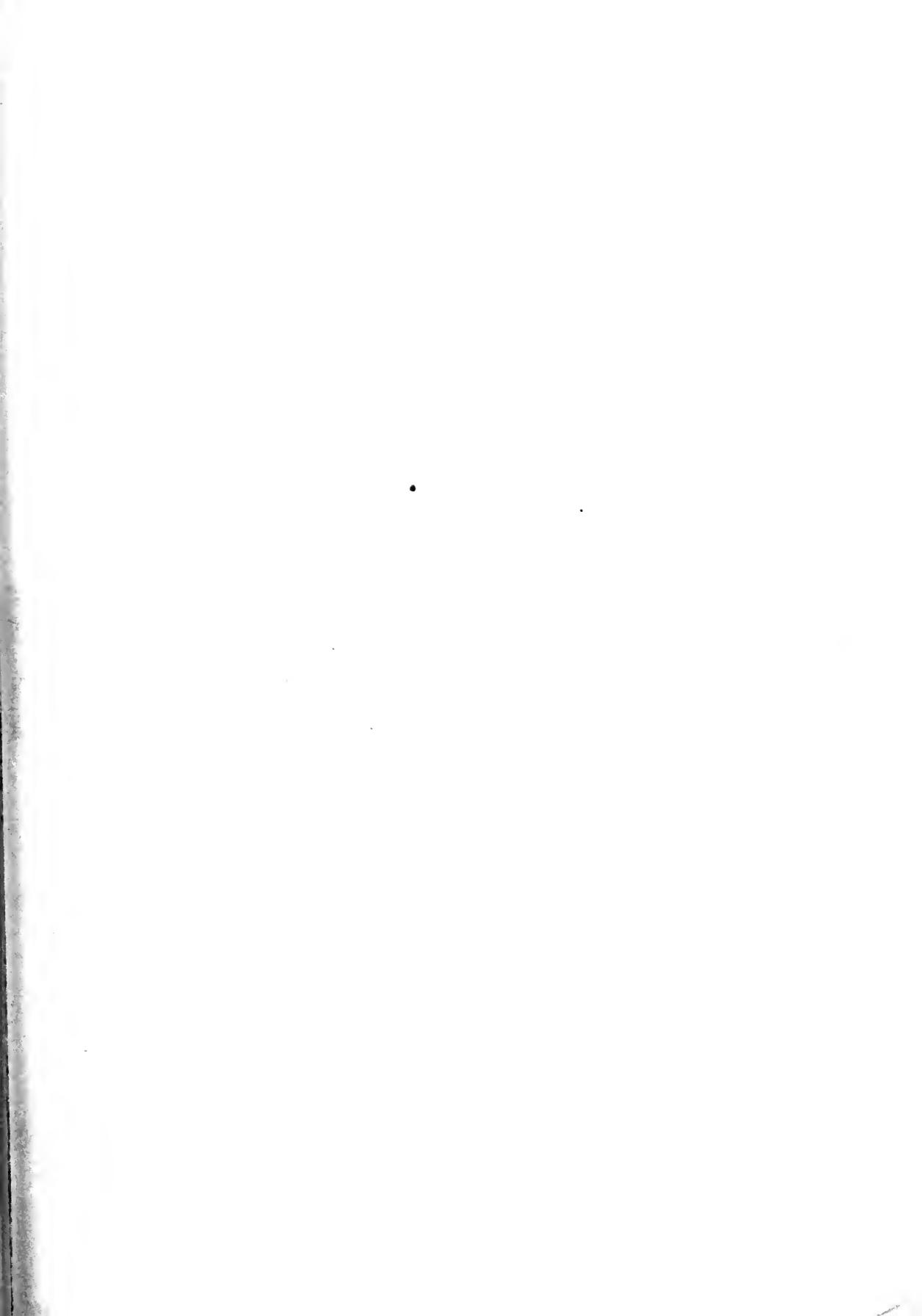
Preamble

Timrand
Investments
Limited
revivedChange of
name to
Timrand
Holdings
LimitedChange not
to affect
rights, etc.

**Commence-
ment** **4.** This Act comes into force on the day it receives Royal Assent.

Short title **5.** This Act may be cited as *The Timrand Investments Limited Act, 1973*.





An Act respecting
Timrand Investments Limited

1st Reading

April 18th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

• Mr. SINGER

BILL Pr35

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Toronto

MR. WARDLE

100-100000
100-100000

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, herein^{Preamble} called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1. Subsection 1 of section 4 of *The City of Toronto Act, 1935*, being chapter 96, is amended by striking out "not exceeding in the aggregate \$100,000 in any one year" in the third and fourth lines and inserting in lieu thereof "as it may determine".^{s. 4 (1), amended}

2.—(1) The council of the Corporation may pass by-laws for the use, regulation, protection and government of Nathan Phillips Square.^{Power to make by-laws respecting Nathan Phillips Square}

(2) A by-law passed under the authority of this section shall be enforceable in the same manner as a by-law passed under the authority of *The Municipal Act* and any such by-law may impose penalties of not more than \$1,000, exclusive of costs, upon every person who contravenes the provisions of such by-law.^{Penalty R.S.O. 1970, c. 284}

3.—(1) Notwithstanding *The Municipal Act* and subject to subsection 3, where a vacancy on the council of the Corporation occurs in the office of alderman, an election shall be held to fill the vacancy and the clerk of the Corporation shall hold a new election to fill the vacancy in accordance with section 90 of *The Municipal Elections Act, 1972*.^{Filling vacancy in office of alderman by election R.S.O. 1970, c. 284 1972, c. 95}

(2) Subject to subsection 3, where a direction is given in any judicial proceedings to hold an election to fill a vacancy in the office of alderman, the clerk of the Corporation shall hold a new election to fill the vacancy in accordance with section 90 of *The Municipal Elections Act, 1972*.^{Idem}

Vacancy
after
March 31st
in election
year

(3) Where a vacancy occurs on the council of the Corporation in the office of alderman after the 31st day of March of an election year the vacancy shall not be filled.

Filling
vacancy in
office of
mayor
R.S.O. 1970,
c. 284

4. Notwithstanding *The Municipal Act* and except where a direction is given in any judicial proceedings to hold an election to fill a vacancy in the office of mayor, where a vacancy occurs in the office of mayor a new election shall not be held and the procedure set out in section 44 of *The Municipal Act* applies.

s. 2,
repealed

5. Section 2 of *The City of Toronto Act, 1968-69*, being chapter 167, is repealed.

By-laws
respecting
devices in
highways

6.—(1) The council of the Corporation may by by-law,

- (a) designate any highway or portion of a highway under its jurisdiction as a speed control zone;
- (b) install or authorize the installation of a device or devices in any part of the roadway in a speed control zone so as to alter its surface; and
- (c) provide for the marking of any speed control zone by a sign or signs and provide for the placing thereof.

Contents

(2) A by-law passed under this section shall contain,

- (a) a description of the device or devices authorized to be installed;
- (b) a description of the sign or signs authorized and the location thereof; and
- (c) provision for the marking of any speed control zone by a sign or signs and provision for the placing thereof.

When
effective

(3) No by-law passed under this section becomes effective until the consent of the Minister of Transportation and Communications is endorsed on the by-law.

Exemption
from
liability

(4) Notwithstanding any general or special Act, where a by-law passed under this section is in effect, no liability attaches to the Corporation by reason of the passing of the by-law or any thing done pursuant to it, provided that nothing in this section shall absolve the Corporation from liability for negligence.

Alternate
for mayor
as member
of boards,
etc.

7. Notwithstanding any general or special Act, the council of the Corporation may by by-law, passed with the written

consent of the mayor, appoint a member of the council to act as an alternate to the mayor and in his place and stead at any meeting which the mayor does not, for any reason, wish to attend of any board, commission or other body of which the mayor is a member, except the council of The Municipality of Metropolitan Toronto, the executive committee of The Municipality of Metropolitan Toronto or any board, Commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes of The Municipality of Metropolitan Toronto.

8. The Corporation may by by-law grant to the widow, ^{Pecuniary aid for widow and children of deceased employee} until death or remarriage, and children or any of them of the late Ray Alfred Blows who was at the time of his death on September 25, 1972, in the employ of the Corporation as a labourer, pecuniary aid from the date of his death in an amount which, together with amounts received by way of pension under any by-law of the Corporation, under *The Workmen's Compensation Act*, or under the Canada Pension Plan produces ^{R.S.O. 1970, c. 505} a combined annual income of \$6,000.

9. Clauses *a* and *d* of subsection 1 of section 3 of *The City of Toronto Act, 1960-61*, being chapter 137, are repealed and the following substituted therefor: ^{s. 3 (1) (a, d), re-enacted}

(a) allow the parking of motor vehicles, or any class ^{By-laws respecting permit parking} or classes thereof, on designated public highways or parts of highways during specified hours to the owners of such vehicles pursuant to permits issued by an official named in the by-law;

(d) prohibit the parking of all motor vehicles on such designated public highways or parts of highways during such specified hours except with a permit issued pursuant to the by-law.

10.—(1) Subsection 2 of section 6 of *The City of Toronto Act, 1936*, being chapter 84, as re-enacted by the Statutes of Ontario, 1967, chapter 131, section 6, is amended by adding thereto the following clauses: ^{s. 6 (2), amended}

(f) for directing and ordering any occupant of a dwelling referred to in an order served in accordance with this section to pay his rent thereafter to the inspector to be deposited with the City Treasurer in trust until the order as confirmed or modified is complied with and for providing that the said

rent so held as aforesaid may be paid to the owner entitled to receive it in the event the order is complied with, or in the alternative that such rent shall be applied by the Corporation to reduce any amount expended or to be expended by the Corporation pursuant to any power conferred by this section;

- (g) for prohibiting, during any period of time when an order as confirmed or modified is in effect, any owner from increasing the rents applicable at the date of the enactment of such by-law to such dwelling and prohibiting eviction of any occupant of such dwelling unless such eviction is ordered by the inspector.

s. 6 (4),
amended

(2) Subsection 4 of the said section 6, as re-enacted by the Statutes of Ontario, 1971, chapter 130, section 3, is amended by striking out "but which shall not exceed 6½ per cent per annum" in the fifth and sixth lines.

s. 6,
amended

11.—(1) Section 6 of *The City of Toronto Act, 1971*, being chapter 130, is amended by adding at the end thereof "and their spouses and children".

s. 16,
amended

(2) Section 16 of the said Act is amended by adding thereto the following subsections:

Registration
of agreement

(5) Any agreement entered into by the Corporation and the owner or owners of land pursuant to subsection 1 may be registered in the appropriate land registry office against the land and the Corporation shall be entitled to enforce the provisions thereof against the owner and, if registered, against any and all subsequent owners of the land.

Agreements
relating to
certain lands

(6) The Board of Education for the City of Toronto, and Metropolitan Separate School Board, may each enter into agreements with any person relating to the development or redevelopment of any lands described in Schedule B hereto to ensure that adequate school facilities will be provided therein, and any agreement entered into by either of such Boards and the owner or owners of the land may be registered in the appropriate land registry office against the land, and each of such Boards shall be entitled to enforce the provisions thereof against the owner and, if registered, against any and all subsequent owners of the land.

Indemnifica-
tion by
Corporation

12. The Corporation shall indemnify and save harmless any member or representative of a member of The Benefit Fund Committee administering the Toronto Fire Department Superannuation and Benefit Fund and The Toronto

Civic Employees' Pension Committee from any loss, costs, damages or expenses arising out of or in any way connected with his being a member or representative of such member of either of such committees and shall defend any such member or representative of any such member in respect of the foregoing, provided that the Corporation shall not indemnify or save harmless any such member or representative of such member guilty of fraud or deliberate breach of trust.

13. This Act comes into force on the day it receives Royal ^{Commence-} Assent._{ment}

14. This Act may be cited as *The City of Toronto Act, 1973*.^{Short title}

An Act respecting
the City of Toronto

1st Reading

April 12th, 1973

2nd Reading

June 22nd, 1973

3rd Reading

June 22nd, 1973

MR. WARDLE

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Toronto

MR. WARDLE

(Reprinted as amended by the Private Bills Committee)

10/15/2000
10/15/2000

BILL Pr35

1973

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, herein^{Preamble} called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1. Subsection 1 of section 4 of *The City of Toronto Act*, s.4(1),^{amended} 1935, being chapter 96, is amended by striking out "not exceeding in the aggregate \$100,000 in any one year" in the third and fourth lines and inserting in lieu thereof "as it may determine".

2.—(1) The council of the Corporation may pass by-laws^{Power to make by-laws respecting Nathan Phillips Square} for the use, regulation, protection and government of Nathan Phillips Square.

(2) A by-law passed under the authority of this section^{Penalty} shall be enforceable in the same manner as a by-law passed under the authority of *The Municipal Act* and any such by-law may impose penalties of not more than \$1,000, exclusive of costs, upon every person who contravenes the provisions of such by-law.^{R.S.O. 1970, c. 284}

3.—(1) Notwithstanding *The Municipal Act* and sub-^{Filling vacancy in office of alderman by election}ject to subsection 3, where a vacancy on the council of the Corporation occurs in the office of alderman, an election shall be held to fill the vacancy and the clerk of the Corporation shall hold a new election to fill the vacancy in accordance with section 90 of *The Municipal Elections Act*, 1972.^{R.S.O. 1970, c. 284, 1972, c. 95}

(2) Subject to subsection 3, where a direction is given^{Idem} in any judicial proceedings to hold an election to fill a vacancy in the office of alderman, the clerk of the Corporation shall hold a new election to fill the vacancy in accordance with section 90 of *The Municipal Elections Act*, 1972.

Vacancy
after
March 31st
in election
year

(3) Where a vacancy occurs on the council of the Corporation in the office of alderman after the 31st day of March of an election year the vacancy shall not be filled.

Filling
vacancy in
office of
mayor
R.S.O. 1970,
c. 284

4. Notwithstanding *The Municipal Act* and except where a direction is given in any judicial proceedings to hold an election to fill a vacancy in the office of mayor, where a vacancy occurs in the office of mayor a new election shall not be held and the procedure set out in section 44 of *The Municipal Act* applies.

s. 2,
repealed

5. Section 2 of *The City of Toronto Act, 1968-69*, being chapter 167, is repealed.

By-laws
respecting
devices in
highways

6.—(1) The council of the Corporation may by by-law,

- (a) designate any highway or portion of a highway under its jurisdiction as a speed control zone;
- (b) install or authorize the installation of a device or devices in any part of the roadway in a speed control zone so as to alter its surface; and
- (c) provide for the marking of any speed control zone by a sign or signs and provide for the placing thereof.

Contents

(2) A by-law passed under this section shall contain,

- (a) a description of the device or devices authorized to be installed;
- (b) a description of the sign or signs authorized and the location thereof; and
- (c) provision for the marking of any speed control zone by a sign or signs and provision for the placing thereof.

When
effective

(3) No by-law passed under this section becomes effective until the consent of the Minister of Transportation and Communications is endorsed on the by-law.

Exemption
from
liability

(4) Notwithstanding any general or special Act, where a by-law passed under this section is in effect, no liability attaches to the Corporation by reason of the passing of the by-law or any thing done pursuant to it, provided that nothing in this section shall absolve the Corporation from liability for negligence.

Alternate
for mayor
as member
of boards,
etc.

7. Notwithstanding any general or special Act, the council of the Corporation may by by-law, passed with the written

consent of the mayor, appoint a member of the council to act as an alternate to the mayor and in his place and stead at any meeting which the mayor does not, for any reason, wish to attend of any board, commission or other body of which the mayor is a member, except the council of The Municipality of Metropolitan Toronto, the executive committee of The Municipality of Metropolitan Toronto or any board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes of The Municipality of Metropolitan Toronto.

8. The Corporation may by by-law grant to the widow, ^{Pecuniary aid for widow and children of deceased employee} until death or remarriage, and children or any of them of the late Ray Alfred Blows who was at the time of his death on September 25, 1972, in the employ of the Corporation as a labourer, pecuniary aid from the date of his death in an amount which, together with amounts received by way of pension under any by-law of the Corporation, under *The Workmen's Compensation Act*, or under the Canada Pension Plan produces ^{R.S.O. 1970, c. 505} a combined annual income of \$6,000.

9. Clauses *a* and *d* of subsection 1 of section 3 of *The City of Toronto Act, 1960-61*, being chapter 137, are repealed and the following substituted therefor: ^{s. 3 (1) (a, d), re-enacted}

(a) allow the parking of motor vehicles, or any class ^{By-laws respecting permit parking} or classes thereof, on designated public highways or parts of highways during specified hours to the owners of such vehicles pursuant to permits issued by an official named in the by-law;

.

(d) prohibit the parking of all motor vehicles on such designated public highways or parts of highways during such specified hours except with a permit issued pursuant to the by-law.

10.—(1) Subsection 2 of section 6 of *The City of Toronto Act, 1936*, being chapter 84, as re-enacted by the Statutes of Ontario, 1967, chapter 131, section 6, is amended by adding thereto the following clauses: ^{s. 6 (2), amended}

(f) for directing and ordering any occupant of a dwelling referred to in an order served in accordance with this section to pay his rent thereafter to the inspector to be deposited with the City Treasurer in trust until the order as confirmed or modified is complied with and for providing that the said

rent so held as aforesaid may be paid to the owner entitled to receive it in the event the order is complied with, or in the alternative that such rent shall be applied by the Corporation to reduce any amount expended or to be expended by the Corporation pursuant to any power conferred by this section;

- (g) for prohibiting, during any period of time when an order as confirmed or modified is in effect, any owner from increasing the rents applicable at the date of the enactment of such by-law to such dwelling and prohibiting eviction of any occupant of such dwelling unless such eviction is ordered by the inspector.

s. 6 (4),
amended

(2) Subsection 4 of the said section 6, as re-enacted by the Statutes of Ontario, 1971, chapter 130, section 3, is amended by striking out "but which shall not exceed 6½ per cent per annum" in the fifth and sixth lines.

s. 6,
amended

11.—(1) Section 6 of *The City of Toronto Act, 1971*, being chapter 130, is amended by adding at the end thereof "and their spouses and children".

s. 16,
amended

(2) Section 16 of the said Act is amended by adding thereto the following subsections:

Registration
of agreement

(5) Any agreement entered into by the Corporation and the owner or owners of land pursuant to subsection 1 may be registered in the appropriate land registry office against the land and the Corporation shall be entitled to enforce the provisions thereof against the owner and, if registered, against any and all subsequent owners of the land.

Agreements
relating to
certain lands

(6) The Board of Education for the City of Toronto, and Metropolitan Separate School Board, may each enter into agreements with any person relating to the development or redevelopment of any lands described in Schedule B hereto to ensure that adequate school facilities will be provided therein, and any agreement entered into by either of such Boards and the owner or owners of the land may be registered in the appropriate land registry office against the land, and each of such Boards shall be entitled to enforce the provisions thereof against the owner and, if registered, against any and all subsequent owners of the land.

Indemnifica-
tion by
Corporation

12. The Corporation shall indemnify and save harmless any member or representative of a member of The Benefit Fund Committee administering the Toronto Fire Department Superannuation and Benefit Fund and The Toronto

Civic Employees' Pension Committee from any loss, costs, damages or expenses arising out of or in any way connected with his being a member or representative of such member of either of such committees and shall defend any such member or representative of any such member in respect of the foregoing, provided that the Corporation shall not indemnify or save harmless any such member or representative of such member guilty of fraud or deliberate breach of trust.

13. This Act comes into force on the day it receives Royal ^{Commence-} Assent._{ment}

14. This Act may be cited as *The City of Toronto Act, 1973*.^{Short title}

An Act respecting
the City of Toronto

1st Reading

April 12th, 1973

2nd Reading

3rd Reading

MR. WARDLE

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

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Toronto

MR. WARDLE

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, herein^{Preamble} called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1. Subsection 1 of section 4 of *The City of Toronto Act*,^{s. 4 (1), amended} 1935, being chapter 96, is amended by striking out "not exceeding in the aggregate \$100,000 in any one year" in the third and fourth lines and inserting in lieu thereof "as it may determine".

2.—(1) The council of the Corporation may pass by-laws^{Power to make by-laws respecting Nathan Phillips Square} for the use, regulation, protection and government of Nathan Phillips Square.

(2) A by-law passed under the authority of this section^{Penalty} shall be enforceable in the same manner as a by-law passed under the authority of *The Municipal Act* and any such by-law may impose penalties of not more than \$1,000, exclusive of costs, upon every person who contravenes the provisions of such by-law.^{R.S.O. 1970, c. 284}

3.—(1) Notwithstanding *The Municipal Act* and subject to subsection 3, where a vacancy on the council of the Corporation occurs in the office of alderman, an election shall be held to fill the vacancy and the clerk of the Corporation shall hold a new election to fill the vacancy in accordance with section 90 of *The Municipal Elections Act*, 1972.^{Filling vacancy in office of alderman by election R.S.O. 1970, c. 284 1972, c. 95}

(2) Subject to subsection 3, where a direction is given^{Idem} in any judicial proceedings to hold an election to fill a vacancy in the office of alderman, the clerk of the Corporation shall hold a new election to fill the vacancy in accordance with section 90 of *The Municipal Elections Act*, 1972.

Vacancy
after
March 31st
in election
year

(3) Where a vacancy occurs on the council of the Corporation in the office of alderman after the 31st day of March of an election year the vacancy shall not be filled.

Filling
vacancy in
office of
mayor
R.S.O. 1970,
c. 284

4. Notwithstanding *The Municipal Act* and except where a direction is given in any judicial proceedings to hold an election to fill a vacancy in the office of mayor, where a vacancy occurs in the office of mayor a new election shall not be held and the procedure set out in section 44 of *The Municipal Act* applies.

s. 2,
repealed

5. Section 2 of *The City of Toronto Act, 1968-69*, being chapter 167, is repealed.

By-laws
respecting
devices in
highways

6.—(1) The council of the Corporation may by by-law,

- (a) designate any highway or portion of a highway under its jurisdiction as a speed control zone;
- (b) install or authorize the installation of a device or devices in any part of the roadway in a speed control zone so as to alter its surface; and
- (c) provide for the marking of any speed control zone by a sign or signs and provide for the placing thereof.

Contents

(2) A by-law passed under this section shall contain,

- (a) a description of the device or devices authorized to be installed; and
- (b) a description of the sign or signs authorized and the location thereof.

When
effective

(3) No by-law passed under this section becomes effective until approved by the Minister of Transportation and Communications.

Exemption
from
liability

(4) Notwithstanding any general or special Act, where a by-law passed under this section is in effect, no liability attaches to the Corporation by reason of the passing of the by-law or any thing done pursuant to it.

Alternate
for mayor
as member
of boards,
etc.

7. Notwithstanding any general or special Act, the council of the Corporation may by by-law, passed with the written consent of the mayor, appoint a member of the council to act as an alternate to the mayor and in his place and stead at any meeting which the mayor does not, for any reason, wish to attend of any board, commission or other

body of which the mayor is a member, except the council of The Municipality of Metropolitan Toronto, the executive committee of The Municipality of Metropolitan Toronto or any board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes of The Municipality of Metropolitan Toronto.

8. The Corporation may by by-law grant to the widow, ^{Pecuniary aid for widow and children of deceased employee} until death or remarriage, and children or any of them of the late Ray Alfred Blows who was at the time of his death on September 25, 1972, in the employ of the Corporation as a labourer, pecuniary aid from the date of his death in an amount which, together with amounts received by way of pension under any by-law of the Corporation, under *The Workmen's Compensation Act*, or under the Canada Pension Plan produces ^{R.S.O. 1970, c. 505} a combined annual income of \$6,000.

9. Clauses *a* and *d* of subsection 1 of section 3 of *The City of Toronto Act, 1960-61*, being chapter 137, are repealed ^{s. 3 (1) (a, d), re-enacted} and the following substituted therefor:

(a) allow the parking of motor vehicles, or any class ^{By-laws respecting permit parking} or classes thereof, on designated public highways or parts of highways during specified hours to the owners of such vehicles pursuant to permits issued by an official named in the by-law;

.

(d) prohibit the parking of all motor vehicles on such designated public highways or parts of highways during such specified hours except with a permit issued pursuant to the by-law.

10.—(1) Subsection 2 of section 6 of *The City of Toronto Act, 1936*, being chapter 84, as re-enacted by the Statutes of Ontario, 1967, chapter 131, section 6, is amended by adding thereto the following clauses:

(f) for directing and ordering any occupant of a dwelling referred to in an order served in accordance with this section to pay his rent thereafter to the inspector to be deposited with the City Treasurer in trust until the order as confirmed or modified is complied with and for providing that the said rent so held as aforesaid may be paid to the owner entitled to receive it in the event the order is complied with, or in the alternative that such rent shall be applied by the Corporation to reduce any

amount expended or to be expended by the Corporation pursuant to any power conferred by this section;

- (g) for prohibiting, during any period of time when an order as confirmed or modified is in effect, any owner from increasing the rents applicable at the date of the enactment of such by-law to such dwelling and prohibiting eviction of any occupant of such dwelling unless such eviction is ordered by the inspector.

s. 6(4),
amended

(2) Subsection 4 of the said section 6, as re-enacted by the Statutes of Ontario, 1971, chapter 130, section 3, is amended by striking out "but which shall not exceed 6½ per cent per annum" in the fifth and sixth lines.

By-laws
respecting
demolition
control areas

11.—(1) The council of the Corporation may pass by-laws to designate any defined area or areas within the City of Toronto as a demolition control area.

Effect

(2) Notwithstanding any general or special Act or by-law passed thereunder, upon coming into force of a by-law passed under subsection 1 and for a period of six months thereafter, no building or structure or part of a building or structure situate within an area defined by the by-law shall be demolished except where in the opinion of the council a building or structure or part of a building or structure is in an unsafe condition and incapable of repair nor shall any permit to demolish be issued where a permit is required except as aforesaid.

Penalty

(3) Every person who demolishes or authorizes the demolition of any building or structure or part of a building or structure contrary to subsection 2 is guilty of an offence and shall pay a penalty of \$2,000 for each and every building or structure or part of a building or structure so demolished and Part XXI of *The Municipal Act* applies *mutatis mutandis*.

R.S.O. 1970,
c. 284

Power to
make by-laws
respecting
demolition
of buildings,
etc.

R.S.O. 1970,
c. 349

(4) Where during the six-month period referred to in subsection 2 a study of such area has been initiated for the purpose of recommending policies for adoption by way of amendment to the official plan under *The Planning Act* for such area and the council is of the opinion that demolition of buildings or structures or parts of buildings or structures or any class or classes thereof may prejudice the effectiveness of any such policy, the council may by by-law,

- (a) prohibit in the whole or any part of such area the demolition of buildings or structures or parts of buildings or structures or any class or classes thereof;

- (b) provide that no permit shall be issued to demolish any building or structure or part of a building or structure of a class covered by the by-law where a permit is required except where, in the opinion of the council, such building or structure or part of a building or structure is in an unsafe condition and incapable of repair.

(5) A by-law passed under subsection 4 comes into force on the day the six-month period referred to in subsection 2 expires and continues in force for a period set out in the by-law, which shall not be more than five years or until an amendment to the official plan for the area covered by the by-law is approved under *The Planning Act*, whichever is shorter.

Duration

R.S.O. 1970,
c. 349

(6) No person shall acquire any right to a permit for the demolition of any building or structure or part of a building or structure of a class covered by the by-law where such permit is required by reason only of his having applied for such permit before or during the six-month period referred to in subsection 2 or while a by-law passed under subsection 4 is in effect.

Right to
permit

(7) During the six-month period referred to in subsection 2 and while a by-law passed under subsection 4 is in effect, any general or special Act respecting standards for the maintenance and occupancy of buildings and structures and any by-law passed thereunder remain in full force and effect subject to the provisions of subsection 2 or the provisions of a by-law passed under subsection 4, as the case may be.

Application
of Acts and
by-laws
respecting
standards of
maintenance,
etc.

(8) A by-law passed under subsection 4 may provide that every person who demolishes or authorizes the demolition of a building or structure or part of a building or structure contrary to the by-law is guilty of an offence and shall pay a penalty of \$2,000 for each and every building or structure or part of a building or structure so demolished and Part XXI of *The Municipal Act* applies *mutatis mutandis*.

Penalty

R.S.O. 1970,
c. 284

12.—(1) Section 6 of *The City of Toronto Act, 1971*, being chapter 130, is amended by adding at the end thereof “and their spouses and children”.

s. 6,
amended

(2) Section 16 of the said Act is amended by adding thereto the following subsection:

s. 16,
amended

(5) Any agreement entered into by the Corporation and the owner or owners of land pursuant to subsection 1 may be registered in the appropriate land registry office against

Registration
of agreement

the land and the Corporation shall be entitled to enforce the provisions thereof against the owner and, if registered, against any and all subsequent owners of the land.

Indemnifica-
tion by
Corporation

13. The Corporation shall indemnify and save harmless any member or representative of a member of The Benefit Fund Committee administering the Toronto Fire Department Superannuation and Benefit Fund and The Toronto Civic Employees' Pension Committee from any loss, costs, damages or expenses arising out of or in any way connected with his being a member or representative of such member of either of such committees and shall defend any such member or representative of any such member in respect of the foregoing.

Commence-
ment

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

Short title

15. This Act may be cited as *The City of Toronto Act, 1973*.



An Act respecting
the City of Toronto

1st Reading

April 12th, 1973

2nd Reading

3rd Reading

MR. WARDLE

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to incorporate the
Association of Natural Resources Technicians of Ontario**

MR. RHODES

BILL Pr36

1973

An Act to incorporate the Association of Natural Resources Technicians of Ontario

WHEREAS Brian Alfred Apland, Land Technician, James Lee Canfield, Regional Fire Co-ordinator, Robert William Catton, Division Manager, Lloyd Emerson Fleguel, Lands Administrator, John Douglas Haldane, Park Superintendent, Leonard Stanley Hawkins, Timber Technician, Bernard Joseph Labonte, Chief Forest Ranger, George Francis Love, Fisheries Management Officer, Clave Kalevi Mahonen, Nursery Foreman, Gerald Frederick McAuley, Deputy Chief Ranger and Philip Norman Mayville, Lecturer, hereby represent that they, together with the other members of an unincorporated association called "Association of Natural Resource Technicians (Ontario)", herein called the unincorporated association, are desirous of being incorporated under the name of "Association of Natural Resources Technicians of Ontario", herein called the Association, for the purposes of promoting the knowledge, skill and proficiency of the members of the Association in relation to the management of natural resources, of establishing a high standard of ethical practice for the members of the Association and of carrying out the objects of the Association; and whereas the applicants hereby apply for special legislation for such purposes; and whereas it is expedient to grant the application;

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

1. Brian Alfred Apland, Land Technician, James Lee Canfield, Regional Fire Co-ordinator, Robert William Catton, Division Manager, Lloyd Emerson Fleguel, Lands Administrator, John Douglas Haldane, Park Superintendent, Leonard Stanley Hawkins, Timber Technician, Bernard Joseph Labonte, Chief Forest Ranger, George Francis Love, Fisheries Management Officer, Clave Kalevi Mahonen, Nursery Foreman, Gerald Frederick McAuley, Deputy Chief Ranger and Philip Norman Mayville, Lecturer, and all other persons who on the day this Act comes into force are members in good standing of the unincorporated association and such persons as may

hereafter become members of the Association, are hereby constituted a body corporate and politic under the name "Association of Natural Resources Technicians of Ontario".

Head office
R.S.O. 1970,
c. 89

2. The head office of the Association shall be at the Town of Kapuskasing, in the District of Cochrane, until changed by special resolution under *The Corporations Act*.

Objects

3. The objects of the Association shall be to increase the knowledge, skill and proficiency of its members in relation to the management of natural resources and to establish a high standard of ethical practice for its members.

Membership

4.—(1) Any person who is of the full age of eighteen years or over and provides satisfactory evidence of good character may, in accordance with the by-laws of the Association, be admitted to membership in the Association,

(a) if he has graduated from a course in natural resources or course which in the opinion of Council is equivalent thereto, given at an Ontario community college or other Ontario educational institution approved by the Council and after graduation has had a record of at least eighteen months of experience in Ontario natural resources work which is acceptable to the Council; or

(b) if he has graduated from a course in natural resources or course which in the opinion of Council is equivalent thereto, given at an educational institution outside of Ontario and after graduation has had a record of at least twenty-four months of experience in Ontario natural resources work which is acceptable to the Council; or

(c) if he has successfully passed one or more examinations prescribed by Council and designed to show knowledge and skill equal to that obtained through graduation from an approved course in natural resources technology and has had a record of at least five years experience in Ontario natural resources work which is acceptable to the Council.

Corporation
registration
prohibited

(2) No corporation, partnership or association of persons shall be registered as a member of the Association.

Certificate
of member-
ship

5. 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 and secretary.

6.—(1) The secretary shall enroll in a register provided by the Council the names of all persons admitted to the Association. ^{Register}

(2) The secretary shall keep the register correct in accordance with this Act and the instruction of the Council. ^{Idem}

(3) 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}

7.—(1) The Association may acquire by purchase, lease, gift, devise, bequest or otherwise and hold real and personal property for its objects, and may alienate, exchange, lease, mortgage or otherwise dispose of such real and personal property or any part thereof as occasion may require. ^{Real and personal property}

(2) The Council may pass by-laws providing that, upon the dissolution of the Association and after payment of all debts and liabilities, any remaining property of the Association or any part thereof may be distributed or disposed of among charitable, professional or educational organizations or among organizations whose objects are beneficial to the community. ^{Distribution of property on dissolution}

(3) No by-law enacted under subsection 2 is effective until it has been confirmed by two-thirds of the votes cast at a general meeting of members duly called for that purpose. ^{Idem}

8.—(1) There shall be a council of the Association, herein called the Council, which shall control and manage the affairs of the Association. ^{Council}

(2) For purposes of representation on the Council, the membership of the Association shall be divided into such sections based on geographical location as the by-laws may provide. ^{Division into geographical sections}

(3) The Council shall consist of the president, vice-president and immediate past president and one councillor from each section of the Association, all of whom, except the immediate past president, shall be elected for such term and in such manner as the by-laws provide, and notwithstanding the provisions of *The Corporations Act* such election shall be conducted by secret letter ballot returnable within thirty days after the mailing thereof. ^{Composition}

(4) In the case of the death, resignation or incapacity of any member of the Council, the office may be declared vacant by the Council and the Council may fill the vacancy in such manner as the by-laws provide, and absence from three conse- ^{Vacancies}

cutive meetings or cancellation or suspension of registration may be treated by the Council as incapacity.

Officers,
staff

(5) The Council may appoint a secretary, a treasurer and such other officers and employees as are provided for in the by-laws.

Holding
more than
one office

(6) The same person may hold more than one appointed office.

Continua-
tion

(7) The members of the council and officers of the unincorporated association at the time this Act comes into force shall constitute the members of the Council and officers of the Association, and shall hold office for six months after the day this Act comes into force unless their successors are sooner elected or appointed as this Act or the by-laws provide, and all by-laws of the unincorporated association, except so far as they are inconsistent with this Act and subject to approval of the Lieutenant Governor in Council, shall continue in full force and effect until amended, repealed or replaced by by-laws passed by the Association.

By-laws

9.—(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 Association, its management, government, aims, objects and interest, including,

- (a) providing for the division of the membership of the Association into sections based on geographical location for the purpose of representation on the Council;
- (b) providing for the election of the members of the Council and for the filling of vacancies thereon;
- (c) providing for the election or appointment of officers of the Association and prescribing their powers and duties;
- (d) providing for the remuneration and reimbursement of members of the Council and of the officers and employees of the Association;
- (e) prescribing the notice, time, place, procedure and order of business of meetings of the members and of the Council;
- (f) providing for the fixing, levying and collecting of fees payable upon application for registration and

renewal of registration, and prescribing the penalties for failure to make such payments;

- (g) providing for the keeping of a register of members and the conditions and procedure of registration, annual renewal of registration and the cancellation or suspension of registration;
- (h) providing for the form and use of a seal by the Association;
- (i) providing for the management of any real or personal property of the Association, including the investment of any money not immediately required for the purposes of the Association in securities in which trust moneys may be invested by law;
- (j) prescribing a code of ethics to govern the discipline, conduct and control of members;
- (k) governing the expenditures and dispositions of the revenue of the Association and prescribing the books and records to be kept and providing for the auditing thereof;
- (l) instituting and providing means for increasing the knowledge and skill of the members, and for maintaining a high standard of professional ethics for members;
- (m) providing for the establishment of minimum academic standards and experience in natural resources work for applicants for membership in the Association;
- (n) providing for qualifications of membership in the Association in addition to those prescribed in section 4;
- (o) providing for the form of certificates of registration and their renewal;
- (p) providing for the establishment and operation of committees;
- (q) regulating the conduct of the members of the Association including the suspension or expulsion of any member for misconduct or violation of the by-laws of the Association;

- (r) providing for and prescribing the terms and conditions upon which persons may become honorary members and associates of the Association;
- (s) providing for a board of examiners and prescribing its powers and duties;
- (t) providing for the form of application, the examination of applicants and proof of academic qualifications, experience in natural resources work and any other qualifications required for registration;
- (u) providing for the re-examination of applicants and for the procedure and conditions of restoring registration where such registration has been cancelled or suspended by the Council;
- (v) respecting any other matter deemed necessary or advisable relative to the affairs, business and property of the Association, its management, government, aims, objects and interests.

Approval of
by-laws

(2) No by-law or any amendment thereto 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 and until it has been approved by the Lieutenant Governor in Council.

Hearing

10.—(1) The Council shall not refuse to admit to membership a person who has made application therefor, or suspend or expel a member of the Association, without first affording the applicant or member an opportunity to be heard, if the applicant or member so requests.

Decision

(2) The decision taken after a hearing shall be in writing and shall contain or be accompanied by the reasons for the decision in which are set out the findings of fact and the conclusions of law, if any, based thereon, and a copy of the decision and the reasons therefor shall be served upon the applicant or member within thirty days after the date of the decision.

Appeal

(3) Any person whom the Council has refused to grant admission to membership or a member who has been suspended or expelled from the Association may appeal from the decision or order of refusal, suspension or expulsion to the Divisional Court within fifteen days from the day upon which he is served with the decision or order of refusal, suspension or expulsion, and the practice and procedure in relation to the appeal shall be in accordance with the practice in appeals from the decision or order of a judge of the Supreme Court.

(4) Any person whose rights may be affected at a hearing ^{Right to counsel, etc.} has the right to be represented by counsel or agent, to adduce evidence and make submissions.

11. Associates and honorary members shall have and enjoy ^{Rights of associates, etc.} all the rights and privileges of members, other than the right to use the designation or initials referred to in section 14, the right to vote upon any question before the Association and the right to hold office in the Association.

12. Any surplus moneys derived from carrying on the ^{Surplus} affairs and business of the Association shall be devoted solely to promoting and carrying out its objects.

13. Nothing in this Act affects the practice of any profession ^{Application of Act} 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.

14.—(1) Every member of the Association shall have the ^{Designation} right to use the designation "Registered Natural Resources Technician" and may use the initials "R.N.R.T." indicating that he is a registered natural resources technician.

(2) Any person in Ontario who, not being a registered ^{Offence and penalty} member of the Association, takes or uses the designation "Registered Natural Resources Technician" or the initials "R.N.R.T.", or any name, title or description implying or which may lead to the belief that he 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.

15. This Act comes into force on the day it receives Royal ^{Commencement} Assent.

16. This Act may be cited as *The Ontario Natural Resources Technicians Association Act, 1973.* ^{Short title}

Small, illegible stamp or mark in the bottom left corner.

An Act to incorporate the Association
of Natural Resources Technicians of
Ontario

1st Reading

April 12th, 1973

2nd Reading

3rd Reading

MR. RHODES

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Borough of York

MR. MACDONALD

17

BILL Pr37

1973

An Act respecting the Borough of York

WHEREAS The Corporation of the Borough of York, herein^{Preamble} called the Corporation, hereby represents that it is desirable to amend *The Township of York Act, 1962-63 (No. 2)*, being chapter 200, so as to provide for changing the class of persons to whom notice of the intention of council to pass a by-law permitting overnight parking shall be sent from municipal electors shown on the last revised assessment roll to owners of land shown on the last polling list of electors; and whereas the Corporation hereby applies for special legislation for such purpose; and whereas it is expedient to grant the application;

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

1. Subsection 2 of section 3 of *The Township of York Act, 1962-63*^{s.3(2), re-enacted} (No. 2), being chapter 200, as re-enacted by the Statutes of Ontario, 1967, chapter 137, section 1, is repealed and the following substituted therefor:

(2) Before passing a by-law under this section, notice of^{Notice} the intention of the Corporation to pass the same shall be sent by prepaid mail to all persons who are shown on the last polling list of electors as being owners of land abutting on the highways or parts thereof to be designated as aforesaid, at the addresses respectively shown for such persons on the said polling list.

2. This Act comes into force on the day it receives Royal Assent.<sup>Commence-
ment</sup>
3. This Act may be cited as *The Borough of York Act, 1973*.^{Short title}

An Act respecting
the Borough of York

1st Reading

April 12th, 1973

2nd Reading

3rd Reading

MR. MACDONALD

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Borough of York

MR. MACDONALD

(Reprinted as amended by the Private Bills Committee)

An Act respecting the Borough of York

WHEREAS The Corporation of the Borough of York, herein^{Preamble} called the Corporation, hereby represents that it is desirable to amend *The Township of York Act, 1962-63 (No. 2)*, being chapter 200, so as to provide for changing the class of persons to whom notice of the intention of council to pass a by-law permitting over-night parking shall be sent from municipal electors shown on the last revised assessment roll to owners and tenants of land shown on the last revised assessment roll; and whereas the Corporation hereby applies for special legislation for such purpose; and whereas it is expedient to grant the application;

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

1. Subsection 2 of section 3 of *The Township of York Act, 1962-63*^{s. 3 (2), re-enacted} (No. 2), being chapter 200, as re-enacted by the Statutes of Ontario, 1967, chapter 137, section 1, is repealed and the following substituted therefor:

(2) Before passing a by-law under this section, notice of^{Notice} the intention of the Corporation to pass the same shall be sent by prepaid mail to all persons who are shown on the last revised assessment roll as being owners or tenants of land abutting on the highways or parts thereof to be designated as aforesaid, at the addresses respectively shown for such persons on the said assessment roll.

(2a) For the purposes of subsection 2, "tenants" means all^{Inter-pretation} persons shown on the last revised assessment roll as tenants of properties for which six or fewer tenants are shown on the said assessment roll.

2. This Act comes into force on the day it receives Royal Assent.^{Commence-ment}
3. This Act may be cited as *The Borough of York Act, 1973*.^{Short title}

An Act respecting
the Borough of York

1st Reading

April 12th, 1973

2nd Reading

3rd Reading

MR. MACDONALD

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

BILL Pr37

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Borough of York

MR. MACDONALD

12

BILL Pr37

1973

An Act respecting the Borough of York

WHEREAS The Corporation of the Borough of York, herein^{Preamble} called the Corporation, hereby represents that it is desirable to amend *The Township of York Act, 1962-63 (No. 2)*, being chapter 200, so as to provide for changing the class of persons to whom notice of the intention of council to pass a by-law permitting overnight parking shall be sent from municipal electors shown on the last revised assessment roll to owners and tenants of land shown on the last revised assessment roll; and whereas the Corporation hereby applies for special legislation for such purpose; and whereas it is expedient to grant the application;

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

1. Subsection 2 of section 3 of *The Township of York Act, 1962-63*^{s. 3 (2).} (No. 2), being chapter 200, as re-enacted^{re-enacted} by the Statutes of Ontario, 1967, chapter 137, section 1, is repealed and the following substituted therefor:

(2) Before passing a by-law under this section, notice of^{Notice} the intention of the Corporation to pass the same shall be sent by prepaid mail to all persons who are shown on the last revised assessment roll as being owners or tenants of land abutting on the highways or parts thereof to be designated as aforesaid, at the addresses respectively shown for such persons on the said assessment roll.

(2a) For the purposes of subsection 2, "tenants" means all^{Inter-} persons shown on the last revised assessment roll as tenants^{pretation} of properties for which six or fewer tenants are shown on the said assessment roll.

2. This Act comes into force on the day it receives Royal Assent.^{Commence-}
3. This Act may be cited as *The Borough of York Act, 1973*.^{ment} ^{Short title}

An Act respecting
the Borough of York

1st Reading

April 12th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. MACDONALD

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Ottawa

MR. MORROW

12

BILL Pr38

1973

An Act respecting the City of Ottawa

WHEREAS The Corporation of the City of Ottawa, herein Preamble
 called the Corporation, hereby applies for special legisla-
 tion in respect of the matters hereinafter set forth; and
 whereas it is expedient to grant the application;

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

1.—(1) For the purposes of subsection 6 of section 250 of Deemed
service
The Municipal Act, the prior service of Peter Gavin Burns R.S.O. 1970,
c. 284
 with Central Mortgage and Housing Corporation is hereby
 deemed to be service with the civil service of Canada.

(2) The Trustees of The City of Ottawa Superannuation Acceptance
of transfer
of moneys
authorized
 Fund are hereby authorized to accept the transfer of any
 sum of money, including interest, standing to the credit of
 the said Peter Gavin Burns, and to apply it for the benefit
 of the said Peter Gavin Burns in accordance with the terms
 of The City of Ottawa Superannuation Fund By-laws, and
 to enter into an agreement with Central Mortgage and Housing
 Corporation to effect such transfer.

(3) The said Peter Gavin Burns is hereby deemed to have Deemed
employee of
Corporation
 been an employee of the Corporation for pension purposes
 only, from the 1st day of October, 1962, and as such, not
 eligible for membership in the Ontario Municipal Employees
 Retirement System.

(4) Notwithstanding any provisions to the contrary in Transfer of
moneys by
OMERS
The Pension Benefits Act and the regulations made thereunder, R.S.O. 1970,
c. 342
 the Ontario Municipal Employees Retirement System shall
 forthwith transfer to the Trustees of The City of Ottawa
 Superannuation Fund the total amount of all employer and
 employee contributions made on account of the said Peter
 Gavin Burns together with interest thereon, at the same rate
 as is payable on refund of contributions, for the period of
 his membership in the said Ontario Municipal Employees
 Retirement System.

By-laws
re taxi-cab
owners and
drivers

2. In addition to any of the powers conferred on the councils of towns, villages, townships and boards of commissioners of police of cities by paragraphs 1 and 6 of section 377 of *The Municipal Act*, the Corporation may, in exercising any of the powers pursuant to those paragraphs, also include in any by-law relating thereto a prohibition against any owner and driver of a taxi-cab from picking up any person within the limits of the City of Ottawa unless such owner and driver has been previously and is still licensed by the Corporation as an owner and driver.

Power to
restrain
contra-
vention may
be vested
in court

3. In addition to any of the powers conferred on the council of any municipality by *The Municipal Act* or by any general or special Act, the Corporation may, in exercising any of its powers to license or regulate, provide in any such regulation authority to a court, wherein the information is first laid, and to any court of competent jurisdiction thereafter, to issue an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

Retirement
allowances
authorized
R.S.O. 1970,
cc. 284, 118

4.—(1) Notwithstanding subsection 1 of section 239 of *The Municipal Act*, the council of the Corporation may grant an annual retirement allowance, payable weekly, monthly or otherwise, to an employee during his life who has had continuous service for at least ten years with the Corporation or with the Corporation and any other municipality or local board as defined in *The Municipal Affairs Act* or any two or more of them and who,

(a) is retired because of age; or

(b) while in the service of the Corporation, has become incapable through illness or otherwise of efficiently discharging his duties,

provided that no retirement allowance, together with the amount of any pension payments payable to the employee in any year under a pension plan of the Corporation or any local board will exceed his average annual salary for the preceding three years of his service.

R.S.O. 1970,
c. 284, s. 395 (5)
not to apply

(2) Subsection 5 of section 239 of *The Municipal Act* does not apply to the City of Ottawa.

Disability
insurance
authorized
R.S.O. 1970,
c. 224

(3) The Corporation may enact by-laws for providing by contract with an insurer licensed under *The Insurance Act*, disability insurance for employees or any class thereof, and for paying the whole or part of the cost thereof.

(4) "Employee" in subsections 1, 2 and 3 means an employee as defined in paragraph 64 of section 352 of *The Municipal Act*. <sup>Interpre-
tation</sup>

5.—(1) The council of the Corporation may, with the prior approval of the Ontario Municipal Board, pass by-laws designating buildings or structures as buildings or structures of historic or architectural value or interest. <sup>By-laws
designating
buildings of
historical or
architectural
value</sup>

- (2) A by-law passed under subsection 1 may, <sup>Provisions
that may be
contained in
by-laws</sup>
- (a) prohibit the demolition or destruction of buildings or structures designated thereunder or prohibit or regulate the alteration, renovation or use thereof;
 - (b) provide for the acquisition by purchase, lease or otherwise of any such building or structure; or
 - (c) provide for the making of grants to the owner of any such building or structure for the renovation, restoration or maintenance thereof.

(3) Where a by-law prohibits the demolition, destruction, alteration, renovation or use of a building or structure, or regulates the alteration or renovation of a building or structure, unless the Corporation has, within ninety days of the passing thereof, <sup>By-law to be
repealed if no
agreement re
purchase,
etc., of
building or
structure</sup>

- (a) entered into an agreement for the purchase of the building or structure;
- (b) entered into an agreement for the payment of compensation to the owner of the building or structure; or
- (c) expropriated the building or structure, the Corporation shall forthwith repeal the by-law.

(4) A by-law passed under subsection 1 shall, within five days after the passing thereof, be registered by the clerk of the Corporation against the land affected in the proper land registry office, and where any by-law is not so registered, it shall be deemed to be repealed. <sup>Registration
of by-law</sup>

(5) A by-law repealing a by-law passed under subsection 1 shall, within five days after the passing thereof, be registered by the clerk of the Corporation against the land affected in the proper land registry office. ^{Idem}

- Liability of Corporation (6) Where a by-law passed under subsection 1, other than a by-law regulating the use of buildings or structures, is repealed, the Corporation is liable to the owner of any land affected by the by-law for any consequential damages.
- 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 Ottawa Act, 1973*.

An Act respecting
the City of Ottawa

1st Reading

April 6th, 1973

2nd Reading

3rd Reading

MR. MORROW

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Ottawa

MR. MORROW

(Reprinted as amended by the Private Bills Committee)

11

BILL Pr38

1973

An Act respecting the City of Ottawa

WHEREAS The Corporation of the City of Ottawa, herein Preamble
called the Corporation, hereby applies for special legisla-
tion in respect of the matters hereinafter set forth; and
whereas it is expedient to grant the application;

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

1.—(1) For the purposes of subsection 6 of section 250 of Deemed
service
The Municipal Act, the prior service of Peter Gavin Burns R.S.O. 1970,
c. 284
with Central Mortgage and Housing Corporation is hereby
deemed to be service with the civil service of Canada.

(2) The Trustees of The City of Ottawa Superannuation Acceptance
of transfer
of moneys
authorized
Fund are hereby authorized to accept the transfer of any
sum of money, including interest, standing to the credit of
the said Peter Gavin Burns, and to apply it for the benefit
of the said Peter Gavin Burns in accordance with the terms
of The City of Ottawa Superannuation Fund By-laws, and
to enter into an agreement with Central Mortgage and Housing
Corporation to effect such transfer.

(3) The said Peter Gavin Burns is hereby deemed to have Deemed
employee of
Corporation
been an employee of the Corporation for pension purposes
only, from the 1st day of October, 1962, and as such, not
eligible for membership in the Ontario Municipal Employees
Retirement System.

(4) Notwithstanding any provisions to the contrary in Transfer of
moneys by
OMERS
R.S.O. 1970,
c. 342
The Pension Benefits Act and the regulations made thereunder,
the Ontario Municipal Employees Retirement System shall
forthwith transfer to the Trustees of The City of Ottawa
Superannuation Fund the total amount of all employer and
employee contributions made on account of the said Peter
Gavin Burns together with interest thereon, at the same rate
as is payable on refund of contributions, for the period of
his membership in the said Ontario Municipal Employees
Retirement System.

Power to
restrain
contra-
vention may
be vested
in court

2. In addition to any of the powers conferred on the council of any municipality by *The Municipal Act* or by any general or special Act, the Corporation may, in exercising any of its powers to license or regulate, provide in any such regulation authority to a court, wherein the information is first laid, and to any court of competent jurisdiction thereafter, to issue an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

Retirement
allowances
authorized

R.S.O. 1970,
cc. 284,
118

3.—(1) Notwithstanding subsections 1 and 5 of section 239 of *The Municipal Act*, the council of the Corporation may grant an annual retirement allowance, calculated in accordance with the City of Ottawa Superannuation Fund, payable weekly, monthly or otherwise, to an employee during his life who has had continuous service for at least ten years with the Corporation or with the Corporation and any other municipality or local board as defined in *The Municipal Affairs Act* or any two or more of them and who becomes permanently partially disabled and thereby unable to perform the duties associated with his position at that time, provided that no retirement allowance, together with the amount of any pension payments payable to the employee in any year under a pension plan of the City of Ottawa, shall exceed the amount of any pension payment to which any such employee would be entitled if the employee were a member of the City of Ottawa Superannuation Fund.

Interpre-
tation

(2) "Employee" in subsection 1 means an employee as defined in paragraph 64 of section 352 of *The Municipal Act*, but does not include an employee who is a member of the City of Ottawa Superannuation Fund.

By-laws
designating
buildings of
historical or
architectural
value

4.—(1) The council of the Corporation may, with the prior approval of the Ontario Municipal Board, pass by-laws designating buildings or structures as buildings or structures of historic or architectural value or interest.

Provisions
that may be
contained in
by-laws

(2) A by-law passed under subsection 1 may,

- (a) prohibit the demolition or destruction of buildings or structures designated thereunder or prohibit or regulate the alteration, renovation or use thereof;
- (b) provide for the acquisition by purchase, lease or otherwise of any such building or structure; or
- (c) provide for the making of grants to the owner of any such building or structure for the renovation, restoration or maintenance thereof.

(3) Where a by-law prohibits the demolition, destruction, alteration, renovation or use of a building or structure, or regulates the alteration or renovation of a building or structure, unless the Corporation has, within ninety days of the passing thereof, ^{By-law to be repealed if no agreement re purchase, etc., of building or structure}

- (a) entered into an agreement for the purchase of the building or structure;
- (b) entered into an agreement for the payment of compensation to the owner of the building or structure; or
- (c) expropriated the building or structure, the Corporation shall forthwith repeal the by-law.

(4) A by-law passed under subsection 1 shall, within five days after the passing thereof, be registered by the clerk of the Corporation against the land affected in the proper land registry office, and where any by-law is not so registered, it shall be deemed to be repealed. ^{Registration of by-law}

(5) A by-law repealing a by-law passed under subsection 1 shall, within five days after the passing thereof, be registered by the clerk of the Corporation against the land affected in the proper land registry office. ^{Idem}

(6) Where a by-law passed under subsection 1, other than a by-law regulating the use of buildings or structures, is repealed, the Corporation is liable to the owner of any land affected by the by-law for any consequential damages. ^{Liability of Corporation}

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, 1973*. ^{Short title}

12

An Act respecting
the City of Ottawa

1st Reading

April 6th, 1973

2nd Reading

3rd Reading

MR. MORROW

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

BILL Pr38

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Ottawa

MR. MORROW

2007
10/10/07

BILL Pr38

1973

An Act respecting the City of Ottawa

WHEREAS The Corporation of the City of Ottawa, herein Preamble
called the Corporation, hereby applies for special legisla-
tion in respect of the matters hereinafter set forth; and
whereas it is expedient to grant the application;

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

1.—(1) For the purposes of subsection 6 of section 250 of Deemed
service
R.S.O. 1970,
c. 284
The Municipal Act, the prior service of Peter Gavin Burns
with Central Mortgage and Housing Corporation is hereby
deemed to be service with the civil service of Canada.

(2) The Trustees of The City of Ottawa Superannuation Acceptance
of transfer
of moneys
authorized
Fund are hereby authorized to accept the transfer of any
sum of money, including interest, standing to the credit of
the said Peter Gavin Burns, and to apply it for the benefit
of the said Peter Gavin Burns in accordance with the terms
of The City of Ottawa Superannuation Fund By-laws, and
to enter into an agreement with Central Mortgage and Housing
Corporation to effect such transfer.

(3) The said Peter Gavin Burns is hereby deemed to have Deemed
employee of
Corporation
been an employee of the Corporation for pension purposes
only, from the 1st day of October, 1962, and as such, not
eligible for membership in the Ontario Municipal Employees
Retirement System.

(4) Notwithstanding any provisions to the contrary in Transfer of
moneys by
OMERS
R.S.O. 1970,
c. 342
The Pension Benefits Act and the regulations made thereunder,
the Ontario Municipal Employees Retirement System shall
forthwith transfer to the Trustees of The City of Ottawa
Superannuation Fund the total amount of all employer and
employee contributions made on account of the said Peter
Gavin Burns together with interest thereon, at the same rate
as is payable on refund of contributions, for the period of
his membership in the said Ontario Municipal Employees
Retirement System.

Power to
restrain
contra-
vention may
be vested
in court

2. In addition to any of the powers conferred on the council of any municipality by *The Municipal Act* or by any general or special Act, the Corporation may, in exercising any of its powers to license or regulate, provide in any such regulation authority to a court, wherein the information is first laid, and to any court of competent jurisdiction thereafter, to issue an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

Retirement
allowances
authorized

R.S.O. 1970,
cc. 284,
118

3.—(1) Notwithstanding subsections 1 and 5 of section 239 of *The Municipal Act*, the council of the Corporation may grant an annual retirement allowance, calculated in accordance with the City of Ottawa Superannuation Fund, payable weekly, monthly or otherwise, to an employee during his life who has had continuous service for at least ten years with the Corporation or with the Corporation and any other municipality or local board as defined in *The Municipal Affairs Act* or any two or more of them and who becomes permanently partially disabled and thereby unable to perform the duties associated with his position at that time, provided that no retirement allowance, together with the amount of any pension payments payable to the employee in any year under a pension plan of the City of Ottawa, shall exceed the amount of any pension payment to which any such employee would be entitled if the employee were a member of the City of Ottawa Superannuation Fund.

Interpre-
tation

(2) "Employee" in subsection 1 means an employee as defined in paragraph 64 of section 352 of *The Municipal Act*, but does not include an employee who is a member of the City of Ottawa Superannuation Fund.

By-laws
designating
buildings of
historical or
architectural
value

4.—(1) The council of the Corporation may, with the prior approval of the Ontario Municipal Board, pass by-laws designating buildings or structures as buildings or structures of historic or architectural value or interest.

Provisions
that may be
contained in
by-laws

- (2) A by-law passed under subsection 1 may,
- (a) prohibit the demolition or destruction of buildings or structures designated thereunder or prohibit or regulate the alteration, renovation or use thereof;
 - (b) provide for the acquisition by purchase, lease or otherwise of any such building or structure; or
 - (c) provide for the making of grants to the owner of any such building or structure for the renovation, restoration or maintenance thereof.

(3) Where a by-law prohibits the demolition, destruction, alteration, renovation or use of a building or structure, or regulates the alteration or renovation of a building or structure, unless the Corporation has, within ninety days of the passing thereof, ^{By-law to be repealed if no agreement re purchase, etc., of building or structure}

- (a) entered into an agreement for the purchase of the building or structure;
- (b) entered into an agreement for the payment of compensation to the owner of the building or structure; or
- (c) expropriated the building or structure, the Corporation shall forthwith repeal the by-law.

(4) A by-law passed under subsection 1 shall, within five days after the passing thereof, be registered by the clerk of the Corporation against the land affected in the proper land registry office, and where any by-law is not so registered, it shall be deemed to be repealed. ^{Registration of by-law}

(5) A by-law repealing a by-law passed under subsection 1 shall, within five days after the passing thereof, be registered by the clerk of the Corporation against the land affected in the proper land registry office. ^{Idem}

(6) Where a by-law passed under subsection 1, other than a by-law regulating the use of buildings or structures, is repealed, the Corporation is liable to the owner of any land affected by the by-law for any consequential damages. ^{Liability of Corporation}

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, 1973*. ^{Short title}

12

An Act respecting
the City of Ottawa

1st Reading

April 6th, 1973

2nd Reading

June 19th, 1973

3rd Reading

June 19th, 1973

MR. MORROW

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Sault Ste. Marie

MR. RHODES

An Act respecting the City of Sault Ste. Marie

WHEREAS The Corporation of the City of Sault Ste. Marie, ^{Preamble} herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1. Section 3 of *The City of Sault Ste. Marie Act, 1968*, being ^{s. 3,} chapter 174, is repealed and the following substituted therefor: ^{re-enacted}

3. The council of the Corporation shall be deemed to be a ^{Opening up} council within the meaning of subsection 1 of section 465 of ^{highways} *The Municipal Act* with respect to the geographic townships ^{where} of Korah, Tarentorus, Parke and Awenge within the City of ^{5 per cent} Sault Ste. Marie. ^{reserved} ^{R.S.O. 1970,} ^{c. 284}

2. The council of the Corporation may pass by-laws, ^{By-laws to regulate stripping of top soil}
- (a) regulating the stripping of top soil from land in the municipality;
 - (b) requiring the owners of land to rehabilitate the land by,
 - (i) replacing top soil in sufficient quantity and depth to raise and maintain a healthy growth of vegetation adequate to bind the soil and to prevent erosion, or
 - (ii) planting with trees, shrubs, legumes or grasses,
 or both;
 - (c) providing that rehabilitation of the land be carried out and maintained by the owner of the land at his risk and expense to the satisfaction of the municipality, and that in default of the owner carrying out

or maintaining the rehabilitation, the municipality, after notice to the owner, may enter upon and rehabilitate the land at the expense of the owner; and

- (d) providing that when the municipality carries out the rehabilitation, it may add the cost to the collector's roll and collect the cost in the same manner as municipal taxes.

Postpone-
ment of
special
charges to
provide
additional
sewer or water
supply
capacity
R.S.O. 1970,
c. 284

- 3.—(1) Where the council of the Corporation has passed by-laws with the approval of the Ontario Municipal Board under section 359 of *The Municipal Act*, the council may by by-law postpone the payment of special charges imposed by the by-law on the owners of buildings erected outside the urban service area established by Ontario Municipal Board Order Number N. 4803-63 (Part 2) until such time as the urban service area is enlarged by order of the Ontario Municipal Board, or is otherwise lawfully enlarged.

Refunds and
reimposition
of special
charges

- (2) The council may by by-law authorize the refund of any special charges paid by the owners of buildings erected outside the urban service area until the urban service area is enlarged to include those buildings and then the council may, in the year following the enlargement, again impose the special charge or charges on the owners of those buildings.

Charges
may be lien
on land

- (3) Any by-law passed under this section may provide that the charge or charges postponed or imposed under it are a lien upon the land on which the building is erected, and may be collected in the same manner and with the same remedies as provided by *The Municipal Act* for the collection of real property taxes.

Registration
of
subdivision
agreements

4. Agreements entered into by the Corporation that are imposed as a condition to the approval of a plan of subdivision may be registered against the land and the municipality shall be entitled to enforce the provisions thereof against the owner and, subject to the provisions of *The Registry Act*, any and all subsequent owners of the land.

R.S.O. 1970,
c. 409

Development
agreements

- 5.—(1) As a condition of development or redevelopment of land, buildings or structures within the municipality, the council may include provisions applicable to specified lands in by-laws passed under section 35 of *The Planning Act* or may pass special by-laws, prohibiting, requiring or regulating the provision, establishment, construction, maintenance or use of the following facilities and matters or any of them:

R.S.O. 1970,
c. 349

1. The widening of highways that abut upon land that is the subject-matter of a change of land use in such

- by-law and the provision that land, other than land occupied by buildings and structures, shall be dedicated to provide for such widening of highways.
2. Subject to *The Public Transportation and Highway Improvement Act*,^{R.S.O. 1970, c. 201} access to and from the land and any highway that abuts thereon and the construction of access ramps and curbing including the number, location, height and width of such access ramps and the direction of traffic thereon.
 3. Off-street vehicular parking and loading areas and the surfacing thereof and surfacing of access driveways.
 4. The removal of snow from driveways, parking areas and walkways.
 5. The grading or change in elevation or contour of private land and the disposal of storm, surface and waste water from such land and from any buildings or structures erected thereon.
 6. The conveyance, without cost, to the municipality of easements necessary for the construction, maintenance or improvement of any existing or newly required watercourses, ditches and land drainage works or for the construction, maintenance or improvement of sanitary sewerage facilities situated on the land or adjacent thereto.
 7. The floodlighting of any buildings, structures or land.
 8. Walls, fences, hedges and planting of trees or shrubs to provide adequate landscaping of the lands or protection to adjoining lands.
 9. Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other wastes.
 10. The submission by the owner to the Corporation for approval of a plan or plans showing the location of the buildings, structures and other matters required under this subsection.
- (2) A by-law passed under the provisions of subsection 2 may, ^{Provisions of by-law}
- (a) provide that all works required by the by-law shall be carried out and maintained by the owner of the

land at his risk and expense and to the satisfaction of the Corporation, and that in default of such owner carrying out or maintaining any such works, after notice to the owner, the same may be carried out or maintained by the Corporation at the expense of the owner and, for such purpose, the Corporation shall have the right of access to the lands;

- (b) provide that any expense, costs and damages which the Corporation may be put to or suffer for or by reason of, or on account of, the performance of any such works may be recovered in action in any court of competent jurisdiction, or that the council may direct that the same be added by the clerk to the collector's roll and collected in like manner as municipal taxes; and
- (c) prohibit the issuance of building permits until the plans referred to in paragraph 10 of subsection 1 have been approved and until the agreements referred to in subsection 3 have been entered into.

Agreements

- (3) Where a by-law has been passed under the provisions of subsection 1, the Corporation may require that the owner of the land shall enter into one or more agreements with the Corporation dealing with the matters referred to in subsection 1.

Idem

- (4) The Corporation may enter into agreements referred to in subsection 3 and such agreements may be registered against the land and the Corporation shall be entitled to enforce the provisions thereof against the owner and, subject to the provisions of *The Registry Act*, any and all subsequent owners of the land.

R.S.O. 1970.
c. 409

Appeal to
O.M.B.

- (5) Where the Corporation fails to approve the plan referred to in paragraph 10 of subsection 1 within thirty days of it having been submitted to it by the owner or where the owner of the land is not satisfied as to the terms of the agreement referred to in subsection 3 or where the Corporation has refused to enter into such an agreement with the owner, the owner of the land may require the plans or agreement to be referred to the Ontario Municipal Board by written notice to the secretary of the Board and to the clerk of the Corporation and the Board shall then hear and determine the question as to the suitability of the plans or the provisions of the agreement and the Board shall have power to settle and determine the details of the plan and approve the same, and settle and determine the

provisions of the agreement and direct that the Corporation enter into such agreement and the decision of the Board shall be final.

- (6) The provisions of section 35 of *The Planning Act*, except subsections 1, 2, 4, 6, 8, 21, 29, 30, 31 and 32 apply *mutatis mutandis* to any by-law under this section. Application of R.S.O. 1970, c. 349, s. 35
6. This Act comes into force on the day it receives Royal Assent. Commencement
7. This Act may be cited as *The City of Sault Ste. Marie Act, 1973*. Short title

An Act respecting the
City of Sault Ste. Marie

1st Reading

2nd Reading

3rd Reading

MR. RHODES

(Private Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Sault Ste. Marie

MR. RHODES

(Reprinted as amended by the Private Bills Committee)

An Act respecting the City of Sault Ste. Marie

WHEREAS The Corporation of the City of Sault Ste. Marie, ^{Preamble} herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1. Section 3 of *The City of Sault Ste. Marie Act, 1968*, being ^{s. 3,} chapter 174, is repealed and the following substituted therefor: ^{re-enacted}

3. The council of the Corporation shall be deemed to be a ^{Opening up} council within the meaning of subsection 1 of section 465 of ^{highways} *The Municipal Act* with respect to the geographic townships ^{where} of Korah, Tarentorus, Parke and Awenge within the City of ^{5 per cent} Sault Ste. Marie. ^{reserved} ^{R.S.O. 1970,} ^{c. 284}

2. The council of the Corporation may pass by-laws,

^{By-laws to}
^{regulate}
^{stripping of}
^{top soil}

(a) regulating the stripping of top soil from land in the municipality;

(b) where top soil has been stripped from land, requiring the owners of such land to rehabilitate the land by,

(i) replacing top soil in sufficient quantity and depth to raise and maintain a healthy growth of vegetation adequate to bind the soil and to prevent erosion, or

(ii) planting with trees, shrubs, legumes or grasses,

or both;

(c) providing that rehabilitation of the land be carried out and maintained by the owner of the land at his risk and expense to the satisfaction of the municipality, and that in default of the owner carrying out

or maintaining the rehabilitation, the municipality after notice to the owner, may enter upon and rehabilitate the land at the expense of the owner; and

- (d) providing that when the municipality carries out the rehabilitation, it may add the cost to the collector's roll and collect the cost in the same manner as municipal taxes.

Postpone-
ment of
special
charges to
provide
additional
sewer or water
supply
capacity
R.S.O. 1970,
c. 284

- 3.—(1) Where the council of the Corporation has passed by-law with the approval of the Ontario Municipal Board under section 359 of *The Municipal Act*, the council may by by-law postpone the payment of special charges imposed by the by-law on the owners of buildings erected outside the urban service area established by Ontario Municipal Board Order Number N. 4803-63 (Part 2) until such time as the urban service area is enlarged by order of the Ontario Municipal Board, or is otherwise lawfully enlarged.

Refunds and
reimposition
of special
charges

- (2) The council may by by-law authorize the refund of any special charges paid by the owners of buildings erected outside the urban service area until the urban service area is enlarged to include those buildings and then the council may, in the year following the enlargement, again impose the special charge or charges on the owners of those buildings.

Charges
may be lien
on land

- (3) Any by-law passed under this section may provide that the charge or charges postponed or imposed under it are a lien upon the land on which the building is erected, and may be collected in the same manner and with the same remedies as provided by *The Municipal Act* for the collection of real property taxes.

Commence-
ment

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 Sault Ste. Marie Act, 1973*

12



An Act respecting the
City of Sault Ste. Marie

1st Reading

April 18th, 1973

2nd Reading

3rd Reading

MR. RHODES

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

BILL Pr39

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the City of Sault Ste. Marie

MR. RHODES

12

An Act respecting the City of Sault Ste. Marie

WHEREAS The Corporation of the City of Sault Ste. Marie, ^{Preamble} herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

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

1. Section 3 of *The City of Sault Ste. Marie Act, 1968*, being ^{s. 3,} chapter 174, is repealed and the following substituted therefor: ^{re-enacted}

3. The council of the Corporation shall be deemed to be a ^{Opening up} council within the meaning of subsection 1 of section 465 of ^{highways} *The Municipal Act* with respect to the geographic townships ^{where} of Korah, Tarentorus, Parke and Awenge within the City of ^{5 per cent} Sault Ste. Marie. ^{reserved} ^{R.S.O. 1970,} ^{c. 284}

2. The council of the Corporation may pass by-laws,

^{By-laws to} regulate ^{stripping of} top soil

(a) regulating the stripping of top soil from land in the municipality;

(b) where top soil has been stripped from land, requiring the owners of such land to rehabilitate the land by,

(i) replacing top soil in sufficient quantity and depth to raise and maintain a healthy growth of vegetation adequate to bind the soil and to prevent erosion, or

(ii) planting with trees, shrubs, legumes or grasses,

or both;

(c) providing that rehabilitation of the land be carried out and maintained by the owner of the land at his risk and expense to the satisfaction of the municipality, and that in default of the owner carrying out

or maintaining the rehabilitation, the municipality, after notice to the owner, may enter upon and rehabilitate the land at the expense of the owner; and

- (d) providing that when the municipality carries out the rehabilitation, it may add the cost to the collector's roll and collect the cost in the same manner as municipal taxes.

Postpone-
ment of
special
charges to
provide
additional
sewer or water
supply
capacity
R.S.O. 1970,
c. 284

- 3.—(1) Where the council of the Corporation has passed by-laws with the approval of the Ontario Municipal Board under section 359 of *The Municipal Act*, the council may by by-law postpone the payment of special charges imposed by the by-law on the owners of buildings erected outside the urban service area established by Ontario Municipal Board Order Number N. 4803-63 (Part 2) until such time as the urban service area is enlarged by order of the Ontario Municipal Board, or is otherwise lawfully enlarged.

Refunds and
reimposition
of special
charges

- (2) The council may by by-law authorize the refund of any special charges paid by the owners of buildings erected outside the urban service area until the urban service area is enlarged to include those buildings and then the council may, in the year following the enlargement, again impose the special charge or charges on the owners of those buildings.

Charges
may be lien
on land

- (3) Any by-law passed under this section may provide that the charge or charges postponed or imposed under it are a lien upon the land on which the building is erected, and may be collected in the same manner and with the same remedies as provided by *The Municipal Act* for the collection of real property taxes.

Commence-
ment

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 Sault Ste. Marie Act, 1973*.



An Act respecting the
City of Sault Ste. Marie

1st Reading

April 18th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. RHODES

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Town of Brampton

MR. KENNEDY

12

BILL Pr40

1973

An Act respecting the Town of Brampton

WHEREAS The Corporation of the Town of Brampton ^{Preamble} hereby applies for special legislation in respect of the matter hereinafter set forth; and whereas it is deemed expedient to grant the application;

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

1. The council of The Corporation of the Town of Brampton ^{Pedestrian promenade, Main St.} may pass by-laws for establishing that part of Main Street in the Town between the north limit of Queen Street and the south limit of Nelson Street West or any part or parts thereof solely or principally as a pedestrian promenade for one eight-day period in the year 1973, and for prohibiting the use thereof by vehicles or any class thereof except to such extent and for such period or periods as may be specified and for permitting the use of the said part of Main Street and the obstruction thereof by such persons and in such manner and to such extent as the council may consider desirable.

2. Notwithstanding the provisions of any general or ^{Right to damages by reason of creation of promenade} special Act, no person shall be entitled to recover any damages or compensation from The Corporation of the Town of Brampton for loss of business or for loss of access to or from Main Street arising from the exercise by the Corporation of its powers under this section.

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

4. This Act may be cited as *The Town of Brampton Act*, ^{Short title} 1973.

An Act respecting
the Town of Brampton

1st Reading

2nd Reading

3rd Reading

MR. KENNEDY

(Private Bill)

BILL Pr40

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting the Town of Brampton

MR. KENNEDY

12

BILL Pr40

1973

An Act respecting the Town of Brampton

WHEREAS The Corporation of the Town of Brampton ^{Preamble} hereby applies for special legislation in respect of the matter hereinafter set forth; and whereas it is deemed expedient to grant the application;

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

1. The council of The Corporation of the Town of Brampton ^{Pedestrian promenade, Main St.} may pass by-laws for establishing that part of Main Street in the Town between the north limit of Queen Street and the south limit of Nelson Street West or any part or parts thereof solely or principally as a pedestrian promenade for one eight-day period in the year 1973, and for prohibiting the use thereof by vehicles or any class thereof except to such extent and for such period or periods as may be specified and for permitting the use of the said part of Main Street and the obstruction thereof by such persons and in such manner and to such extent as the council may consider desirable.

2. Notwithstanding the provisions of any general or special Act, no person shall be entitled to recover any damages ^{Right to damages by reason of creation of promenade} or compensation from The Corporation of the Town of Brampton for loss of business or for loss of access to or from Main Street arising from the exercise by the Corporation of its powers under this section.

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

4. This Act may be cited as *The Town of Brampton Act*, ^{Short title} 1973.

An Act respecting
the Town of Brampton

1st Reading

April 18th, 1973

2nd Reading

May 17th, 1973

3rd Reading

May 17th, 1973

MR. KENNEDY

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

The Powers of Attorney Act, 1973

THE HON. D. A. BALES
Attorney General

EXPLANATORY NOTE

This Bill implements the recommendations of the Ontario Law Reform Commission Report on Powers of Attorney, 1972.

The power to grant a power of attorney exercisable after the death of the donor is deleted and provision is made, with safeguard procedures, for granting a power of attorney exercisable after the mental incapacity of the donor.

BILL 1

1973

The Powers of Attorney Act, 1973

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,

Interpre-
tation

- (a) "attorney" means the donee of a power of attorney or where a power of attorney is given to two or more persons, whether jointly or severally or both, means any one or more of such persons;
- (b) "legal incapacity" means mental infirmity of such a nature so as to render a person incapable of managing his affairs. *New.*

PART I

ATTORNEY DURING LEGAL INCAPACITY

2. Notwithstanding any agreement or waiver to the contrary, this Part applies to a power of attorney that contains a provision referred to in section 3. *New.*

Application
of Act

3. Where a power of attorney expressly states that it may be exercised during any subsequent legal incapacity of the donor, such provision is valid and effectual, subject to such conditions and restrictions, if any, as are contained therein and not inconsistent with this Part. *New.*

Powers of
attorney
exercisable
while donor
without
capacity

4. A power of attorney referred to in section 3 may be revoked by the donor at any time while he has legal capacity. *New.*

Revocable

5. A power of attorney that contains a provision referred to in section 3 shall be executed in the presence of a witness who is not the attorney or the attorney's spouse. *New.*

Execution

6.—(1) Where the donor of a power of attorney that contains a provision referred to in section 3 subsequently is without legal capacity, the attorney may at any time, and shall, not later

Filing of
power of
attorney

than fifteen days after he first learns of the incapacity, file a notarial copy of the power of attorney in the office of the registrar of the surrogate court of the county or district in which the donor or donee resides.

Notice to
Registrar of
the Supreme
Court of
filing

(2) Notice of every filing of a power of attorney under this Part shall be transmitted by the registrar of the surrogate court by registered mail to the Registrar of the Supreme Court forthwith after the filing.

Effect of
failure
to file

(3) Subject to subsections 4 and 5, a power of attorney that is not filed in accordance with subsection 1 ceases to be valid and has no effect.

Extension
of time
for filing

(4) The attorney may apply to a judge of the surrogate court of the county or district in which the power of attorney is required to be filed for an order extending the time for filing the power of attorney and the judge, upon being satisfied that the uses, if any, made of the power by the attorney during the legal incapacity of the donor have been proper, may extend the time for filing the power of attorney to a date not more than fifteen days after the date of the order and the order or a certified copy thereof shall be filed with the power of attorney.

Exception
to invalidity

(5) Where a power of attorney has become invalid under this section and a person, without knowing or having reasonable grounds for believing that the donor is without legal capacity, deals with the attorney, the transaction between them shall, in favour of that person, be as valid as if the power had then been in existence. *Nov.*

Passing
accounts

7.—(1) Where a power of attorney contains a provision referred to in section 3 and the donor subsequently is without legal capacity, any person having a material interest, directly or indirectly, in the estate of the donor may, during such incapacity, apply to the surrogate court in the office of which the power of attorney is filed for an order requiring the attorney to pass his accounts for transactions involving an exercise of the power during the incapacity of the donor, and the court may order the attorney to pass such accounts or such part thereof as is provided in the order.

Procedure
and effect

(2) Where an order is made under subsection 1, the attorney shall file his accounts in the office of the surrogate court and the proceedings and practice upon the passing of the accounts shall be the same and of the like effect as the passing of executors' or administrators' accounts in the surrogate court.

(3) The Public Trustee may apply under subsection 1 in the same manner as a person materially interested in the estate of the donor where it appears to him desirable to do so in the best interests of the donor or his estate. *New.*

Application
by Public
Trustee

8.—(1) Where a power of attorney contains a provision referred to in section 3 and the donor subsequently is without legal capacity, any person having a material interest, directly or indirectly, in the estate of the donor, may during such incapacity, apply to the surrogate court in the office of which a notarial copy of the power of attorney is or ought to be filed for an order substituting another person for the attorney named in the power of attorney and the court may make the order or such other order as the court considers proper.

Substitution
of attorney

(2) The substitution of another person for an attorney under subsection 1 shall have the like effect as the substitution of another person for a trustee under *The Trustee Act*.

Effect of
substitution
R.S.O. 1970,
c. 470

(3) The Public Trustee may apply under subsection 1 in the same manner as a person materially interested in the estate of the donor where it appears to him desirable to do so in the best interests of the donor or his estate.

Application
by Public
Trustee

(4) The attorney may apply under subsection 1 in the same manner as a person materially interested in the estate of the donor, on giving notice to the Public Trustee and to all persons having a material interest. *New.*

Application
by attorney

9. A power of attorney that contains a provision referred to in section 3 becomes invalid and of no effect, notwithstanding such provision, where an order has been made declaring the donor a mentally incompetent person and upon the appointment of a committee. *New.*

Effect of
declaration
of mental
incompetency

10. Where a person ceases to have legal capacity and has no attorney with the powers referred to in section 3, the surrogate court of the county or district in which he resides may, upon the application of any person who has a material interest, directly or indirectly, in the estate of such person and upon being satisfied that to do so is in the best interests of the person who is without capacity or his estate, appoint a person and vest him with the power of attorney for such limited purposes and upon such conditions as are set out in the order. *New.*

Appointment
of attorney
by court

Form of
power
during
incapacity

11. A power of attorney containing the following provision and note shall be deemed to be a power of attorney referred to in section 3:

In accordance with the said Act I hereby expressly confirm, that this power is to be valid notwithstanding any subsequent mental incapacity on my part.

NOTE: Section 6 of *The Powers of Attorney Act, 1973* provides that where the donor ceases to have legal capacity, this power ceases to be valid and has no effect unless the attorney files a notarial copy of this power in the office of the surrogate court of the county or district in which the donor or the donee resides not later than fifteen days after the donee first learns of the donor's legal incapacity.

PART II

GENERAL

Form of
power of
attorney

12. A power of attorney in Form 1 confers,

- (a) on the donee of the power; or
- (b) where there is more than one donee, on the donees acting jointly or acting jointly and severally, as the case may be,

authority to do on behalf of the donor anything that the donor can lawfully do by an attorney.

Exercise of
power after
revocation

13.—(1) When a power of attorney is revoked by the death or act of the donor, any subsequent exercise of the power by the attorney is valid and binding as between the donor and any person, including the attorney, who acted in good faith and without knowledge of the death or other revocation.

Saving

(2) Where money is paid in the exercise of a power of attorney to which subsection 1 applies, nothing in subsection 1 affects the right of any person entitled to the money against the person to whom the payment is made, and the person so entitled has the same remedy against the person to whom the payment is made as he would have had against the person making the payment. R.S.O. 1970, c. 357, s. 2, *amended*.

R.S.O. 1970,
c. 375,
repealed

14. (1) *The Powers of Attorney Act*, being chapter 357 of the Revised Statutes of Ontario, 1970, is repealed.

Exception

(2) Notwithstanding subsection 1, *The Powers of Attorney Act* continues to apply in respect of powers of attorney executed before this Act comes into force.

15. This Act comes into force on the day it receives Royal Assent. Commence-
ment

16. This Act may be cited as *The Powers of Attorney Act, 1973*. Short title

FORM 1

(Section 11 (2))

FORM OF POWER OF ATTORNEY

THIS GENERAL POWER OF ATTORNEY is given this.....day
of.....19....by AB of.....

I appoint CD of.....[or CD
of.....and EF of.....
jointly *or* jointly and severally] to be my attorney[s] in accordance with
The Powers of Attorney Act, 1973.

[In accordance with the said Act I hereby expressly confirm that this
power is to be valid notwithstanding any subsequent mental incapacity
on my part.]

IN WITNESS, etc.

[NOTE: Section 6 of *The Powers of Attorney Act, 1973* provides that where
the donor ceases to have legal capacity, this power ceases to be valid
and has no effect unless the attorney files a notarial copy of this
power in the office of the surrogate court of the county or district in
which the donor or the donee resides not later than fifteen days after
the donee first learns of the donor's legal incapacity.]

The Powers of Attorney Act, 1973

1st Reading

March 20th, 1973

2nd Reading

3rd Reading

THE HON. D. A. BALES
Attorney General

(Government Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting Labour Disputes between Armor Elevator Canada Limited, Dover Corporation (Canada) Limited, Montgomery Elevator Co. Limited, Otis Elevator Company Limited, and Westinghouse Canada Limited, Employers, and the International Union of Elevator Constructors, Locals 50, 90 and 96

THE HON. F. GUINDON
Minister of Labour

EXPLANATORY NOTE

The purpose of this Bill is to provide for the compulsory arbitration of certain disputes between Canadian elevator manufacturers and the local unions of the International Union of Elevator Constructors.

**An Act respecting Labour Disputes between
Armor Elevator Canada Limited, Dover Cor-
poration (Canada) Limited, Montgomery
Elevator Co. Limited, Otis Elevator Company
Limited, and Westinghouse Canada Limited,
Employers, and the International Union of
Elevator Constructors, Locals 50, 90 and 96**

WHEREAS Armor Elevator Canada Limited, Dover Corporation (Canada) Limited, Montgomery Elevator Co. Limited, Otis Elevator Company Limited and Westinghouse Canada Limited, employers, and the International Union of Elevator Constructors, Locals 50, 90 and 96, have been parties to collective agreements, the latest of which has expired; and whereas the parties have bargained for new collective agreements and to that end have exhausted conciliation services under *The Labour Relations Act*; and whereas strikes by the unions against the employers have continued since about the 7th day of September, 1972, and they now threaten the public safety and welfare in the Province of Ontario; and whereas intensive conciliation efforts have reached an impasse and the parties are unable to achieve a settlement of the disputes; and whereas the public interest and welfare requires that means be provided to bring the strikes to an end and to settle all matters that are in dispute between the parties in order that new collective agreements may be concluded between the parties;

Preamble
R.S.O. 1970,
c. 232

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 Act,

Inter-
pre-
tation

- (a) "board" means the board of arbitration established under this Act;
- (b) "employers" means Armor Elevator Canada Limited, Dover Corporation (Canada) Limited, Montgomery

Elevator Co. Limited, Otis Elevator Company Limited and Westinghouse Canada Limited, or any one of them;

(c) "Minister" means the Minister of Labour;

(d) "parties" means the employers and the unions;

(e) "unions" means the International Union of Elevator Constructors Locals numbers 50, 90 and 96, or any one of them.

Idem
R.S.O. 1970,
c. 232

(2) Unless a contrary intention appears, expressions used in this Act have the same meaning as in *The Labour Relations Act*.

Application
of Act

2.—(1) This Act applies to the parties and to the employees of the employers in the bargaining units defined in the collective agreements between the parties which were effective until and including the 30th day of April, 1972.

Application
of
R.S.O. 1970,
c. 232

(2) Except as modified by this Act, *The Labour Relations Act* applies to the parties and to the employees of the employers in the bargaining units defined in the collective agreements mentioned in subsection 1.

Appointment
of board of
arbitration

3.—(1) Within seven days after the day on which this Act comes into force, the employers collectively shall appoint to a board of arbitration a member who has indicated his willingness to act.

Idem

(2) Within seven days after the day on which this Act comes into force, the unions collectively shall appoint to a board of arbitration a member who has indicated his willingness to act.

Extension
of seven
day period

(3) The parties may by agreement in writing extend the period mentioned in subsection 1 or 2 for one further period of seven days.

Fallure of
party to
appoint
member

(4) Where the employers or the unions fail to appoint a member of the board of arbitration within the period mentioned in subsection 1 or 2, the Minister shall appoint such member.

(5) As soon as the employers or the unions appoint a member to the board of arbitration, they shall notify the other of them and the Minister of the name and address of the member appointed. ^{Notice of appointment}

(6) Within ten days after the day on which the second of the members is appointed, the Minister shall appoint a third member, and such third member shall be the chairman. ^{Minister to appoint third member}

(7) If a person ceases to be a member of the board of arbitration by reason of his resignation, death or otherwise before it has completed its work, the Minister shall appoint a member in his place after consulting the employers or unions who appointed him or on whose behalf he was appointed. ^{Vacancies}

(8) If, in the opinion of the Minister, a member of the board of arbitration has failed to enter on or to carry on his duties so as to enable it to render a decision within a reasonable time after its establishment, the Minister may appoint a member in his place after consulting the employers or unions who appointed him or on whose behalf he was appointed. ^{Replacement of member}

(9) If the chairman of the board of arbitration is unable to enter on or to carry on his duties so as to enable it to render a decision within a reasonable time after its establishment, the Minister may appoint a person to act as chairman in his place. ^{Replacement of chairman}

(10) No person shall be appointed a member of the board of arbitration who has any pecuniary interest in the matters coming before it or who is acting or has, within the period of six months preceding the date of his appointment, acted as solicitor, counsel or agent of the employers or the unions. ^{Disqualification of persons as members}

(11) Where, after the board of arbitration has been established, either the employers or the unions complain to the Minister that it has failed to render its decision within a reasonable time, the Minister may, after consulting the employers and the unions and the board, issue whatever order he considers necessary in the circumstances to ensure that the decision will be rendered without delay. ^{Order to expedite proceedings}

(12) The board of arbitration shall determine its own procedure, but shall give full opportunity to the employers and the unions to present their evidence and make their submissions. ^{Procedure}

- Idem (13) If the members of the board of arbitration are unable to agree among themselves on matters or procedure or as to the admissibility of evidence, the decision of the chairman governs.
- Idem (14) The decision of a majority of the members of the board of arbitration is the decision of the board, but if there is no majority, the decision of the chairman is the decision of the board.
- Powers (15) The chairman and the other members of the board of arbitration have, respectively, all the powers of a chairman and the members of a board of arbitration under *The Labour Relations Act*.
- R.S.O. 1970, c. 232
- Duty of board **4.**—(1) The board of arbitration shall examine into and decide all matters that were in dispute between the parties on the 30th day of April, 1972, and any other matters that appear to the board to be necessary to be decided in order to conclude collective agreements between the parties.
- Matters not to be decided by board (2) The board of arbitration shall not decide any matters that come within the jurisdiction of the Ontario Labour Relations Board.
- Board to remain seized of matters in dispute (3) The board of arbitration shall remain seized of and may deal with all matters within its jurisdiction until collective agreements between the parties are in effect.
- Agreement upon some matters (4) Where, before or during the proceedings before the board of arbitration, the parties have agreed upon some matters to be included in the collective agreements and they so notify the board in writing of the matters agreed upon, the decision of the board shall be confined to,
- (a) the matters not agreed upon by the parties; and
- (b) such other matters that appear to the board necessary to be decided in order to conclude collective agreements between the parties.
- Decision of board (5) Where the parties have not notified the board of arbitration in writing that before or during the proceedings before the board of arbitration, they have agreed upon some matters to be included in the collective agreements, the board shall decide all matters in dispute and such other matters that appear to the board necessary to be decided to conclude collective agreements between the parties.
- Execution of agreement (6) Within five days of the date of the decision of the board of arbitration or such longer period as may be agreed upon

in writing by the parties, the parties shall prepare and execute documents giving effect to the decision of the board and any agreement of the parties, and the documents thereupon constitute collective agreements.

(7) If the parties fail to prepare and execute documents in the form of collective agreements giving effect to the decision of the board and any agreement of the parties within the period mentioned in subsection 6, the parties or either of them shall notify the chairman of the board in writing forthwith, and the board shall prepare documents in the form of collective agreements giving effect to the decision of the board and any agreement of the parties and submit the documents to the parties for execution.

(8) If the parties or either of them fail to execute the documents prepared by the board within a period of five days from the day of their submission by the board to them, the documents shall come into effect as though they had been executed by the parties and the documents thereupon constitute collective agreements under *The Labour Relations Act*.

(9) The date the board of arbitration gives its decision is the effective date of the documents that constitute collective agreements between the parties.

(10) In making its decision upon matters in dispute between the parties, the board of arbitration may provide that any of the terms of the agreements shall be retroactive to such day or days as the board may fix, but not earlier than the 1st day of May, 1972.

5.—(1) *The Arbitrations Act* does not apply to the arbitration under this Act.

(2) Part I of *The Statutory Powers Procedure Act, 1971*, does not apply to the proceedings before the board of arbitration established under this Act.

6.—(1) Upon the coming into force of this Act, the strikes shall be terminated immediately by the unions and the employees mentioned in subsection 1 of section 2.

(2) Notwithstanding any provision of *The Labour Relations Act*, upon the coming into force of this Act,

(a) the employees mentioned in subsection 1 of section 2 shall return to work, and shall not go on strike;

(b) the employers shall not cause a lock-out;

terms of
employment
not to be
altered

(c) the employers shall not, except with the consent of the unions, alter the rates of wages, or any other term or condition of employment, or any right, privilege or duty of the employers, the unions or the employees, that were in operation on the 30th day of April, 1972; and

idem

(d) the unions shall not, except with the consent of the employers, alter any term or condition of employment or any right, privilege or duty of the employers, the unions or the employees, that were in operation on the 30th day of April, 1972.

Application
of R.S.O.
1970, c. 232

7. Sections 65 and 66, subsection 1 of section 67 and sections 68, 82, 83, 84, 85, 86, 87, 88 and 90 of *The Labour Relations Act* apply *mutatis mutandis* under this Act as if such sections were enacted in and form part of this Act.

Expenses of
chairman

8. The remuneration and expenses of the chairman of the board of arbitration incurred for the purposes of this Act shall be paid out of the Consolidated Revenue Fund.

Commence-
ment and
repeal

9. This Act comes into force on the day it receives Royal Assent and is repealed on the day on which the collective agreements made under this Act come into operation.

Short title

10. This Act may be cited as *The Elevator Constructor Unions Disputes Act, 1973*.







An Act respecting Labour Disputes between
Armour Elevator Canada Limited, Dover
Corporation (Canada) Limited, Montgomery
Elevator Co. Limited, Otis Elevator Com-
pany Limited, and Westinghouse Canada
Limited, Employers, and the International
Union of Elevator Constructors, Locals 50,
90 and 96

1st Reading

March 21st, 1973

2nd Reading

3rd Reading

THE HON. F. GRINDON
Minister of Labour

(Government Bill)

BILL 2

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting Labour Disputes between Armor Elevator Canada Limited, Dover Corporation (Canada) Limited, Montgomery Elevator Co. Limited, Otis Elevator Company Limited, and Westinghouse Canada Limited, Employers, and the International Union of Elevator Constructors, Locals 50, 90 and 96

THE HON. F. GUINDON
Minister of Labour

12

BILL 2

1973

**An Act respecting Labour Disputes between
Armor Elevator Canada Limited, Dover Cor-
poration (Canada) Limited, Montgomery
Elevator Co. Limited, Otis Elevator Company
Limited, and Westinghouse Canada Limited,
Employers, and the International Union of
Elevator Constructors, Locals 50, 90 and 96**

WHEREAS Armor Elevator Canada Limited, Dover ^{Preamble}
Corporation (Canada) Limited, Montgomery Elevator
Co. Limited, Otis Elevator Company Limited and Westing-
house Canada Limited, employers, and the International
Union of Elevator Constructors, Locals 50, 90 and 96, have
been parties to collective agreements, the latest of which has
expired; and whereas the parties have bargained for new
collective agreements and to that end have exhausted con-
ciliation services under *The Labour Relations Act*; and whereas <sup>R.S.O. 1970,
c. 232</sup>
strikes by the unions against the employers have continued
since about the 7th day of September, 1972, and they now
threaten the public safety and welfare in the Province of
Ontario; and whereas intensive conciliation efforts have
reached an impasse and the parties are unable to achieve a
settlement of the disputes; and whereas the public interest
and welfare requires that means be provided to bring the
strikes to an end and to settle all matters that are in dispute
between the parties in order that new collective agreements
may be concluded between the parties;

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 Act,

Interpre-
tation

- (a) "board" means the board of arbitration established
under this Act;
- (b) "employers" means Armor Elevator Canada Limited,
Dover Corporation (Canada) Limited, Montgomery

Elevator Co. Limited, Otis Elevator Company Limited and Westinghouse Canada Limited, or any one of them;

(c) "Minister" means the Minister of Labour;

(d) "parties" means the employers and the unions;

(e) "unions" means the International Union of Elevator Constructors Locals numbers 50, 90 and 96, or any one of them.

Idem (2) Unless a contrary intention appears, expressions used in this Act have the same meaning as in *The Labour Relations Act*.
R.S.O. 1970, c. 232

Application of Act 2.—(1) This Act applies to the parties and to the employees of the employers in the bargaining units defined in the collective agreements between the parties which were effective until and including the 30th day of April, 1972.

Application of Act (2) Except as modified by this Act, *The Labour Relations Act* applies to the parties and to the employees of the employers in the bargaining units defined in the collective agreements mentioned in subsection 1.
R.S.O. 1970, c. 232

Appointment of board of arbitration 3.—(1) Within seven days after the day on which this Act comes into force, the employers collectively shall appoint to a board of arbitration a member who has indicated his willingness to act.

Idem (2) Within seven days after the day on which this Act comes into force, the unions collectively shall appoint to a board of arbitration a member who has indicated his willingness to act.

Extension of seven day period (3) The parties may by agreement in writing extend the period mentioned in subsection 1 or 2 for one further period of seven days.

Failure of party to appoint member (4) Where the employers or the unions fail to appoint a member of the board of arbitration within the period mentioned in subsection 1 or 2, the Minister shall appoint such member.

(5) As soon as the employers or the unions appoint a member to the board of arbitration, they shall notify the other of them and the Minister of the name and address of the member appointed. Notice of appointment

(6) Within ten days after the day on which the second of the members is appointed, the Minister shall appoint a third member, and such third member shall be the chairman. Minister to appoint third member

(7) If a person ceases to be a member of the board of arbitration by reason of his resignation, death or otherwise before it has completed its work, the Minister shall appoint a member in his place after consulting the employers or unions who appointed him or on whose behalf he was appointed. Vacancies

(8) If, in the opinion of the Minister, a member of the board of arbitration has failed to enter on or to carry on his duties so as to enable it to render a decision within a reasonable time after its establishment, the Minister may appoint a member in his place after consulting the employers or unions who appointed him or on whose behalf he was appointed. Replacement of member

(9) If the chairman of the board of arbitration is unable to enter on or to carry on his duties so as to enable it to render a decision within a reasonable time after its establishment, the Minister may appoint a person to act as chairman in his place. Replacement of chairman

(10) No person shall be appointed a member of the board of arbitration who has any pecuniary interest in the matters coming before it or who is acting or has, within the period of six months preceding the date of his appointment, acted as solicitor, counsel or agent of the employers or the unions. Disqualification of persons as members

(11) Where, after the board of arbitration has been established, either the employers or the unions complain to the Minister that it has failed to render its decision within a reasonable time, the Minister may, after consulting the employers and the unions and the board, issue whatever order he considers necessary in the circumstances to ensure that the decision will be rendered without delay. Order to expedite proceedings

(12) The board of arbitration shall determine its own procedure, but shall give full opportunity to the employers and the unions to present their evidence and make their submissions. Procedure

- Idem (13) If the members of the board of arbitration are unable to agree among themselves on matters or procedure or as to the admissibility of evidence, the decision of the chairman governs.
- Idem (14) The decision of a majority of the members of the board of arbitration is the decision of the board, but if there is no majority, the decision of the chairman is the decision of the board.
- Powers (15) The chairman and the other members of the board of arbitration have, respectively, all the powers of a chairman and the members of a board of arbitration under *The Labour Relations Act*.
- R.S.O. 1970, c. 232
- Duty of board 4.—(1) The board of arbitration shall examine into and decide all matters that were in dispute between the parties on the 30th day of April, 1972, and any other matters that appear to the board to be necessary to be decided in order to conclude collective agreements between the parties.
- Matters not to be decided by board (2) The board of arbitration shall not decide any matters that come within the jurisdiction of the Ontario Labour Relations Board.
- Board to remain seized of matters in dispute (3) The board of arbitration shall remain seized of and may deal with all matters within its jurisdiction until collective agreements between the parties are in effect.
- Agreement upon some matters (4) Where, before or during the proceedings before the board of arbitration, the parties have agreed upon some matters to be included in the collective agreements and they so notify the board in writing of the matters agreed upon, the decision of the board shall be confined to,
 - (a) the matters not agreed upon by the parties; and
 - (b) such other matters that appear to the board necessary to be decided in order to conclude collective agreements between the parties.
- Decision of board (5) Where the parties have not notified the board of arbitration in writing that before or during the proceedings before the board of arbitration, they have agreed upon some matters to be included in the collective agreements, the board shall decide all matters in dispute and such other matters that appear to the board necessary to be decided to conclude collective agreements between the parties.
- Execution of agreement (6) Within five days of the date of the decision of the board of arbitration or such longer period as may be agreed upon

in writing by the parties, the parties shall prepare and execute documents giving effect to the decision of the board and any agreement of the parties, and the documents thereupon constitute collective agreements.

(7) If the parties fail to prepare and execute documents in the form of collective agreements giving effect to the decision of the board and any agreement of the parties within the period mentioned in subsection 6, the parties or either of them shall notify the chairman of the board in writing forthwith, and the board shall prepare documents in the form of collective agreements giving effect to the decision of the board and any agreement of the parties and submit the documents to the parties for execution.

(8) If the parties or either of them fail to execute the documents prepared by the board within a period of five days from the day of their submission by the board to them, the documents shall come into effect as though they had been executed by the parties and the documents thereupon constitute collective agreements under *The Labour Relations Act*.

(9) The date the board of arbitration gives its decision is the effective date of the documents that constitute collective agreements between the parties.

(10) In making its decision upon matters in dispute between the parties, the board of arbitration may provide that any of the terms of the agreements shall be retroactive to such day or days as the board may fix, but not earlier than the 1st day of May, 1972.

5.—(1) *The Arbitrations Act* does not apply to the arbitration under this Act.

(2) Part I of *The Statutory Powers Procedure Act, 1971* does not apply to the proceedings before the board of arbitration established under this Act.

6.—(1) Upon the coming into force of this Act, the strikes shall be terminated immediately by the unions and the employees mentioned in subsection 1 of section 2.

(2) Notwithstanding any provision of *The Labour Relations Act*, upon the coming into force of this Act,

(a) the employees mentioned in subsection 1 of section 2 shall return to work, and shall not go on strike;

(b) the employers shall not cause a lock-out;

terms of
employment
not to be
altered

(c) the employers shall not, except with the consent of the unions, alter the rates of wages, or any other term or condition of employment, or any right, privilege or duty of the employers, the unions or the employees, that were in operation on the 30th day of April, 1972; and

idem

(d) the unions shall not, except with the consent of the employers, alter any term or condition of employment or any right, privilege or duty of the employers, the unions or the employees, that were in operation on the 30th day of April, 1972.

Application
of R.S.O.
1970, c. 232

7. Sections 65 and 66, subsection 1 of section 67 and sections 68, 82, 83, 84, 85, 86, 87, 88 and 90 of *The Labour Relations Act* apply *mutatis mutandis* under this Act as if such sections were enacted in and form part of this Act.

Expenses of
chairman

8. The remuneration and expenses of the chairman of the board of arbitration incurred for the purposes of this Act shall be paid out of the Consolidated Revenue Fund.

Commence-
ment and
repeal

9. This Act comes into force on the day it receives Royal Assent and is repealed on the day on which the collective agreements made under this Act come into operation.

Short title

10. This Act may be cited as *The Elevator Constructor Unions Disputes Act, 1973*.



12



An Act respecting Labour Disputes between
Armor Elevator Canada Limited, Dover
Corporation (Canada) Limited, Montgomery
Elevator Co. Limited, Otis Elevator Com-
pany Limited, and Westinghouse Canada
Limited, Employers, and the International
Union of Elevator Constructors, Locals 50,
90 and 96

1st Reading

March 21st, 1973

2nd Reading

March 22nd, 1973

3rd Reading

March 22nd, 1973

THE HON. F. GUINDON
Minister of Labour

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

The Ministry of Government Services Act, 1973

THE HON. J. W. SNOW
Minister of Government Services

EXPLANATORY NOTE

The Bill revises and consolidates the present *Government Services Act*.

BILL 3

1973

The Ministry of Government Services Act, 1973

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,

Interpre-
tation

- (a) "commodity" means tangible personal property of every kind;
- (b) "Deputy Minister" means the Deputy Minister of Government Services;
- (c) "Government" means the Government of Ontario and includes all ministries and agencies thereof;
- (d) "Minister" means the Minister of Government Services;
- (e) "Ministry" means the Ministry of Government Services;
- (f) "public work" means any real property or interest therein belonging to the Government that was acquired by lease or otherwise including any building or structure made, built, constructed, erected, extended, enlarged, repaired, improved or formed for the public purposes of the Government or at the expense of the Government and including all appointments, furnishings and equipment installed or placed in or on or used in connection with such property that belong to the Government but does not include any work for which money is appropriated by the Legislature as a subsidy. R.S.O. 1970, c. 393, s. 1; 1972, c. 1, s. 74 (2, 3), *amended*.

2. A reference in any Act or regulation,

References
to *Public
Works Act*,
etc.

- (a) to the Minister of Public Works or the Department of Public Works shall be deemed to be a reference to the Minister of Government Services or the Ministry of Government Services, respectively; or
- R.S.O. 1970,
c. 393
1973, c. . .
- (b) to *The Public Works Act* or *The Government Services Act* shall be deemed to be a reference to *The Ministry of Government Services Act, 1973*. *New*.
- Ministry
continued
- 3.**—(1) The ministry of the public service known as the Ministry of Government Services is continued.
- Minister
to preside
- (2) The Minister shall preside over and have charge of the Ministry.
- Deputy
Minister
- (3) The Lieutenant Governor in Council shall appoint a Deputy Minister of Government Services who shall be the deputy head of the Ministry. R.S.O. 1970, c. 393, ss. 2, 3; 1972, c. 1, s. 74 (4), *amended*.
- Staff
R.S.O. 1970,
c. 386
- 4.**—(1) Such officers, clerks and servants may be appointed under *The Public Service Act* as are required from time to time for the proper conduct of the business of the Ministry.
- Queen's
Printer
- (2) The Lieutenant Governor in Council may appoint a Queen's Printer for Ontario who shall control imprint and secure legal copyright on and control title to all legislative and other material printed by the Government. R.S.O. 1970, c. 393, s. 4, *amended*.
- References
to Queen's
Printer in
other Acts
- (3) A reference in any Act or regulation to the Queen's Printer and Publisher shall be deemed to be a reference to the Queen's Printer. *New*.
- Functions of
Ministry
- 5.** The Ministry shall be operated as a common service agency for the Government and its activities shall be directed towards providing the ministries and agencies of the Government with services in support of the programs of those ministries and agencies. *New*.
- Responsi-
bilities of
Minister
- 6.**—(1) It is the responsibility of the Minister and he has power,
- (a) in accordance with section 8, to acquire, lease and dispose of public works;
- (b) to design, construct, renovate, service, maintain, repair, furnish, equip, manage and administer all premises, buildings and structures that are public works;

(c) to determine the public works or parts thereof that are open to the public and to manage and administer such public works or parts including,

- (i) regulating vehicular and pedestrian traffic,
- (ii) setting apart any building, premises or structure that is a public work, or any part thereof, for a limited use, and
- (iii) fixing and collecting fees for parking in any area in, on or under any public work set apart for the purpose.

(2) It is the responsibility of the Minister and he has power, ^{Idem}

- (a) to develop and manage common services for increasing the efficiency and economy of ministries and agencies of the Government;
- (b) to establish specifications and standards concerning the acquisition of commodities by the Government, the cataloguing of commodities and the maintenance, storage and disposal of commodities;
- (c) to acquire by purchase, lease or otherwise, commodities and services required by the Government, to store all or any of such commodities and to dispose of all or any of such commodities;
- (d) to supervise and control the distribution of commodities and services to the Government; and
- (e) to provide such other services as the Lieutenant Governor in Council assigns. R.S.O. 1970, c. 393, s. 17, *amended*.

(3) Notwithstanding subsections 1 and 2, the Lieutenant Governor in Council may, for such period and under such terms and conditions as he considers suitable, assign any of the responsibilities or powers of the Minister under this section to another minister. *New*.

Assignment of responsibilities to another Minister

7. Subject to *The Management Board of Cabinet Act, 1971*, the Minister may charge for commodities and services provided under this Act. *New*.

Charge for services, etc.
1971 (2nd Sess.), c. 12

8.—(1) The Minister may acquire by purchase, lease or otherwise, property, real or personal, including any interest therein for the use or purposes of the Government and may

Acquisition of property

dispose of such property or any interest therein, by sale, lease or otherwise, when no longer required for the use or purposes of the Government. R.S.O. 1970, c. 393, s. 8 (1), *part, amended.*

Expropriation (2) Subject to *The Expropriations Act*, the Minister, for and in the name of the Crown, may, without consent of the owner thereof, enter upon, take and expropriate any land or interest therein that he considers necessary for the use or purposes of the Government. R.S.O. 1970, c. 393, s. 13, *amended.*

Disposal of real property (3) Any disposal by the Minister of real property, or any interest therein, by way of grant, sale, lease or otherwise, is subject to the approval of the Lieutenant Governor in Council. R.S.O. 1970, c. 393, s. 8 (2).

Property vested in Crown **9.** Except as otherwise provided in any other Act or by the Lieutenant Governor in Council, all public works and all property, real or personal, or any interest therein, belonging to the Government, shall vest in the Crown and be under the control of the Minister. *New.*

Contracts **10.** The Minister, for and in the name of the Crown, may enter into any contract or agreement that he considers advisable for the purpose of carrying out this Act. R.S.O. 1970, c. 393, s. 8 (1), *part, amended.*

Enforcement of contracts **11.** Contracts respecting any public works or property, real or personal, under the control of the Ministry, entered into by the Minister, or by any other person duly authorized to enter into the same, enure to the benefit of the Crown and may be enforced as if entered into with the Crown under this Act. R.S.O. 1970, c. 393, s. 9.

Style of actions **12.** All actions and other proceedings for the enforcement of any contract for the recovery of damages for any tort or breach of contract or for the trial of any right in respect of property, real or personal, under the control of the Ministry shall be instituted in the name of the Attorney General. R.S.O. 1970, c. 393, s. 10.

Tenders **13.** Before the Minister, for and in the name of the Crown, enters into a contract in respect of the construction, renovation or repair of a public work, he shall invite tenders therefor, except,

- (a) in cases of emergency where in the opinion of the Minister delay would be damaging; or
- (b) where the estimated cost of the work is less than \$10,000,

and the Minister shall report all cases referred to in clause a to the Legislature forthwith, if it is in session or, if not, at the next ensuing session. R.S.O. 1970, c. 393, s. 5 (1), *amended*.

14. The Minister may require and take security by way of ^{Bonds} bond, with or without collateral security, or by way of deposit of money for the due performance of any contract entered into under this Act. R.S.O. 1970, c. 393, s. 52.

15. The Minister after the close of each year shall submit ^{Annual report} to the Lieutenant Governor in Council an annual report upon the affairs of the Ministry and shall then lay the report before the Assembly, if it is in session or, if not, at the next ensuing session. R.S.O. 1970, c. 393, s. 5 (5, 6), *amended*.

16. Where, under this or any other Act, power or authority ^{Delegation of authority} is granted to or vested in the Minister, other than the power to expropriate, he may, in writing, subject to the approval of the Lieutenant Governor in Council, delegate that power or authority to the Deputy Minister, or to any officer or officers of the Ministry, subject to such limitations, restrictions, conditions and requirements as the Minister may set out in the delegation. R.S.O. 1970, c. 393, s. 18.

17. The Lieutenant Governor in Council may make ^{Regulations} regulations,

- (a) prescribing fees for the use of property belonging to or controlled by the Government, including plans, specifications, facilities and equipment;
- (b) for the preservation and management of any public building;
- (c) prescribing the manner in which and conditions under which Government purchases, disposals or storages or any class thereof shall be carried out. R.S.O. 1970, c. 393, s. 19, *amended*.

18. The following are repealed:

Repeals

1. *The Government Services Act*.

R.S.O. 1970,
c. 393

2. Section 74 of *The Government Reorganization Act*, 1972, c. 1,
s. 74

19. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

20. This Act may be cited as *The Ministry of Government ^{Short title} Services Act, 1973*.

The Ministry of Government
Services Act, 1973

1st Reading

March 21st, 1973

2nd Reading

3rd Reading

THE HON. J. W. SNOW
Minister of Government Services

(Government Bill)

BILL 3

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

The Ministry of Government Services Act, 1973

THE HON. J. W. SNOW
Minister of Government Services

12
18

BILL 3

1973

The Ministry of Government Services Act, 1973

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,

Interpre-
tation

- (a) "commodity" means tangible personal property of every kind;
- (b) "Deputy Minister" means the Deputy Minister of Government Services;
- (c) "Government" means the Government of Ontario and includes all ministries and agencies thereof;
- (d) "Minister" means the Minister of Government Services;
- (e) "Ministry" means the Ministry of Government Services;
- (f) "public work" means any real property or interest therein belonging to the Government that was acquired by lease or otherwise including any building or structure made, built, constructed, erected, extended, enlarged, repaired, improved or formed for the public purposes of the Government or at the expense of the Government and including all appointments, furnishings and equipment installed or placed in or on or used in connection with such property that belong to the Government but does not include any work for which money is appropriated by the Legislature as a subsidy. R.S.O. 1970, c. 393, s. 1; 1972, c. 1, s. 74 (2, 3), *amended*.

2. A reference in any Act or regulation,

References
to *Public
Works Act*,
etc.

(a) to the Minister of Public Works or the Department of Public Works shall be deemed to be a reference to the Minister of Government Services or the Ministry of Government Services, respectively; or

R.S.O. 1970,
c. 393
1973, c. . .

(b) to *The Public Works Act* or *The Government Services Act* shall be deemed to be a reference to *The Ministry of Government Services Act, 1973*. *New*.

Ministry
continued

3.—(1) The ministry of the public service known as the Ministry of Government Services is continued.

Minister
to preside

(2) The Minister shall preside over and have charge of the Ministry.

Deputy
Minister

(3) The Lieutenant Governor in Council shall appoint a Deputy Minister of Government Services who shall be the deputy head of the Ministry. R.S.O. 1970, c. 393, ss. 2, 3; 1972, c. 1, s. 74 (4), *amended*.

Staff

R.S.O. 1970,
c. 386

4.—(1) Such officers, clerks and servants may be appointed under *The Public Service Act* as are required from time to time for the proper conduct of the business of the Ministry.

Queen's
Printer

(2) The Lieutenant Governor in Council may appoint a Queen's Printer for Ontario who shall control imprint and secure legal copyright on and control title to all legislative and other material printed by the Government. R.S.O. 1970, c. 393, s. 4, *amended*.

References
to Queen's
Printer in
other Acts

(3) A reference in any Act or regulation to the Queen's Printer and Publisher shall be deemed to be a reference to the Queen's Printer. *New*.

Functions of
Ministry

5. The Ministry shall be operated as a common service agency for the Government and its activities shall be directed towards providing the ministries and agencies of the Government with services in support of the programs of those ministries and agencies. *New*.

Responsi-
bilities of
Minister

6.—(1) It is the responsibility of the Minister and he has power,

(a) in accordance with section 8, to acquire, lease and dispose of public works;

(b) to design, construct, renovate, service, maintain, repair, furnish, equip, manage and administer all premises, buildings and structures that are public works;

(c) to determine the public works or parts thereof that are open to the public and to manage and administer such public works or parts including,

- (i) regulating vehicular and pedestrian traffic,
- (ii) setting apart any building, premises or structure that is a public work, or any part thereof, for a limited use, and
- (iii) fixing and collecting fees for parking in any area in, on or under any public work set apart for the purpose.

(2) It is the responsibility of the Minister and he has power, ^{Idem}

- (a) to develop and manage common services for increasing the efficiency and economy of ministries and agencies of the Government ;
- (b) to establish specifications and standards concerning the acquisition of commodities by the Government, the cataloguing of commodities and the maintenance, storage and disposal of commodities ;
- (c) to acquire by purchase, lease or otherwise, commodities and services required by the Government, to store all or any of such commodities and to dispose of all or any of such commodities ;
- (d) to supervise and control the distribution of commodities and services to the Government ; and
- (e) to provide such other services as the Lieutenant Governor in Council assigns. R.S.O. 1970, c. 393, s. 17, *amended*.

(3) Notwithstanding subsections 1 and 2, the Lieutenant Governor in Council may, for such period and under such terms and conditions as he considers suitable, assign any of the responsibilities or powers of the Minister under this section to another minister. *New.*

Assignment of responsibilities to another Minister

7. Subject to *The Management Board of Cabinet Act, 1971*, the Minister may charge for commodities and services provided under this Act. *New.*

Charge for services, etc. 1971 (2nd Sess.), c. 12

8.—(1) The Minister may acquire by purchase, lease or otherwise, property, real or personal, including any interest therein for the use or purposes of the Government and may

Acquisition of property

dispose of such property or any interest therein, by sale, lease or otherwise, when no longer required for the use or purposes of the Government. R.S.O. 1970, c. 393, s. 8 (1), *part, amended*.

Expropriation (2) Subject to *The Expropriations Act*, the Minister, for and
R.S.O. 1970, c. 154 in the name of the Crown, may, without consent of the owner thereof, enter upon, take and expropriate any land or interest therein that he considers necessary for the use or purposes of the Government. R.S.O. 1970, c. 393, s. 13, *amended*.

Disposal of real property (3) Any disposal by the Minister of real property, or any interest therein, by way of grant, sale, lease or otherwise, is subject to the approval of the Lieutenant Governor in Council. R.S.O. 1970, c. 393, s. 8 (2).

Property vested in Crown **9.** Except as otherwise provided in any other Act or by the Lieutenant Governor in Council, all public works and all property, real or personal, or any interest therein, belonging to the Government, shall vest in the Crown and be under the control of the Minister. *New*.

Contracts **10.** The Minister, for and in the name of the Crown, may enter into any contract or agreement that he considers advisable for the purpose of carrying out this Act. R.S.O. 1970, c. 393, s. 8 (1), *part, amended*.

Enforcement of contracts **11.** Contracts respecting any public works or property, real or personal, under the control of the Ministry, entered into by the Minister, or by any other person duly authorized to enter into the same, enure to the benefit of the Crown and may be enforced as if entered into with the Crown under this Act. R.S.O. 1970, c. 393, s. 9.

Style of actions **12.** All actions and other proceedings for the enforcement of any contract for the recovery of damages for any tort or breach of contract or for the trial of any right in respect of property, real or personal, under the control of the Ministry shall be instituted in the name of the Attorney General. R.S.O. 1970, c. 393, s. 10.

Tenders **13.** Before the Minister, for and in the name of the Crown, enters into a contract in respect of the construction, renovation or repair of a public work, he shall invite tenders therefor, except,

- (a) in cases of emergency where in the opinion of the Minister delay would be damaging; or
- (b) where the estimated cost of the work is less than \$10,000,

and the Minister shall report all cases referred to in clause a to the Legislature forthwith, if it is in session or, if not, at the next ensuing session. R.S.O. 1970, c. 393, s. 5 (1), *amended*.

14. The Minister may require and take security by way of ^{Bonds} bond, with or without collateral security, or by way of deposit of money for the due performance of any contract entered into under this Act. R.S.O. 1970, c. 393, s. 52.

15. The Minister after the close of each year shall submit ^{Annual report} to the Lieutenant Governor in Council an annual report upon the affairs of the Ministry and shall then lay the report before the Assembly, if it is in session or, if not, at the next ensuing session. R.S.O. 1970, c. 393, s. 5 (5, 6), *amended*.

16. Where, under this or any other Act, power or authority ^{Delegation of authority} is granted to or vested in the Minister, other than the power to expropriate, he may, in writing, subject to the approval of the Lieutenant Governor in Council, delegate that power or authority to the Deputy Minister, or to any officer or officers of the Ministry, subject to such limitations, restrictions, conditions and requirements as the Minister may set out in the delegation. R.S.O. 1970, c. 393, s. 18.

17. The Lieutenant Governor in Council may make ^{Regulations} regulations,

- (a) prescribing fees for the use of property belonging to or controlled by the Government, including plans, specifications, facilities and equipment;
- (b) for the preservation and management of any public building;
- (c) prescribing the manner in which and conditions under which Government purchases, disposals or storages or any class thereof shall be carried out. R.S.O. 1970, c. 393, s. 19, *amended*.

18. The following are repealed:

Repeals

1. *The Government Services Act*.

R.S.O. 1970,
c. 393

2. Section 74 of *The Government Reorganization Act, 1972*.

1972, c. 1,
s. 74

19. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup> Assent.

20. This Act may be cited as *The Ministry of Government ^{Short title} Services Act, 1973*.

The Ministry of Government
Services Act, 1973

1st Reading

March 21st, 1973

2nd Reading

April 3rd, 1973

3rd Reading

April 3rd, 1973

THE HON. J. W. SNOW
Minister of Government Services

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Crown Attorneys Act

THE HON. D. A. BALES
Attorney General

EXPLANATORY NOTE

The amendment substitutes Deputy Attorney General for Director of Public Prosecutions, which office no longer exists as such.

BILL 4

1973

An Act to amend The Crown Attorneys 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 1 of *The Crown Attorneys Act*, being ^{s.1(2),} _{amended} chapter 101 of the Revised Statutes of Ontario, 1970, is amended by striking out "Director of Public Prosecutions" in the fourth line and inserting in lieu thereof "Deputy Attorney General".
2. This Act comes into force on the day it receives Royal Assent. ^{Commence-} _{ment}
3. This Act may be cited as *The Crown Attorneys Amendment* ^{Short title} *Act, 1973*.

An Act to amend
The Crown Attorneys Act

1st Reading

March 21st, 1973

2nd Reading

3rd Reading

THE HON. D. A. BALES
Attorney General

(Government Bill)

BILL 4

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Crown Attorneys Act

THE HON. D. A. BALES
Attorney General

14
18
A1

An Act to amend The Crown Attorneys 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 1 of *The Crown Attorneys Act*, being^{s.1(2),} chapter 101 of the Revised Statutes of Ontario, 1970, is^{amended} amended by striking out "Director of Public Prosecutions" in the fourth line and inserting in lieu thereof "Deputy Attorney General".
2. This Act comes into force on the day it receives Royal Assent.^{Commence-}^{ment}
3. This Act may be cited as *The Crown Attorneys Amendment*^{Short title} Act, 1973.

An Act to amend
The Crown Attorneys Act

1st Reading

March 21st, 1973

2nd Reading

March 28th, 1973

3rd Reading

March 28th, 1973

THE HON. D. A. BALES
Attorney General

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Crown Witnesses Act

THE HON. D. A. BALES
Attorney General

EXPLANATORY NOTE

The amendment substitutes Deputy Attorney General for Director of Public Prosecutions, which office no longer exists as such.

BILL 5

1973

An Act to amend The Crown Witnesses Act

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

- 1.—(1) Subsection 3 of section 2 of *The Crown Witnesses Act*, ^{s. 2(3),} amended being chapter 103 of the Revised Statutes of Ontario, 1970, as re-enacted by the Statutes of Ontario, 1971, chapter 5, section 1, is amended by striking out “Director of Public Prosecutions” in the second line and inserting in lieu thereof “Deputy Attorney General”.
- (2) Subsection 4 of the said section 2 is amended by striking ^{s. 2(4),} amended out “Director of Public Prosecutions” in the first line and inserting in lieu thereof “Deputy Attorney General”.
2. This Act comes into force on the day it receives Royal Assent. ^{Commence-}ment
3. This Act may be cited as *The Crown Witnesses Amendment* ^{Short title} Act, 1973.

An Act to amend
The Crown Witnesses Act

1st Reading

March 21st, 1973

2nd Reading

3rd Reading

THE HON. D. A. BALES
Attorney General

(Government Bill)

BILL 5

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Crown Witnesses Act

THE HON. D. A. BALES
Attorney General

22



An Act to amend The Crown Witnesses Act

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

- 1.—(1) Subsection 3 of section 2 of *The Crown Witnesses Act*, ^{s. 2(3),} amended being chapter 103 of the Revised Statutes of Ontario, 1970, as re-enacted by the Statutes of Ontario, 1971, chapter 5, section 1, is amended by striking out “Director of Public Prosecutions” in the second line and inserting in lieu thereof “Deputy Attorney General”.
- (2) Subsection 4 of the said section 2 is amended by striking ^{s. 2(4),} amended out “Director of Public Prosecutions” in the first line and inserting in lieu thereof “Deputy Attorney General”.
2. This Act comes into force on the day it receives Royal Assent. ^{Commence-}ment
3. This Act may be cited as *The Crown Witnesses Amendment Act, 1973*. ^{Short title}

An Act to amend
The Crown Witnesses Act

1st Reading

March 21st, 1973

2nd Reading

March 28th, 1973

3rd Reading

March 28th, 1973

THE HON. D. A. BALES
Attorney General

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Administration of Justice Act

THE HON. D. A. BALES
Attorney General

EXPLANATORY NOTE

The amendments substitute Deputy Attorney General for Director of Public Prosecutions, which office no longer exists as such.

**An Act to amend
The Administration of Justice Act**

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 6 of *The Administration of Justice Act*, being chapter 6 of the Revised Statutes of Ontario, 1970, is amended by striking out “Director of Public Prosecutions” in the third line and in the fifth line and inserting in lieu thereof in each instance “Deputy Attorney General”.^{s. 6 (1), amended}
- (2) Subsection 2 of the said section 6 is amended by striking out “Director of Public Prosecutions” in the first line and in the fifth and sixth lines and inserting in lieu thereof in each instance “Deputy Attorney General”.^{s. 6 (2), amended}
- (3) Subsection 3 of the said section 6, as amended by the Statutes of Ontario, 1971, chapter 8, section 1, is further amended by striking out “Director of Public Prosecutions” in the first line and inserting in lieu thereof “Deputy Attorney General”.^{s. 6 (3), amended}
2. This Act comes into force on the day it receives Royal Assent.<sup>Commence-
ment</sup>
3. This Act may be cited as *The Administration of Justice Amendment Act, 1973*.^{Short title}

An Act to amend
The Administration of Justice Act

1st Reading

March 21st, 1973

2nd Reading

3rd Reading

THE HON. D. A. BALES
Attorney General

(Government Bill)

BILL 6

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Administration of Justice Act

THE HON. D. A. BALES
Attorney General

1837

**An Act to amend
The Administration of Justice Act**

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 6 of *The Administration of Justice Act*, being chapter 6 of the Revised Statutes of Ontario, 1970, is amended by striking out “Director of Public Prosecutions” in the third line and in the fifth line and inserting in lieu thereof in each instance “Deputy Attorney General”.^{s. 6(1), amended}
- (2) Subsection 2 of the said section 6 is amended by striking out “Director of Public Prosecutions” in the first line and in the fifth and sixth lines and inserting in lieu thereof in each instance “Deputy Attorney General”.^{s. 6(2), amended}
- (3) Subsection 3 of the said section 6, as amended by the Statutes of Ontario, 1971, chapter 8, section 1, is further amended by striking out “Director of Public Prosecutions” in the first line and inserting in lieu thereof “Deputy Attorney General”.^{s. 6(3), amended}
2. This Act comes into force on the day it receives Royal Assent.<sup>Commence-
ment</sup>
3. This Act may be cited as *The Administration of Justice Amendment Act, 1973*.^{Short title}

An Act to amend
The Administration of Justice Act

1st Reading

March 21st, 1973

2nd Reading

March 28th, 1973

3rd Reading

March 28th, 1973

THE HON. D. A. BALES
Attorney General

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Limited Partnerships Act

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations

EXPLANATORY NOTES

SECTION 1. Subsection 1. The form of certificate is deleted from the Act to be prescribed by regulation.

Subsection 2. The amendment permits an address for service to be shown in the certificate in place of residence.

Subsection 3. It is no longer necessary to stipulate a termination date in the certificate because section 5 of the Bill provides for automatic expiry subject to renewal.

Subsection 4. Further information may be required by the regulations.

SECTION 2. Section 6 of the Act requires certificates to be notarized and this requirement is deleted. The present section 7 is re-enacted as section 6 and excepts from the application of *The Partnerships Registration Act* the provisions for extension of time for filing.

**An Act to amend
The Limited Partnerships Act**

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

- 1.—(1) Section 5 of *The Limited Partnerships Act*, being chapter ^{s. 5,} amended 247 of the Revised Statutes of Ontario, 1970, is amended by striking out “in Form 1” in the second line.
- (2) Clause *c* of the said section 5 is repealed and the following ^{s. 5 (c),} re-enacted substituted therefor:
- (c) the full names of all the general and limited partners, distinguishing which are general and which are limited partners, and the residence address or address for service of each general or limited partner, giving street and number, if any.
- (3) Clause *e* of the said section 5 is repealed and the following ^{s. 5 (e),} re-enacted substituted therefor:
- (e) the time when the partnership is to commence.
- (4) The said section 5 is further amended by adding thereto ^{s. 5,} amended the following clause:
- (g) such other information as is required by the regulations made under this Act.
2. Sections 6 and 7 of the said Act are repealed and the following ^{s. 6,} re-enacted, ^{s. 7,} repealed substituted therefor:
6. The provisions of *The Partnerships Registration Act*, ^{Filing and recording} except section 8a and subsection 2 of section 15a, and the ^{R.S.O. 1970,} regulations thereunder, applying to the filing and recording of ^{c. 310} declarations under that Act, apply to certificates under this Act.

s. 9,
re-enacted

3. Section 9 of the said Act is repealed and the following substituted therefor:

Fees

9. The same fees are payable for services under this Act as are prescribed for the corresponding services by the regulations made under *The Partnerships Registration Act*.

R.S.O. 1970,
c. 340

s. 10,
amended

4. Section 10 of the said Act is amended by striking out "certified" in the second line.

ss. 11-13,
re-enacted

5. Sections 11, 12 and 13 of the said Act are repealed and the following substituted therefor:

Expiration
of certifi-
cates

11.—(1) Every certificate filed under this Act expires,

(a) in the case of a certificate filed before the 1st day of July, 1973, on the 1st day of January, 1975;

(b) in the case of a certificate filed after the 1st day of July, 1973, in five years after its date of filing,

subject to renewal by filing a new certificate in every case for a further period of five years from time to time.

Effect of
expiration

(2) Where a certificate has expired, the partnership ceases to be a limited partnership and the partners are liable as general partners until a new certificate is filed under this Act.

Effect of
alterations

12. Whenever any change takes place in the partnership name, in the names of the partners, in the nature of the business or in the capital or shares thereof, the partnership ceases to be a limited partnership and the partners are liable as general partners to any creditor of the partnership who deals with the partnership without actual knowledge of the nature of the limited liability, unless a new certificate is filed showing such changes.

Use of
partnership
name

13.—(1) The business of a limited partnership shall be conducted under the name of the partnership.

Composition
of name

(2) The name of a limited partnership shall not include the surname or a distinctive part of the corporate name of a limited partner.

Use of
prohibited
name

(3) Where the business of a limited partnership is conducted under a firm name that includes the surname or a distinctive part of the corporate name of a limited partner, the limited partner is liable as a general partner to any creditor of the limited partnership who deals with the partnership without actual knowledge that the limited partner is not a general partner.

SECTION 3. The amendment contemplates the payment of fees for services other than filing declarations.

SECTION 4. The amendment is complementary to the amendment in section 2 of this Bill removing the requirement for the execution of a certificate to be certified by a notary public.

SECTION 5. The new section 11 provides for the automatic expiration of certificates in five years, subject to renewal. Provision is made for renewal of previously filed certificates.

Section 12 is rewritten for clarification.

The new section 13 permits the partnership to use a name that does not include the name of a general partner but forbids the name to include the name of a limited partner.

SECTION 6. The amendment adapts the provision to the concept of certificates that expire from lapse of time.

Provision is made for regulations to prescribe forms and provide for the clearing off of expired certificates.

SECTION 7. The Form repealed is to be prescribed by regulation.

6. Section 19 of the said Act is repealed and the following substituted therefor: s. 19.
re-enacted
19. No dissolution of a limited partnership by the acts of the parties shall take place before the expiry of the partnership certificate until a notice of the dissolution has been filed and has been published once in each week, for three weeks, in a newspaper having general circulation in the area where the partnership has its principal place of business and at the same intervals in *The Ontario Gazette*. No premature dissolution without notice, etc.
20. The Lieutenant Governor in Council may make regulations, Regulations
- (a) respecting the form of any document required to be filed under this Act;
- (b) respecting the custody and destruction of certificates.
7. Form 1 of the said Act is repealed. Form 1.
repealed
8. This Act comes into force on the 1st day of July, 1973. Commence-
ment
9. This Act may be cited as *The Limited Partnerships Amendment Act, 1973*. Short title

An Act to amend
The Limited Partnerships Act

1st Reading

March 21st, 1973

2nd Reading

3rd Reading

THE HON. J. T. CLEMENT
Minister of Consumer
and Commercial Relations

(Government Bill)

BILL 7

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Limited Partnerships Act

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations

BILL 7

1973

**An Act to amend
The Limited Partnerships Act**

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

1.—(1) Section 5 of *The Limited Partnerships Act*, being chapter ^{s. 5.} amended 247 of the Revised Statutes of Ontario, 1970, is amended by striking out “in Form 1” in the second line.

(2) Clause *c* of the said section 5 is repealed and the following ^{s. 5 (c).} re-enacted substituted therefor:

(c) the full names of all the general and limited partners, distinguishing which are general and which are limited partners, and the residence address or address for service of each general or limited partner, giving street and number, if any.

(3) Clause *e* of the said section 5 is repealed and the following ^{s. 5 (e).} re-enacted substituted therefor:

(e) the time when the partnership is to commence.

(4) The said section 5 is further amended by adding thereto ^{s. 5.} amended the following clause:

(g) such other information as is required by the regulations made under this Act.

2. Sections 6 and 7 of the said Act are repealed and the following ^{s. 6.} re-enacted ^{s. 7.} repealed substituted therefor:

6. The provisions of *The Partnerships Registration Act*, ^{Filing and recording} except section 8*a* and subsection 2 of section 15*a*, and the ^{R.S.O. 1970.} regulations thereunder, applying to the filing and recording of ^{c 340} declarations under that Act, apply to certificates under this Act.

s. 9.
re-enacted

3. Section 9 of the said Act is repealed and the following substituted therefor:

Fees

9. The same fees are payable for services under this Act as are prescribed for the corresponding services by the regulations made under *The Partnerships Registration Act*.

R.S.O. 1970,
c. 310

s. 10.
amended

4. Section 10 of the said Act is amended by striking out "certified" in the second line.

ss. 11-13.
re-enacted

5. Sections 11, 12 and 13 of the said Act are repealed and the following substituted therefor:

Expiration
of certifi-
cates

11.—(1) Every certificate filed under this Act expires,

(a) in the case of a certificate filed before the 1st day of July, 1973, on the 1st day of January, 1975;

(b) in the case of a certificate filed after the 1st day of July, 1973, in five years after its date of filing,

subject to renewal by filing a new certificate in every case for a further period of five years from time to time.

Effect of
expiration

(2) Where a certificate has expired, the partnership ceases to be a limited partnership and the partners are liable as general partners until a new certificate is filed under this Act.

Effect of
alterations

12. Whenever any change takes place in the partnership name, in the names of the partners, in the nature of the business or in the capital or shares thereof, the partnership ceases to be a limited partnership and the partners are liable as general partners to any creditor of the partnership who deals with the partnership without actual knowledge of the nature of the limited liability, unless a new certificate is filed showing such changes.

Use of
partnership
name

13.—(1) The business of a limited partnership shall be conducted under the name of the partnership.

Composition
of name

(2) The name of a limited partnership shall not include the surname or a distinctive part of the corporate name of a limited partner.

Use of
prohibited
name

(3) Where the business of a limited partnership is conducted under a firm name that includes the surname or a distinctive part of the corporate name of a limited partner, the limited partner is liable as a general partner to any creditor of the limited partnership who deals with the partnership without actual knowledge that the limited partner is not a general partner.

6. Section 19 of the said Act is repealed and the following substituted therefor: s. 19,
re-enacted

19. No dissolution of a limited partnership by the acts of the parties shall take place before the expiry of the partnership certificate until a notice of the dissolution has been filed and has been published once in each week, for three weeks, in a newspaper having general circulation in the area where the partnership has its principal place of business and at the same intervals in *The Ontario Gazette*. No premature dissolution without notice, etc.

20. The Lieutenant Governor in Council may make regulations, Regulations

(a) respecting the form of any document required to be filed under this Act;

(b) respecting the custody and destruction of certificates.

7. Form 1 of the said Act is repealed.

Form 1,
repealed

8. This Act comes into force on the 1st day of July, 1973.

Commence-
ment

9. This Act may be cited as *The Limited Partnerships Amendment Act, 1973*. Short title





An Act to amend
The Limited Partnerships Act

1st Reading

March 21st, 1973

2nd Reading

April 3rd, 1973

3rd Reading

April 3rd, 1973

THE HON. J. T. CLEMENT
Minister of Consumer
and Commercial Relations

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Partnerships Registration Act

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations

EXPLANATORY NOTES

SECTION 1. The forms are deleted from the Act to be prescribed by regulation.

Corporations using a different trade name are not required to file under this Act where they have already filed under *The Corporations Information Act, 1971*. The use of different trade names by partnerships is prohibited.

Provision is made to discontinue the use of local registry offices for filing declarations after the 1st day of January, 1975. Then filings will be made in one central location at a place to be designated.

SECTION 2. The amendment substitutes address for service in place of place of residence and excepts corporations from the requirement for stating age.

**An Act to amend
The Partnerships Registration Act**

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 Partnerships Registration Act*, being chapter ^{s. 1,} 340 of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor:

1.—(1) Persons associated in partnership for trading, ^{Filing of} manufacturing or mining purposes shall cause to be filed with ^{partnership} the Registrar of Partnerships a declaration ^{declaration} in writing.

(2) A declaration is not required to be filed under this ^{Exception} Act where all the members of a partnership are corporations or where the person to whom section 8 applies is a corporation and each corporation has complied with the requirements of section 2 of *The Corporations Information Act, 1971*. ^{1971, c. 27}

(3) The business of a partnership shall be conducted under ^{Business} the name of the partnership. ^{name}

1a. Every document required or permitted to be filed with ^{Place of} the Registrar of Partnerships under this Act may, until ^{filing} the 1st day of January, 1975, be filed with him in the land registry office of the registry division in which the partnership carries on or intends to carry on business, and thereafter in the place prescribed by the regulations.

- 2.—(1) Clause *a* of section 2 of the said Act is repealed and the ^{s. 2(a),} following substituted therefor: ^{re-enacted}

(a) the full name and residence address or address for service of each partner, giving street and number, if any.

- (2) The said section 2, as amended by the Statutes of Ontario, ^{s. 2,} 1971, chapter 98, section 4, is further amended by ^{amended}

striking out "and" at the end of clause *d* and by striking out clause *e* and inserting in lieu thereof the following:

(*e*) except in respect of a partner that is a corporation, which of the partners are of the full age of eighteen years and, where a partner is less than eighteen years of age, the date of his birth; and

(*f*) such other information as is required by the regulations made under this Act.

ss. 3, 4,
re-enacted

- 3.** Sections 3 and 4 of the said Act are repealed and the following substituted therefor:

When
declaration
to be filed

3. Every declaration shall be filed within sixty days next after the formation of the partnership or, in the case of a declaration under section 8, within sixty days of the time when the name or designation is first used.

Declaration
where
changes

4. Whenever any change takes place in the membership of a partnership, in the residence address or address for service of any partner or in the name of a partnership, the partners shall cause to be filed within sixty days after the change takes place a new declaration setting out the information required by section 2.

s. 6,
amended

- 4.** Section 6 of the said Act is amended by striking out "in Form 2" in the second and third lines.

s. 7(1),
re-enacted

- 5.** Subsection 1 of section 7 of the said Act is repealed and the following substituted therefor:

Effect of
failure to
file
declaration
of change or
dissolution

(1) No person who signed the declaration under section 1 or a subsequent declaration under section 4 or 15*a* shall be deemed as against creditors to have ceased to be a partner until a declaration of dissolution under section 6 is made and filed or a declaration is filed under section 4 omitting his name.

s. 8(1),
amended

- 6.—(1)** Subsection 1 of section 8 of the said Act is amended by striking out "the registrar of the registry division in which he carries on or intends to carry on business" in the eighth and ninth lines and inserting in lieu thereof "the Registrar of Partnerships".

s. 8(2)(*a*),
re-enacted

- (2) Clause *a* of subsection 2 of the said section 8 is repealed and the following substituted therefor:

(*a*) the full name and residence address or address for service, giving street and number, if any, of the person making the declaration.

SECTION 3. The provision for extension of time for filing is deleted from this provision and re-enacted by section 7 of this Bill where its application is widened to include all declarations.

The declaration of changes is extended to include changes of address.

SECTION 4. Reference to Form 2 is deleted as the Form will be prescribed by regulation.

SECTION 5. The provision is re-enacted for clarification.

SECTION 6.—Subsection 1. Complementary to sections 1 and 12 of this Bill.

Subsections 2 and 3. The same changes are made in the declaration required for a single proprietor carrying on business in a name other than his own as are made by section 2 of this Bill in respect of partnership declarations.

Subsection 4. A declaration of changes is required in the case of sole proprietorship.

SECTION 7. The amendment provides for extensions of time for filing any declaration and such extensions may be granted by the Registrar of Partnerships. At present extensions may be granted by a county court judge for first filings only.

SECTION 8. The penalty section is strengthened and the maximum penalties increased.

(3) Subsection 2 of the said section 8 is amended by striking ^{s. 8 (2),} amended out "and" at the end of clause *c* and by striking out clause *d* and inserting in lieu thereof the following:

(d) that the person is at least eighteen years of age or the date of his birth if he is under the age of eighteen years; and

(e) such other information as is required by the regulations made under this Act.

(4) The said section 8 is amended by adding thereto the ^{s. 8,} amended following subsection:

(3) Whenever any change takes place in the residence ^{Declaration} address or address for service of the person making the ^{where} declaration or in the name or designation under which he carries on business, he shall cause to be filed within sixty days after the change takes place a new declaration setting out the information required by subsection 2. ^{changes}

7. The said Act is amended by adding thereto the following section: ^{s. 8a,} enacted

8a. Subject to subsection 2 of section 15a, the Registrar ^{Extension} of Partnerships may extend the period for filing any declara- ^{of time} tion under this Act upon being satisfied that the failure to ^{for filing} file arose from misadventure, ignorance or some other cause that constitutes a reasonable excuse and that the partners or other declarant have acted and are acting in good faith.

8. Sections 10 and 11 of the said Act are repealed and the following ^{s. 10,} substituted therefor: ^{re-enacted} ^{s. 11,} repealed

10.—(1) Every person who, ^{Offences}

(a) contravenes this Act or the regulations;

(b) contravenes any provision of this Act or the regulations; or

(c) makes a statement in any document, material, evidence or information submitted or required by or for the purposes of this Act that, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact or that omits to state any material fact, the omission of which makes the statement false or misleading,

is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000 or, if such person is a corporation, to a fine of not more than \$20,000.

False
statements
wilful

(2) No person is guilty of an offence referred to in clause *c* of subsection 1 if he did not know that the statement was false or misleading and in the exercise of reasonable diligence could not have known that the statement was false or misleading.

Liability of
directors and
officers

(3) Where a corporation is guilty of an offence under subsection 1, every director or officer of such corporation, and where the corporation is an extra-provincial corporation, every person acting as its representative in Ontario, who authorized, permitted or acquiesced in such an offence is also guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.

s. 12,
amended

9. Section 12 of the said Act is amended by striking out "registrar" in the first line and inserting in lieu thereof "Registrar of Partnerships".

s. 15 (1) (a),
amended

10.—(1) Clause *a* of subsection 1 of section 15 of the said Act is amended by striking out "registrars of deeds" in the first and second lines and inserting in lieu thereof "the Registrar of Partnerships".

s. 15 (1) (b),
amended

(2) Clause *b* of subsection 1 of the said section 15 is amended by striking out "to registrars of deeds" in the first line.

s. 15 (1) (c),
re-enacted

(3) Clause *c* of subsection 1 of the said section 15 is repealed and the following substituted therefor:

(*c*) respecting the form of any document required to be filed under this Act;

(*d*) respecting the custody and destruction of declarations;

(*e*) prescribing the place for filing documents under this Act with the Registrar of Partnerships after the 1st day of January, 1975.

s. 15a,
enacted

11. The said Act is amended by adding thereto the following section:

Expiration of
declarations

15a.—(1) Every declaration filed under this Act expires

(*a*) in the case of a declaration filed before the 1st day of July, 1973, on the 1st day of January, 1975;

(*b*) in the case of a declaration filed after the 1st day of July, 1973, in five years after its date of filing,

SECTIONS 9 AND 10. The official responsible for custody of filings is changed to the Registrar of Partnerships.

Regulations are authorized for the form of documents, the custody and destruction of declarations and the place of filing under central registry.

SECTION 11. At present, declarations filed have no expiration. The amendment provides for expiration after five years, subject to a new filing. Transitional provision is made for giving time to preserve filings made in the past.

SECTION 12. The forms repealed are to be prescribed by regulation.

subject to renewal by filing a new declaration in every case for a further period of five years from time to time.

(2) Where a declaration of a partnership or a declaration under section 8 has been filed before the 1st day of July, 1973 and has expired by the operation of clause *a* of subsection 1, the Registrar of Partnerships shall, upon application therefor made before the 1st day of January, 1980, extend the time for renewal to a date sufficient to provide an opportunity to file the renewal and the declaration referred to in clause *a* of subsection 1 shall be deemed to not have expired until that date.

- | | |
|---|-------------------------|
| 12. Forms 1 and 2 of the said Act are repealed. | Forms 1, 2,
repealed |
| 13. This Act comes into force on the 1st day of July, 1973. | Commence-
ment |
| 14. This Act may be cited as <i>The Partnerships Registration Amendment Act, 1973</i> . | Short title |

An Act to amend
The Partnerships Registration Act

1st Reading

March 21st, 1973

2nd Reading

3rd Reading

THE HON. J. T. CLEMENT
Minister of Consumer and
Commercial Relations

(Government Bill)

BILL 8

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Partnerships Registration Act

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations

An Act to amend The Partnerships Registration Act

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 Partnerships Registration Act*, being chapter ^{s. 1,} 340 of the Revised Statutes of Ontario, 1970, is repealed and ^{re-enacted} the following substituted therefor:

1.—(1) Persons associated in partnership for trading, ^{Filing of} manufacturing or mining purposes shall cause to be filed with ^{partnership} the Registrar of Partnerships a declaration in writing ^{declaration}.

(2) A declaration is not required to be filed under this ^{Exception} Act where all the members of a partnership are corporations or where the person to whom section 8 applies is a corporation and each corporation has complied with the requirements of section 2 of *The Corporations Information Act, 1971*. ^{1971, c. 27}

(3) The business of a partnership shall be conducted under ^{Business} the name of the partnership. ^{name}

1a. Every document required or permitted to be filed with ^{Place of} the Registrar of Partnerships under this Act may, until ^{filing} the 1st day of January, 1975, be filed with him in the land registry office of the registry division in which the partnership carries on or intends to carry on business, and thereafter in the place prescribed by the regulations.

- 2.—(1) Clause *a* of section 2 of the said Act is repealed and the ^{s. 2(a),} following substituted therefor: ^{re-enacted}

(a) the full name and residence address or address for service of each partner, giving street and number, if any.

- (2) The said section 2, as amended by the Statutes of Ontario, ^{s. 2,} 1971, chapter 98, section 4, is further amended by ^{amended}

striking out "and" at the end of clause *d* and by striking out clause *e* and inserting in lieu thereof the following:

(*e*) except in respect of a partner that is a corporation, which of the partners are of the full age of eighteen years and, where a partner is less than eighteen years of age, the date of his birth; and

(*f*) such other information as is required by the regulations made under this Act.

ss. 3, 4,
re-enacted

3. Sections 3 and 4 of the said Act are repealed and the following substituted therefor:

When
declaration
to be filed

3. Every declaration shall be filed within sixty days next after the formation of the partnership or, in the case of a declaration under section 8, within sixty days of the time when the name or designation is first used.

Declaration
where
changes

4. Whenever any change takes place in the membership of a partnership, in the residence address or address for service of any partner or in the name of a partnership, the partners shall cause to be filed within sixty days after the change takes place a new declaration setting out the information required by section 2.

s. 6,
amended

4. Section 6 of the said Act is amended by striking out "in Form 2" in the second and third lines.

s. 7(1),
re-enacted

5. Subsection 1 of section 7 of the said Act is repealed and the following substituted therefor:

Effect of
failure to
file
declaration
of change or
dissolution

(1) No person who signed the declaration under section 1 or a subsequent declaration under section 4 or 15*a* shall be deemed as against creditors to have ceased to be a partner until a declaration of dissolution under section 6 is made and filed or a declaration is filed under section 4 omitting his name.

s. 8(1),
amended

6.—(1) Subsection 1 of section 8 of the said Act is amended by striking out "the registrar of the registry division in which he carries on or intends to carry on business" in the eighth and ninth lines and inserting in lieu thereof "the Registrar of Partnerships".

s. 8(2) (a),
re-enacted

(2) Clause *a* of subsection 2 of the said section 8 is repealed and the following substituted therefor:

(*a*) the full name and residence address or address for service, giving street and number, if any, of the person making the declaration.

(3) Subsection 2 of the said section 8 is amended by striking<sup>s. 8 (2),
amended</sup> out "and" at the end of clause *c* and by striking out clause *d* and inserting in lieu thereof the following:

(*d*) that the person is at least eighteen years of age or the date of his birth if he is under the age of eighteen years; and

(*e*) such other information as is required by the regulations made under this Act.

(4) The said section 8 is amended by adding thereto the<sup>s. 8,
amended</sup> following subsection:

(3) Whenever any change takes place in the residence<sup>Declaration
where
changes</sup> address or address for service of the person making the declaration or in the name or designation under which he carries on business, he shall cause to be filed within sixty days after the change takes place a new declaration setting out the information required by subsection 2.

7. The said Act is amended by adding thereto the following section:<sup>s. 8a,
enacted</sup>

8a. Subject to subsection 2 of section 15a, the Registrar<sup>Extension
of time
for filing</sup> of Partnerships may extend the period for filing any declaration under this Act upon being satisfied that the failure to file arose from misadventure, ignorance or some other cause that constitutes a reasonable excuse and that the partners or other declarant have acted and are acting in good faith.

8. Sections 10 and 11 of the said Act are repealed and the following<sup>s. 10,
re-enacted
s. 11,
repealed</sup> substituted therefor:

10.—(1) Every person who,^{Offences}

(*a*) contravenes this Act or the regulations;

(*b*) contravenes any provision of this Act or the regulations; or

(*c*) makes a statement in any document, material, evidence or information submitted or required by or for the purposes of this Act that, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact or that omits to state any material fact, the omission of which makes the statement false or misleading,

is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000 or, if such person is a corporation, to a fine of not more than \$20,000.

False
statements
wilful

(2) No person is guilty of an offence referred to in clause *c* of subsection 1 if he did not know that the statement was false or misleading and in the exercise of reasonable diligence could not have known that the statement was false or misleading.

Liability of
directors and
officers

(3) Where a corporation is guilty of an offence under subsection 1, every director or officer of such corporation, and where the corporation is an extra-provincial corporation, every person acting as its representative in Ontario, who authorized, permitted or acquiesced in such an offence is also guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.

s. 12,
amended

9. Section 12 of the said Act is amended by striking out "registrar" in the first line and inserting in lieu thereof "Registrar of Partnerships".

s. 15 (1) (a),
amended

10.—(1) Clause *a* of subsection 1 of section 15 of the said Act is amended by striking out "registrars of deeds" in the first and second lines and inserting in lieu thereof "the Registrar of Partnerships".

s. 15 (1) (b),
amended

(2) Clause *b* of subsection 1 of the said section 15 is amended by striking out "to registrars of deeds" in the first line.

s. 15 (1) (c),
re-enacted

(3) Clause *c* of subsection 1 of the said section 15 is repealed and the following substituted therefor:

(c) respecting the form of any document required to be filed under this Act;

(d) respecting the custody and destruction of declarations;

(e) prescribing the place for filing documents under this Act with the Registrar of Partnerships after the 1st day of January, 1975.

s. 15a,
enacted

11. The said Act is amended by adding thereto the following section:

Expiration of
declarations

15a.—(1) Every declaration filed under this Act expires,

(a) in the case of a declaration filed before the 1st day of July, 1973, on the 1st day of January, 1975;

(b) in the case of a declaration filed after the 1st day of July, 1973, in five years after its date of filing,

subject to renewal by filing a new declaration in every case for a further period of five years from time to time.

(2) Where a declaration of a partnership or a declaration under section 8 has been filed before the 1st day of July, 1973 and has expired by the operation of clause *a* of subsection 1, the Registrar of Partnerships shall, upon application therefor made before the 1st day of January, 1980, extend the time for renewal to a date sufficient to provide an opportunity to file the renewal and the declaration referred to in clause *a* of subsection 1 shall be deemed to not have expired until that date.

Extension of
time after
expiration

- | | |
|---|-------------------------|
| 12. Forms 1 and 2 of the said Act are repealed. | Forms 1, 2,
repealed |
| 13. This Act comes into force on the 1st day of July, 1973. | Commence-
ment |
| 14. This Act may be cited as <i>The Partnerships Registration Amendment Act, 1973</i> . | Short title |

An Act to amend
The Partnerships Registration Act

1st Reading

March 21st, 1973

2nd Reading

April 3rd, 1973

3rd Reading

April 3rd, 1973

THE HON. J. T. CLEMENT
Minister of Consumer and
Commercial Relations

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Consumer Protection Bureau Act

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations

EXPLANATORY NOTE

The clause deleted makes it the responsibility of the Bureau to promote and assist existing counselling services in respect of consumer credit. This duty has been given to the Ministry of Community and Social Services by section 2 of *The Ministry of Community and Social Services Amendment Act, 1972*.

BILL 9

1973

**An Act to amend
The Consumer Protection Bureau Act**

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

1. Clause *b* of subsection 2 of section 1 of *The Consumer Protection Bureau Act*, being chapter 83 of the Revised Statutes of Ontario, 1970, is repealed. <sup>s. 1(2)(b).
repealed</sup>
2. This Act comes into force on the day it receives Royal Assent. Commence-
ment
3. This Act may be cited as *The Consumer Protection Bureau Amendment Act, 1973*. Short title

An Act to amend
The Consumer Protection
Bureau Act

1st Reading

March 21st, 1973

2nd Reading

3rd Reading

THE HON. J. T. CLEMENT
Minister of Consumer and
Commercial Relations

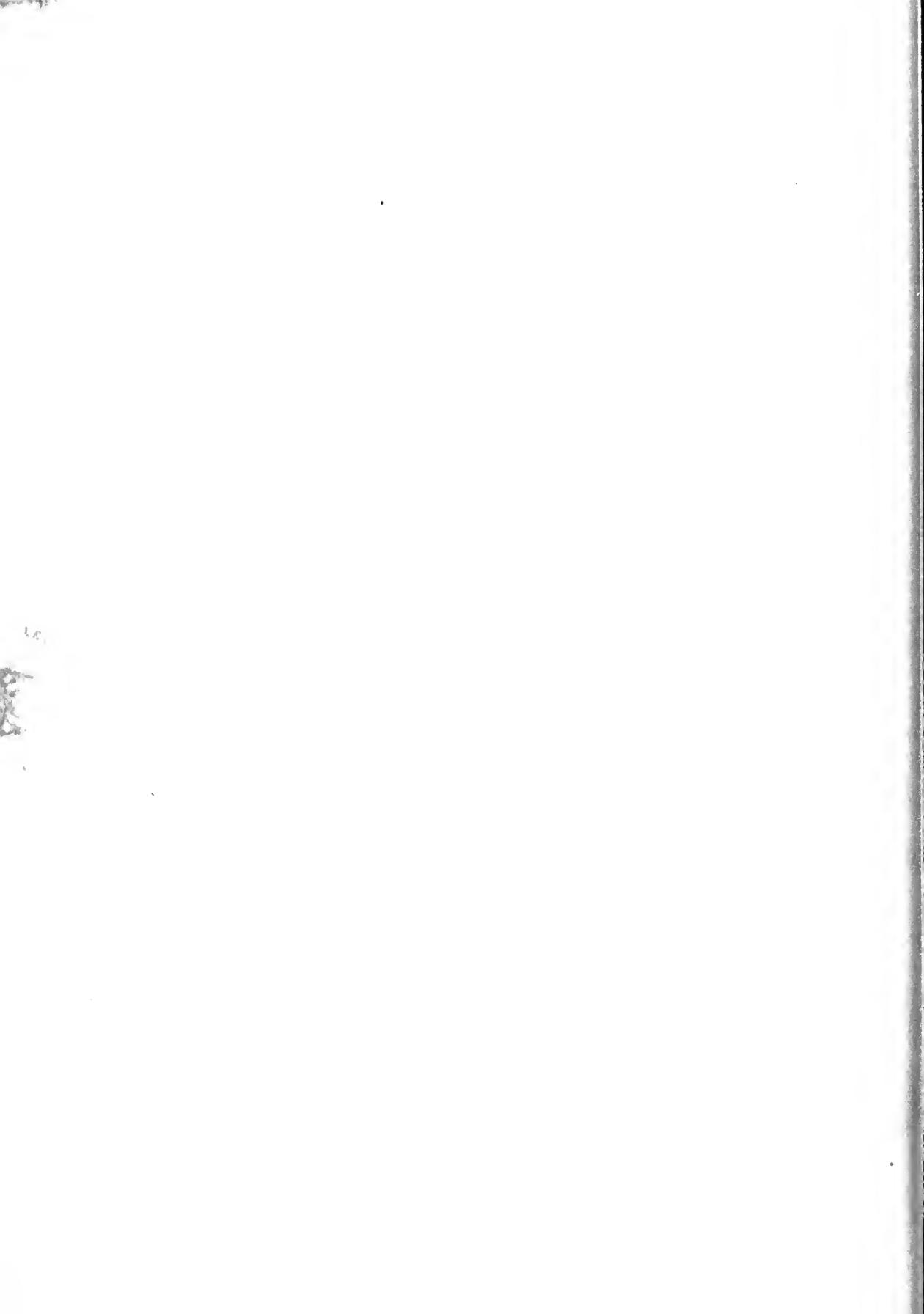
(Government Bill)

BILL 9

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Consumer Protection Bureau Act

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations



BILL 9

1973

**An Act to amend
The Consumer Protection Bureau Act**

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

1. Clause *b* of subsection 2 of section 1 of *The Consumer Protection Bureau Act*, being chapter 83 of the Revised Statutes of Ontario, 1970, is repealed. <sup>s. 1 (2) (b),
repealed</sup>
2. This Act comes into force on the day it receives Royal Assent. <sup>Commence-
ment</sup>
3. This Act may be cited as *The Consumer Protection Bureau Amendment Act, 1973*. ^{Short title}

An Act to amend
The Consumer Protection
Bureau Act

1st Reading

March 21st, 1973

2nd Reading

April 3rd, 1973

3rd Reading

April 3rd, 1973

THE HON. J. T. CEMENT
Minister of Consumer and
Commercial Relations

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Collection Agencies Act

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations

EXPLANATORY NOTE

The amendment adds credit unions to the activities exempt from the application of the Act, and corrects reference to *The Consumer Protection Bureau Act* in recognition of the transfer of the function of promoting and assisting consumer credit counselling services to the Ministry of Community and Social Services by *The Ministry of Community and Social Services Amendment Act, 1972*.

BILL 10

1973

An Act to amend The Collection Agencies Act

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

1. Section 2 of *The Collection Agencies Act*, being chapter 71 of the Revised Statutes of Ontario, 1970, is amended ^{s. 2, amended} by striking out "or" at the end of clause *f* and by striking out clause *g* and inserting in lieu thereof the following:
 - (g) to a credit union incorporated under *The Credit Unions Act* ^{R.S.O. 1970, c. 96} or any employee thereof acting in the regular course of his employment; or
 - (h) to a person providing counselling services in respect of consumer credit and receiving public money under *The Ministry of Community and Social Services Act* ^{R.S.O. 1970, c. 120} for the purpose.
2. This Act comes into force on the day it receives Royal Assent. Commence-
ment
3. This Act may be cited as *The Collection Agencies Amendment Act, 1973*. Short title

An Act to amend
The Collection Agencies Act

1st Reading

March 21st, 1973

2nd Reading

3rd Reading

THE HON. J. T. CLEMENT
Minister of Consumer and
Commercial Relations

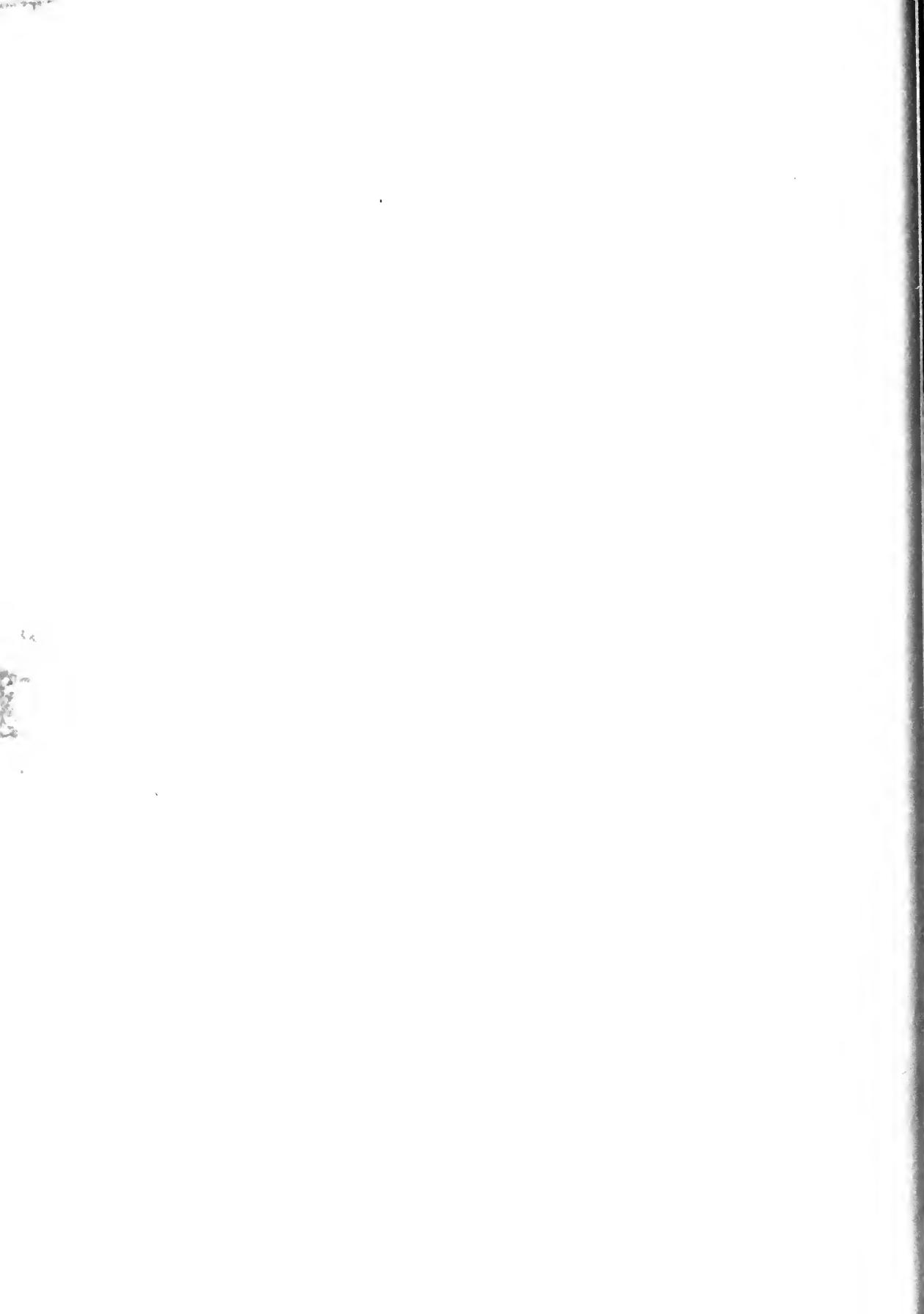
(Government Bill)

BILL 10

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Collection Agencies Act

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations



BILL 10

1973

An Act to amend The Collection Agencies Act

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

1. Section 2 of *The Collection Agencies Act*, being chapter 71 of the Revised Statutes of Ontario, 1970, is amended by striking out "or" at the end of clause *f* and by striking out clause *g* and inserting in lieu thereof the following:
 - (g) to a credit union incorporated under *The Credit Unions Act* or any employee thereof acting in the regular course of his employment; or
 - (h) to a person providing counselling services in respect of consumer credit and receiving public money under *The Ministry of Community and Social Services Act* for the purpose.
2. This Act comes into force on the day it receives Royal Assent.
3. This Act may be cited as *The Collection Agencies Amendment Act, 1973*.

s. 2.
amendedR.S.O. 1970,
c. 96R.S.O. 1970,
c. 120Commence-
ment

Short title

An Act to amend
The Collection Agencies Act

1st Reading

March 21st, 1973

2nd Reading

April 3rd, 1973

3rd Reading

April 3rd, 1973

THE HON. J. T. CLEMENT
Minister of Consumer and
Commercial Relations

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting Labour Disputes between certain
Employers and the International Union of Elevator
Constructors, Locals 50, 90 and 96**

MR. BOUNSALL

EXPLANATORY NOTE

The purpose of this Bill is to provide an arbitration procedure for current disputes between Canadian elevator manufacturers and the local unions of the International Union of Elevator Constructors. The conclusions of the arbitration board are not binding on the parties.

BILL 11

1973

An Act respecting Labour Disputes between certain Employers and the International Union of Elevator Constructors, Locals 50, 90 and 96

WHEREAS Armor Elevator Canada Limited, Dover Corporation (Canada) Limited, Montgomery Elevator Co. Limited, Otis Elevator Company Limited and Westinghouse Canada Limited, employers, and the International Union of Elevator Constructors, Locals 50, 90 and 96, have been parties to collective agreements, the latest of which has expired; and whereas the parties have bargained for new collective agreements and to that end have exhausted conciliation services under *The Labour Relations Act*; and whereas the public interest and welfare requires that means be provided to bring the strikes to an end and to settle all matters that are in dispute between the parties in order that new collective agreements may be concluded between the parties;

Preamble

R.S.O. 1970.
c. 232

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 Act,

Interpre-
tation

- (a) "board" means the board of arbitration established under this Act;
- (b) "employers" means Armor Elevator Canada Limited, Dover Corporation (Canada) Limited, Montgomery Elevator Co. Limited, Otis Elevator Company Limited and Westinghouse Canada Limited, or any one of them;
- (c) "Minister" means the Minister of Labour;
- (d) "parties" means the employers and the unions;
- (e) "unions" means the International Union of Elevator Constructors Locals numbers 50, 90 and 96, or any one of them.

Idem (2) Unless a contrary intention appears, expressions used in this Act have the same meaning as in *The Labour Relations Act*.

Application of Act 2.—(1) This Act applies to the parties and to the employees of the employers in the bargaining units defined in the collective agreements between the parties which were effective until and including the 30th day of April, 1972.

Application of R.S.O. 1970, c. 232 (2) Except as modified by this Act, *The Labour Relations Act* applies to the parties and to the employees of the employers in the bargaining units defined in the collective agreements mentioned in subsection 1.

Appointment of board of arbitration 3.—(1) Within five days after the day on which this Act comes into force, the employers collectively shall appoint to a board of arbitration a member who has indicated his willingness to act.

Idem (2) Within five days after the day on which this Act comes into force, the unions collectively shall appoint to a board of arbitration a member who has indicated his willingness to act.

Failure of party to appoint third member (3) Where the employers or the unions fail to appoint a member of the board of arbitration within the period mentioned in subsection 1 or 2, the Minister shall appoint such member.

Third member (4) Within five days after the second day on which the second of the members is appointed, the two members appointed by or on behalf of the parties shall appoint a third member who has indicated his willingness to act, and such third member shall be the chairman.

Failure of members to appoint third member (5) Where the two members appointed by or on behalf of the parties fail within five days after the appointment of the second of them to agree upon the third member, the Minister shall, upon notice in writing of such failure given to him by either of them or by the employers or the unions, appoint a third member, and such third member shall be the chairman.

Notice of appointment (6) As soon as the employers or the unions appoint a member to the board of arbitration, they shall notify the other of them and the Minister of the name and address of the member appointed.

Vacancies (7) If a person ceases to be a member of the board of arbitration by reason of his resignation, death or otherwise before it has completed its work, the Minister shall appoint a member in his place after consulting the employers or unions who appointed him or on whose behalf he was appointed.

(8) If, in the opinion of the Minister, a member of the board of arbitration has failed to enter on or to carry on his duties so as to enable it to render a decision within a reasonable time after its establishment, the Minister may appoint a member in his place after consulting the employers or unions who appointed him or on whose behalf he was appointed.

Replacement
of member

(9) The board of arbitration shall determine its own procedure, but shall give full opportunity to the employers and the unions to present their evidence and make their submissions.

Procedure

(10) If the members of the board of arbitration are unable to agree among themselves on matters of procedure or as to the admissibility of evidence, the decision of the chairman governs.

Idem

(11) The decision of a majority of the members of the board of arbitration is the decision of the board, but if there is no majority, the decision of the chairman is the decision of the board.

Idem

(12) The chairman and the other members of the board of arbitration have, respectively, all the powers of a chairman and the members of a board of arbitration under *The Labour Relations Act*.

Powers

R.S.O. 1970,
c. 232

4.—(1) Where, before the time limited for appointment by them of members of the board expires, both parties collectively agree to have the duties of the board under this Act performed by a single arbitrator and so notify the Minister, the powers and duties of the board shall be exercised and performed by a single arbitrator who shall be appointed by both parties collectively within five days after delivery of the notice to the Minister.

Single
arbitrator

(2) Where the parties fail to agree on the appointment of a single arbitrator within the period mentioned in subsection 1, the Minister shall appoint as the arbitrator a person who has indicated his willingness to act.

Idem

5. The board of arbitration shall examine into and come to conclusions and make recommendations on all matters that were in dispute between the parties on the 30th day of April, 1972, and any other matters that appear to the board to be necessary to be resolved in order to conclude collective agreements between the parties.

Duty of
board

6.—(1) *The Arbitrations Act* does not apply to the arbitration under this Act.

R.S.O. 1970,
c. 25 not
to apply

(2) Part I of *The Statutory Powers Procedure Act, 1971* does not apply to the proceedings before the board of arbitration established under this Act.

Idem
1971, c. 47

Report of board	7. —(1) The board shall report its conclusions and recommendations to the parties and the Minister within ten days after the completion of the submissions of the parties before the board.
Extension of time	(2) The Minister may, at the request of the board, extend the time referred to in subsection 1 for a further period not exceeding five days.
Acceptance or rejection	8. The parties shall, within ten days after receiving the report of the board, notify the Minister of their acceptance or rejection of the conclusions and recommendations of the board.
Strikes terminated	9. —(1) Upon the coming into force of this Act, the strikes shall be terminated immediately by the unions and the employees mentioned in subsection 1 of section 2.
R.S.O. 1970, c. 232 not to apply	(2) Notwithstanding any provision of <i>The Labour Relations Act</i> , upon the coming into force of this Act,
employees to return to work	(a) the employees mentioned in subsection 1 of section 2 shall return to work, and shall not go on strike;
strikes and lock-outs prohibited	(b) the employers shall not cause a lock-out;
terms of employment not to be altered	(c) the employers shall not, except with the consent of the unions, alter the rates of wages, or any other term or condition of employment, or any right, privilege or duty of the employers, the unions or the employees, that were in operation on the 30th day of April, 1972; and
idem	(d) the unions shall not, except with the consent of the employers, alter any term or condition of employment or any right, privilege or duty of the employers, the unions or the employees, that were in operation on the 30th day of April, 1972.
Application of section	(3) This section ceases to apply on the day when the notification by both parties to the Minister is completed under section 8, or the time limited therefor has expired, whichever is the earlier.
Commencement	10. This Act comes into force on the day it receives Royal Assent.
Short title	11. This Act may be cited as <i>The Elevator Construction Industry Labour Arbitration Act, 1973</i> .



An Act respecting Labour Disputes between
certain Employers and the International
Union of Elevator Constructors, Locals 50,
90 and 96

1st Reading

March 21st, 1973

2nd Reading

3rd Reading

MR. BOUNSAILL

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Highway Traffic Act

MR. KENNEDY

EXPLANATORY NOTE

The Bill provides for the compulsory wearing of seat belts while driving or travelling in a motor vehicle other than a motorcycle.

An Act to amend The Highway Traffic Act

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

1. *The Highway Traffic Act*, being chapter 202 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following section: ^{s. 63a, enacted}

63a.—(1) Subject to subsection 3, no person, while driving or travelling upon a highway in a motor vehicle, shall occupy a seat in the motor vehicle in a seat position to which a seat belt has been fitted unless he is wearing the seat belt properly adjusted and securely fastened. ^{Seat belts compulsory}

(2) No person, while travelling upon a highway in a motor vehicle, shall occupy a seat in the motor vehicle in a seat position to which no seat belt has been fitted unless, ^{Idem}

- (a) all seat positions for which seat belts are fitted are occupied; and
- (b) he is seated in the rear compartment of the motor vehicle.

(3) This section does not apply to, ^{Exceptions}

- (a) a person driving or travelling upon a highway on a motorcycle;
- (b) a person driving a motor vehicle in reverse;
- (c) the holder of a certificate signed by a legally qualified medical practitioner certifying,
 - (i) that the person named in the certificate is, for the period stated in the certificate, unable for medical reasons to wear a seat belt; or

(ii) that the person named in the certificate is, because of his size, build or other physical characteristics, unable to drive or travel in a motor vehicle with safety while wearing a seat belt;

(d) a person who is engaged in work which requires him to alight from and return to a motor vehicle at frequent intervals and who, while engaged in such work, does not drive or travel in the motor vehicle at a speed exceeding twenty-five miles per hour; or

(e) a person under the age of eight years.

Commence-
ment

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

Short title

3. This Act may be cited as *The Highway Traffic Amendment Act, 1973*.





An Act to amend
The Highway Traffic Act

1st Reading

March 22nd, 1973

2nd Reading

3rd Reading

MR. KENNEDY

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Arbitrations Act**

THE HON. D. A. BALES
Attorney General

EXPLANATORY NOTE

The fixing of arbitrators fees is taken from the Schedule to the Act and will be prescribed by regulation.

BILL 13

1973

An Act to amend The Arbitrations Act

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 Arbitrations Act*, being chapter 25 of the Revised Statutes of Ontario, 1970, is amended ^{s. 1,} amended by adding thereto the following clause:

(ba) "prescribed" means prescribed by the regulations made under this Act.
2. Section 18 of the said Act is amended by striking out "that provided by Schedule B" in the seventh and eighth lines and inserting in lieu thereof "the maximum, prescribed therefor". ^{s. 18,} amended
3. Subsection 1 of section 22 of the said Act is amended by striking out "mentioned in Schedule B" in the second line and by striking out "mentioned in the Schedule" in the fourth and fifth lines and inserting in lieu thereof in each instance "prescribed". ^{s. 22 (1),} amended
4. Section 31 of the said Act is amended by adding thereto the following subsection: ^{s. 31,} amended

(2) The Lieutenant Governor in Council may make regulations prescribing the maximum and minimum fees chargeable by arbitrators under this Act.
5. Schedule B to the said Act is repealed. Sched. B,
repealed
6. This Act comes into force on the 1st day of July, 1973. Commence-
ment
7. This Act may be cited as *The Arbitrations Amendment Act, 1973*. Short title

An Act to amend
The Arbitrations Act

1st Reading

March 22nd, 1973

2nd Reading

3rd Reading

THE HON. D. A. BALES
Attorney General

(Government Bill)

BILL 13

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Arbitrations Act**

THE HON. D. A. BALES
Attorney General

10
A

BILL 13

1973

**An Act to amend
The Arbitrations Act**

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 Arbitrations Act*, being chapter 25 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following clause:

(ba) "prescribed" means prescribed by the regulations made under this Act.

2. Section 18 of the said Act is amended by striking out "that provided by Schedule B" in the seventh and eighth lines and inserting in lieu thereof "the maximum, prescribed therefor".

3. Subsection 1 of section 22 of the said Act is amended by striking out "mentioned in Schedule B" in the second line and by striking out "mentioned in the Schedule" in the fourth and fifth lines and inserting in lieu thereof in each instance "prescribed".

4. Section 31 of the said Act is amended by adding thereto the following subsection:

(2) The Lieutenant Governor in Council may make regulations prescribing the maximum and minimum fees chargeable by arbitrators under this Act.

5. Schedule B to the said Act is repealed.

Sched. B,
repealed

6. This Act comes into force on the 1st day of July, 1973.

Commence-
ment

7. This Act may be cited as *The Arbitrations Amendment Act, 1973*.

Short title

An Act to amend
The Arbitrations Act

1st Reading

March 22nd, 1973

2nd Reading

March 28th, 1973

3rd Reading

May 22nd, 1973

THE HON. D. A. BALES
Attorney General

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Proceedings Against the Crown Act**

THE HON. D. A. BALES
Attorney General

EXPLANATORY NOTE

The amendment adds *The Motor Vehicle Fuel Tax Act* to the list of statutes not affected by *The Proceedings Against the Crown Act*. Provisions for trial and appeal of assessments were added to the former Act in the 1972 session.

**An Act to amend
The Proceedings Against the Crown 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 2 of *The Proceedings Against the Crown Act*, being chapter 365 of the Revised Statutes of Ontario, 1970, is amended by inserting after "Act" where it appears the first time in the seventh line "*The Motor Vehicle Fuel Tax Act*". s.2(1),
amended
2. This Act comes into force on the day it receives Royal Assent. Commence-
ment
3. This Act may be cited as *The Proceedings Against the Crown Amendment Act, 1973*. Short title

An Act to amend
The Proceedings Against
the Crown Act

1st Reading

March 22nd, 1973

2nd Reading

3rd Reading

THE HON. D. A. BALES
Attorney General

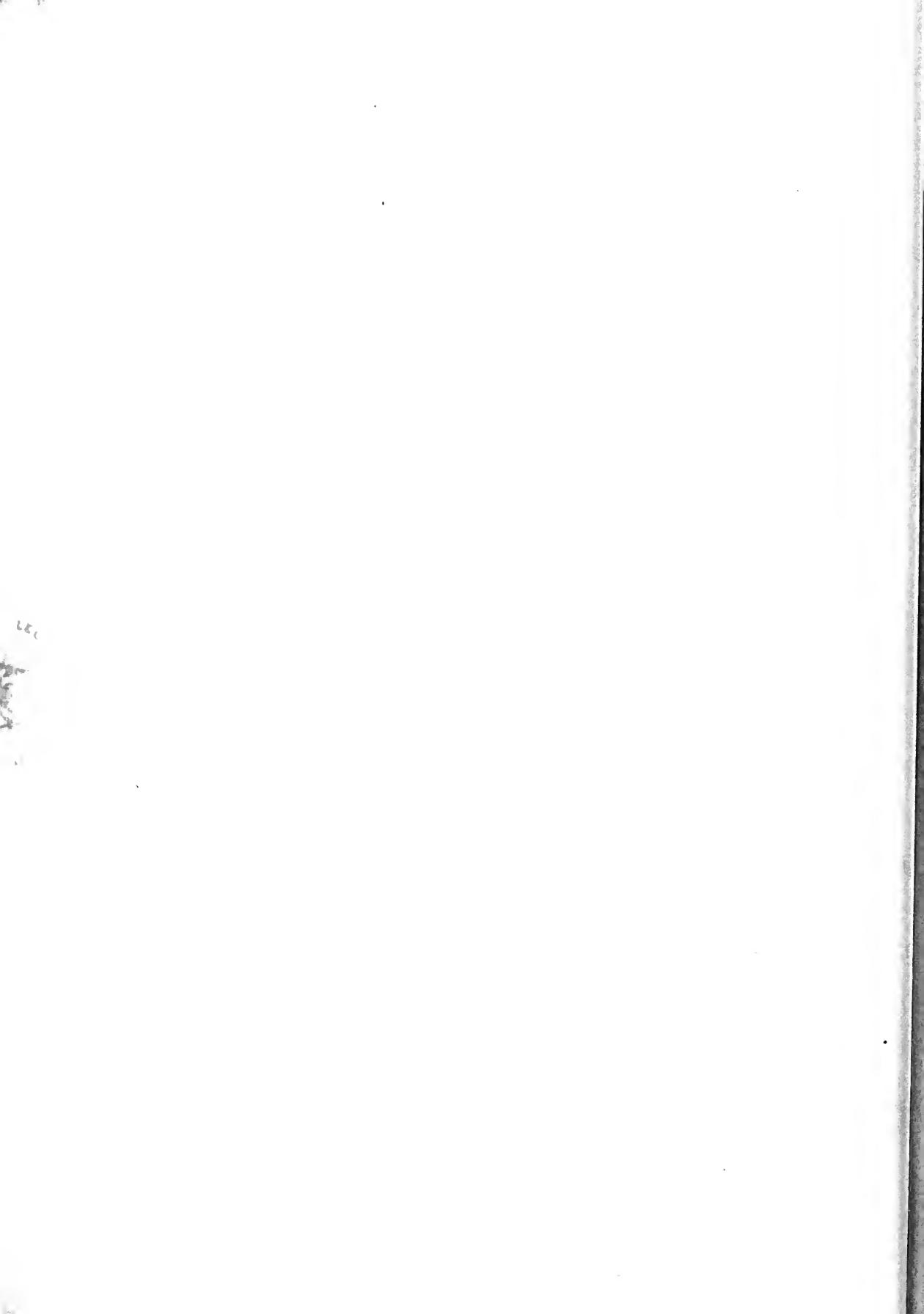
(Government Bill)

BILL 14

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Proceedings Against the Crown Act**

THE HON. D. A. BALES
Attorney General



**An Act to amend
The Proceedings Against the Crown 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 2 of *The Proceedings Against the Crown*^{s. 2(1), amended} Act, being chapter 365 of the Revised Statutes of Ontario, 1970, is amended by inserting after "Act" where it appears the first time in the seventh line "*The Motor Vehicle Fuel Tax Act*".
2. This Act comes into force on the day it receives Royal Assent.<sup>Commence-
ment</sup>
3. This Act may be cited as *The Proceedings Against the Crown*^{Short title} *Amendment Act, 1973*.

An Act to amend
The Proceedings Against
the Crown Act

1st Reading

March 22nd, 1973

2nd Reading

March 28th, 1973

3rd Reading

March 30th, 1973

THE HON. D. A. BALES
Attorney General

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Securities Act**

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations

EXPLANATORY NOTES

SECTION 1. The new provision makes the Director's orders take effect immediately even though under review, subject to a stay being specifically granted.

SECTION 2. The section providing for appeals from orders of the Commission is rewritten to adapt the wording to recent amendments to *The Judicature Act* and Rules of the Supreme Court providing for the Divisional Court. A new provision is added providing that the Commission's orders are to take effect immediately even though appealed, subject to a stay being specifically granted.

An Act to amend The Securities Act

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

1. Section 28 of *The Securities Act*, being chapter 426 of the Revised Statutes of Ontario, 1970, as amended by the Statutes of Ontario, 1971, chapter 31, section 5, is further amended by adding thereto the following subsection:

(3) Notwithstanding that a person or company requests a hearing and review thereof under subsection 1 of this section or subsection 3 of section 3, the direction, decision, order or ruling under review takes effect immediately, but the Commission may grant a stay until disposition of the hearing and review.

2. Section 29 of the said Act is repealed and the following substituted therefor:

29.—(1) Any person or company primarily affected by a direction, decision, order or ruling of the Commission, other than a ruling under section 59, may appeal to the Supreme Court.

(2) Notwithstanding that an appeal is taken under this section, the direction, decision, order or ruling appealed from takes effect immediately, but the Commission or the Divisional Court may grant a stay until disposition of the appeal.

(3) The Director shall certify to the Registrar of the Supreme Court,

- (a) the direction, decision, order or ruling that has been reviewed by the Commission, or the application, complaint, reference or other document, if any, by which the proceedings were commenced;

- (b) the notice of any hearing or hearing and review;
- (c) any intermediate direction, decision, order or ruling of the Commission;
- (d) the record of the hearing or the hearing and review; and
- (e) the direction, decision, order or ruling of the Commission and the reasons therefor.

Minister
entitled
to be
heard

(4) The Minister is entitled to be heard by counsel or otherwise, upon the argument of an appeal under this section.

Order of
court

(5) Where an appeal is taken under this section, the court may by its order direct the Commission to make such direction, decision, order or ruling or to do such other act as the Commission is authorized and empowered to do under this Act or the regulations and as the court considers proper, having regard to the material and submissions before it and to this Act and the regulations, and the Commission shall make such direction, decision, order or ruling or do such act accordingly.

Commission
may make
further
direction,
etc.

(6) Notwithstanding an order of the court on an appeal, the Commission has power to make any further direction, decision, order or ruling upon new material or where there is a material change in the circumstances, and every such direction, decision, order or ruling is subject to this section.

Commence-
ment

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

Short title

4. This Act may be cited as *The Securities Amendment Act, 1973*.



LE.



An Act to amend
The Securities Act

1st Reading

March 22nd, 1973

2nd Reading

3rd Reading

THE HON. J. T. CLEMENT
Minister of Consumer
and Commercial Relations

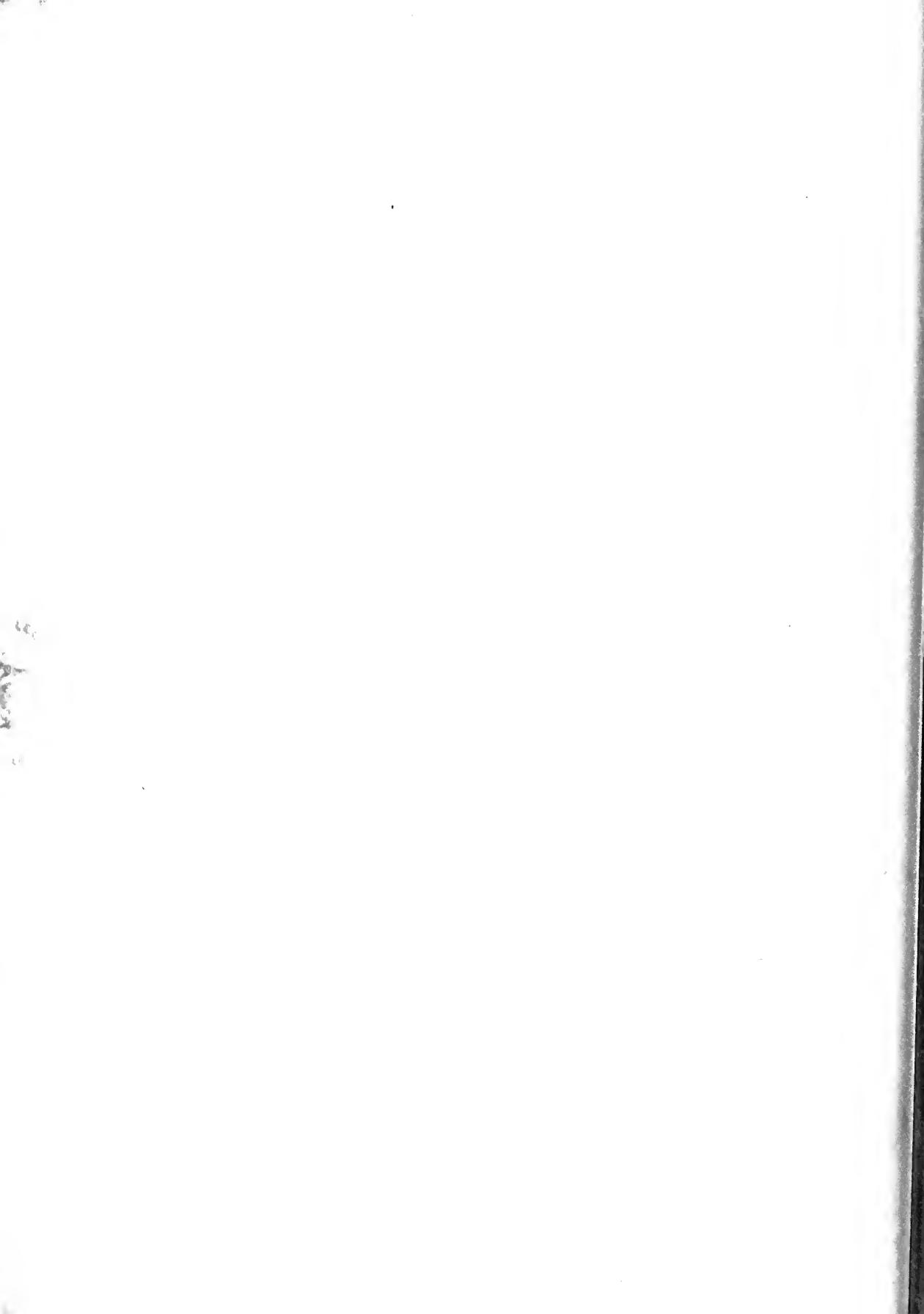
(Government Bill)

BILL 15

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Securities Act**

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations



An Act to amend The Securities Act

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

1. Section 28 of *The Securities Act*, being chapter 426 of the Revised Statutes of Ontario, 1970, as amended by the Statutes of Ontario, 1971, chapter 31, section 5, is further amended by adding thereto the following subsection:

(3) Notwithstanding that a person or company requests a hearing and review thereof under subsection 1 of this section or subsection 3 of section 3, the direction, decision, order or ruling under review takes effect immediately, but the Commission may grant a stay until disposition of the hearing and review.

2. Section 29 of the said Act is repealed and the following substituted therefor:

29.—(1) Any person or company primarily affected by a direction, decision, order or ruling of the Commission, other than a ruling under section 59, may appeal to the Supreme Court.

(2) Notwithstanding that an appeal is taken under this section, the direction, decision, order or ruling appealed from takes effect immediately, but the Commission or the Divisional Court may grant a stay until disposition of the appeal.

(3) The Director shall certify to the Registrar of the Supreme Court,

- (a) the direction, decision, order or ruling that has been reviewed by the Commission, or the application, complaint, reference or other document, if any, by which the proceedings were commenced;

- (b) the notice of any hearing or hearing and review;
- (c) any intermediate direction, decision, order or ruling of the Commission;
- (d) the record of the hearing or the hearing and review; and
- (e) the direction, decision, order or ruling of the Commission and the reasons therefor.

Minister
entitled
to be
heard

(4) The Minister is entitled to be heard by counsel or otherwise, upon the argument of an appeal under this section.

Order of
court

(5) Where an appeal is taken under this section, the court may by its order direct the Commission to make such direction, decision, order or ruling or to do such other act as the Commission is authorized and empowered to do under this Act or the regulations and as the court considers proper, having regard to the material and submissions before it and to this Act and the regulations, and the Commission shall make such direction, decision, order or ruling or do such act accordingly.

Commission
may make
further
direction,
etc.

(6) Notwithstanding an order of the court on an appeal, the Commission has power to make any further direction, decision, order or ruling upon new material or where there is a material change in the circumstances, and every such direction, decision, order or ruling is subject to this section.

Commence-
ment

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

Short title

4. This Act may be cited as *The Securities Amendment Act, 1973*.

42



An Act to amend
The Securities Act

1st Reading

March 22nd, 1973

2nd Reading

April 3rd, 1973

3rd Reading

April 3rd, 1973

THE HON. J. T. CLEMENT
Minister of Consumer
and Commercial Relations

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Certification of Titles Act**

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations

EXPLANATORY NOTES

SECTION 1. The sections repealed provide for the rights of the Director of Titles of access to registry offices and documents registered therein. The provisions are obsolete since all are under the one administration and employed under *The Public Service Act*.

SECTION 2. A claim against the Assurance Fund is now made to the Director of Titles who makes a recommendation to the Director of Land Registration who holds a hearing. The amendment requires the Director of Titles to hold the hearing.

BILL 16

1973

**An Act to amend
The Certification of Titles Act**

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

1. Sections 9 and 10 of *The Certification of Titles Act*, being chapter 59^{ss. 9, 10,} of the Revised Statutes of Ontario, 1970, are repealed.^{repealed}
- 2.—(1) Section 19 of the said Act, as amended by the Statutes^{s. 19,} of Ontario, 1971, chapter 50, section 14, is further amended^{amended} by adding thereto the following subsection:

(3a) Except where he recommends the claim be paid in^{Hearing} full, the Director of Titles shall hold a hearing, and the claimant and such other persons as the Director of Titles may specify are parties to the proceedings before him.
- (2) Subsection 4a of the said section 19, as enacted by the^{s. 19 (4a),} Statutes of Ontario, 1971, chapter 50, section 14, is repealed.^{repealed}
3. This Act comes into force on the day it receives Royal Assent.^{Commence-}
4. This Act may be cited as *The Certification of Titles Amendment*^{Short title} Act, 1973.

An Act to amend
The Certification of Titles Act

1st Reading

March 22nd, 1973

2nd Reading

3rd Reading

THE HON. J. T. CLEMENT
Minister of Consumer and
Commercial Relations

(Government Bill)

BILL 16

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Certification of Titles Act**

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations

220



BILL 16

1973

**An Act to amend
The Certification of Titles Act**

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

1. Sections 9 and 10 of *The Certification of Titles Act*, being chapter 59^{ss. 9, 10,} of the Revised Statutes of Ontario, 1970, are repealed.^{repealed}
- 2.—(1) Section 19 of the said Act, as amended by the Statutes^{s. 19,} of Ontario, 1971, chapter 50, section 14, is further amended^{amended} by adding thereto the following subsection:

(3a) Except where he recommends the claim be paid in^{Hearing} full, the Director of Titles shall hold a hearing, and the claimant and such other persons as the Director of Titles may specify are parties to the proceedings before him.
- (2) Subsection 4a of the said section 19, as enacted by the^{s. 19 (4a),} Statutes of Ontario, 1971, chapter 50, section 14, is repealed.^{repealed}
3. This Act comes into force on the day it receives Royal Assent.^{Commence-}^{ment}
4. This Act may be cited as *The Certification of Titles Amendment*^{Short title} Act, 1973.

An Act to amend
The Certification of Titles Act

1st Reading

March 22nd, 1973

2nd Reading

April 3rd, 1973

3rd Reading

April 3rd, 1973

THE HON. J. T. CLEMENT
Minister of Consumer and
Commercial Relations

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Motor Vehicle Accident Claims Act**

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations

EXPLANATORY NOTES

The amendments substitute the Superintendent of Insurance for the Registrar of Motor Vehicles following the transfer of the administration of the Act to the Ministry of Consumer and Commercial Relations.

SECTION 2. The period within which evidence of insurance must be produced is amended to replace "within a reasonable time of such request" with "within seventy-two hours of such request".

BILL 17

1973

**An Act to amend
The Motor Vehicle Accident Claims Act**

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 Motor Vehicle Accident Claims Act*, being ^{s.1,} chapter 281 of the Revised Statutes of Ontario, 1970, as amended ^{amended} by the Statutes of Ontario, 1972, chapter 1, section 46, is further amended by adding thereto the following clauses:
 - (a) "Director" means the Director of the Motor Vehicle Accident Claims Fund appointed for the purposes of this Act;
 - (ha) "Superintendent" means the Superintendent of Insurance.

2. Subsection 3 of section 3 of the said Act is repealed and the ^{s.3(3),} following substituted therefor: ^{re-enacted}
 - (3) Every owner of a motor vehicle who fails to produce ^{Offence for failure to produce evidence} evidence under subsection 1 when requested to do so or within seventy-two hours of such request is guilty of an offence and on summary conviction is liable to a fine of not less than \$50 and not more than \$500.

3. Section 4 of the said Act is repealed and the following sub- ^{s.4,} stituted therefor: ^{re-enacted}
 4. The Superintendent shall be deemed to be an agent of the ^{Superintendent deemed agent for service re uninsured vehicles} owner and of the operator of every uninsured motor vehicle for service of notice or process in an action in Ontario arising out of the use or operation in Ontario of the uninsured motor vehicle, and, where such an action is commenced,

(a) a notice or process shall be served on the Superintendent by leaving a copy thereof with or at the office of the Superintendent; and

(b) a copy of the notice or process shall be sent forthwith by the Director by registered mail to the defendant at his last address as recorded with the Ministry of Transportation and Communications.

s. 5 (2),
amended

4.—(1) Subsection 2 of section 5 of the said Act, as amended by the Statutes of Ontario, 1972, chapter 1, section 1, is further amended by striking out “Ministry” in the amendment of 1972 and inserting in lieu thereof “Ministry of Transportation and Communications”.

s. 5 (6),
re-enacted

(2) Subsection 6 of the said section 5 is repealed and the following substituted therefor:

Suspension
of licence

(6) Where payment is made under subsection 3, the driver's licence of the person to whom notice was forwarded under subsection 2 shall be forthwith suspended by the Registrar and shall not be reinstated and no further licence or renewal shall be issued until such person has,

(a) repaid in full to the Fund the amount paid out; or

(b) commenced instalment repayments in accordance with an undertaking referred to in clause *b* of subsection 3 or the regulations made under section 10.

s. 5 (7),
amended

(3) Subsection 7 of the said section 5 is amended by inserting after “Registrar” in the fifth line “upon receiving notice of such default from the Director”.

s. 8 (2),
amended

5. Subsection 2 of section 8 of the said Act is amended by striking out “Registrar of Motor Vehicles” in the second line and inserting in lieu thereof “Director”.

s. 9,
re-enacted

6. Section 9 of the said Act is repealed and the following substituted therefor:

Suspension
of licence

9. Where the Minister pays out of the Fund any amount in satisfaction of a judgment, the driver's licence of the judgment debtor on whose behalf such payment is made shall forthwith be suspended by the Registrar and shall not be reinstated and no further licence or renewal shall be issued until the judgment debtor has,

(a) repaid in full to the Fund the amount paid out; or

SECTION 4.—Subsection 2.—The amendment ensures that the suspension of a licence includes prohibiting the issue or renewal after its expiration.

SECTION 6. The amendment ensures that the suspension of a licence includes prohibiting the issue or renewal after its expiration.

260

(b) commenced instalment repayments in accordance with the regulations made under section 10.

7. Subsection 3 of section 10 of the said Act is amended by inserting <sup>s. 10 (3),
amended</sup> after "Registrar" in the second line "upon receiving notice of such default from the Director".
8. Section 11 of the said Act is amended by striking out "Registrar" <sup>s. 11,
amended</sup> in the sixth line and inserting in lieu thereof "Superintendent".
9. Section 12 of the said Act is amended by striking out "Registrar" <sup>s. 12,
amended</sup> in the sixth line and inserting in lieu thereof "Superintendent".
10. Section 13 of the said Act is amended by striking out "Registrar" <sup>s. 13,
amended</sup> in the first line and inserting in lieu thereof "Superintendent".
11. Section 14 of the said Act is amended by striking out "Registrar" <sup>s. 14,
amended</sup> in the eighth line and inserting in lieu thereof "Superintendent".
12. Section 15 of the said Act is amended by striking out "Registrar" <sup>s. 15,
amended</sup> where it occurs in the first line and inserting in lieu thereof in each instance "Superintendent".
13. Section 16 of the said Act is amended by striking out "Registrar" <sup>s. 16,
amended</sup> in the first line, second line and fourth line and inserting in lieu thereof in each instance "Superintendent".
14. Section 17 of the said Act is amended by striking out "Registrar" <sup>s. 17,
amended</sup> in the first line and inserting in lieu thereof "Superintendent".
15. Section 18 of the said Act is amended by striking out "Registrar" <sup>s. 18,
amended</sup> in the first line and inserting in lieu thereof "Superintendent".
- 16.—(1) Subsection 1 of section 19 of the said Act is amended by <sup>s. 19 (1),
amended</sup> striking out "Registrar" where it occurs in the second line and inserting in lieu thereof in each instance "Superintendent".
 - (2) Clause *a* of subsection 2 of the said section 19 is amended by <sup>s. 19 (2) (a),
amended</sup> striking out "Registrar" in the third line and in the fourth line and inserting in lieu thereof in each instance "Superintendent".
17. Section 20 of the said Act is amended by striking out "Registrar" <sup>s. 20,
amended</sup> where it occurs in the first line and inserting in lieu thereof in each instance "Superintendent".
18. Section 21 of the said Act is amended by striking out "Registrar" <sup>s. 21,
amended</sup> in the third line and inserting in lieu thereof "Superintendent".

s. 22 (5),
amended

19. Subsection 5 of section 22 of the said Act is amended by striking out "Registrar" in the second line and inserting in lieu thereof "Superintendent".

Rights
vested in
Superinten-
dent of
Insurance
R.S.O. 1970,
c. 281

20. Any right under *The Motor Vehicle Accident Claims Act* of or against the Registrar of Motor Vehicles existing immediately before this Act comes into force shall be deemed to be a right of or against the Superintendent of Insurance and where the Registrar of Motor Vehicles is a party to any action or proceeding under the said Act, the Superintendent of Insurance shall be deemed to be a party in his place.

Rights
vested in
Minister of
Consumer
and
Commercial
Relations

21. Any right in any action or proceeding under *The Motor Vehicle Accident Claims Act* vested in the Minister of Transportation and Communications immediately before the 1st day of April, 1972 shall be deemed to have been vested on that date in the Minister of Consumer and Commercial Relations.

Commence-
ment

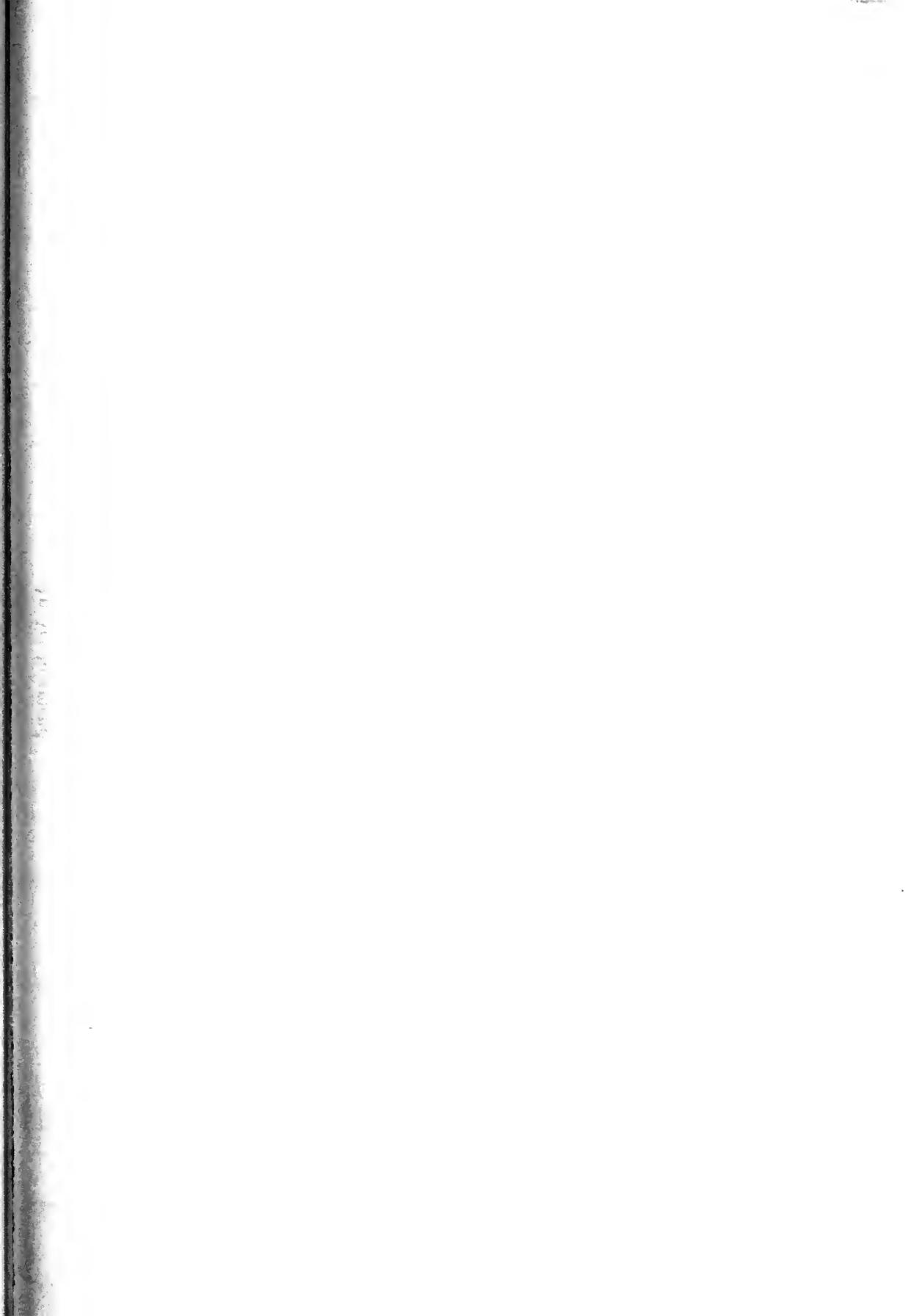
22. This Act comes into force on the day it receives Royal Assent.

Short title

23. This Act may be cited as *The Motor Vehicle Accident Claims Amendment Act, 1973*.



166



An Act to amend
The Motor Vehicle Accident
Claims Act

1st Reading

March 22nd, 1973

2nd Reading

3rd Reading

THE HON. J. T. CLEMENT
Minister of Consumer and
Commercial Relations

(Government Bill)

BILL 17

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Motor Vehicle Accident Claims Act**

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations



BILL 17

1973

**An Act to amend
The Motor Vehicle Accident Claims Act**

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 Motor Vehicle Accident Claims Act*, being^{s.1,} chapter 281 of the Revised Statutes of Ontario, 1970, as amended by the Statutes of Ontario, 1972, chapter 1, section 46, is further amended by adding thereto the following clauses:
 - (a) "Director" means the Director of the Motor Vehicle Accident Claims Fund appointed for the purposes of this Act;
 - (ha) "Superintendent" means the Superintendent of Insurance.
2. Subsection 3 of section 3 of the said Act is repealed and the^{s.3(3),} following substituted therefor:
^{re-enacted}
 - (3) Every owner of a motor vehicle who fails to produce^{Offence} evidence under subsection 1 when requested to do so or within^{for failure} seventy-two hours of such request is guilty of an offence and^{to produce} on summary conviction is liable to a fine of not less than \$50^{evidence} and not more than \$500.
3. Section 4 of the said Act is repealed and the following sub-^{s.4,} stituted therefor:
^{re-enacted}
 4. The Superintendent shall be deemed to be an agent of the^{Superinten-} owner and of the operator of every uninsured motor vehicle^{dent deemed} for service of notice or process in an action in Ontario arising^{agent for} out of the use or operation in Ontario of the uninsured motor^{service re} vehicle, and, where such an action is commenced,^{uninsured} vehicles

- (a) a notice or process shall be served on the Superintendent by leaving a copy thereof with or at the office of the Superintendent; and
- (b) a copy of the notice or process shall be sent forthwith by the Director by registered mail to the defendant at his last address as recorded with the Ministry of Transportation and Communications.

s. 5 (2),
amended

- 4.—(1) Subsection 2 of section 5 of the said Act, as amended by the Statutes of Ontario, 1972, chapter 1, section 1, is further amended by striking out “Ministry” in the amendment of 1972 and inserting in lieu thereof “Ministry of Transportation and Communications”.

s. 5 (6),
re-enacted

- (2) Subsection 6 of the said section 5 is repealed and the following substituted therefor:

Suspension
of licence

- (6) Where payment is made under subsection 3, the driver's licence of the person to whom notice was forwarded under subsection 2 shall be forthwith suspended by the Registrar and shall not be reinstated and no further licence or renewal shall be issued until such person has,

- (a) repaid in full to the Fund the amount paid out; or
- (b) commenced instalment repayments in accordance with an undertaking referred to in clause *b* of subsection 3 or the regulations made under section 10.

s. 5 (7),
amended

- (3) Subsection 7 of the said section 5 is amended by inserting after “Registrar” in the fifth line “upon receiving notice of such default from the Director”.

s. 8 (2),
amended

5. Subsection 2 of section 8 of the said Act is amended by striking out “Registrar of Motor Vehicles” in the second line and inserting in lieu thereof “Director”.

s. 9,
re-enacted

6. Section 9 of the said Act is repealed and the following substituted therefor:

Suspension
of licence

9. Where the Minister pays out of the Fund any amount in satisfaction of a judgment, the driver's licence of the judgment debtor on whose behalf such payment is made shall forthwith be suspended by the Registrar and shall not be reinstated and no further licence or renewal shall be issued until the judgment debtor has,

- (a) repaid in full to the Fund the amount paid out; or

(b) commenced instalment repayments in accordance with the regulations made under section 10.

7. Subsection 3 of section 10 of the said Act is amended by inserting ^{s. 10 (3),} amended after "Registrar" in the second line "upon receiving notice of such default from the Director".
8. Section 11 of the said Act is amended by striking out "Registrar" ^{s. 11,} amended in the sixth line and inserting in lieu thereof "Superintendent".
9. Section 12 of the said Act is amended by striking out "Registrar" ^{s. 12,} amended in the sixth line and inserting in lieu thereof "Superintendent".
10. Section 13 of the said Act is amended by striking out "Registrar" ^{s. 13,} amended in the first line and inserting in lieu thereof "Superintendent".
11. Section 14 of the said Act is amended by striking out "Registrar" ^{s. 14,} amended in the eighth line and inserting in lieu thereof "Superintendent".
12. Section 15 of the said Act is amended by striking out "Registrar" ^{s. 15,} amended where it occurs in the first line and inserting in lieu thereof in each instance "Superintendent".
13. Section 16 of the said Act is amended by striking out "Registrar" ^{s. 16,} amended in the first line, second line and fourth line and inserting in lieu thereof in each instance "Superintendent".
14. Section 17 of the said Act is amended by striking out "Registrar" ^{s. 17,} amended in the first line and inserting in lieu thereof "Superintendent".
15. Section 18 of the said Act is amended by striking out "Registrar" ^{s. 18,} amended in the first line and inserting in lieu thereof "Superintendent".
- 16.—(1) Subsection 1 of section 19 of the said Act is amended by ^{s. 19 (1),} amended striking out "Registrar" where it occurs in the second line and inserting in lieu thereof in each instance "Superintendent".
 - (2) Clause *a* of subsection 2 of the said section 19 is amended by ^{s. 19 (2) (a),} amended striking out "Registrar" in the third line and in the fourth line and inserting in lieu thereof in each instance "Superintendent".
17. Section 20 of the said Act is amended by striking out "Registrar" ^{s. 20,} amended where it occurs in the first line and inserting in lieu thereof in each instance "Superintendent".
18. Section 21 of the said Act is amended by striking out "Registrar" ^{s. 21,} amended in the third line and inserting in lieu thereof "Superintendent".

s. 22 (5),
amended

19. Subsection 5 of section 22 of the said Act is amended by striking out "Registrar" in the second line and inserting in lieu thereof "Superintendent".

Rights
vested in
Superinten-
dent of
Insurance
R.S.O. 1970,
c. 281

20. Any right under *The Motor Vehicle Accident Claims Act* of or against the Registrar of Motor Vehicles existing immediately before this Act comes into force shall be deemed to be a right of or against the Superintendent of Insurance and where the Registrar of Motor Vehicles is a party to any action or proceeding under the said Act, the Superintendent of Insurance shall be deemed to be a party in his place.

Rights
vested in
Minister of
Consumer
and
Commercial
Relations

21. Any right in any action or proceeding under *The Motor Vehicle Accident Claims Act* vested in the Minister of Transportation and Communications immediately before the 1st day of April, 1972 shall be deemed to have been vested on that date in the Minister of Consumer and Commercial Relations.

Commence-
ment

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

Short title

23. This Act may be cited as *The Motor Vehicle Accident Claims Amendment Act, 1973*.



An Act to amend
The Motor Vehicle Accident
Claims Act

1st Reading

March 22nd, 1973

2nd Reading

April 3rd, 1973

3rd Reading

April 3rd, 1973

THE HON. J. T. CLEMENT
Minister of Consumer and
Commercial Relations

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend The Apprenticeship and
Tradesmen's Qualification Act**

MR. DREA

EXPLANATORY NOTE

The Bill excludes the trade of radio and television service technician from the operation of clause *c* of section 18 of the Act, thereby requiring compulsory certification for persons engaged in the trade of servicing radio and television sets.

BILL 18

1973

**An Act to amend
The Apprenticeship and Tradesmen's
Qualification Act**

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 section 18 of *The Apprenticeship and Tradesmen's Qualification Act*, being chapter 24 of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor:
 - (c) except for the trade of radio and television service technician, exempting any trade or class of persons in a trade from this Act and the regulations or from any provision of either of them.
2. This Act comes into force on the day it receives Royal Assent.
3. This Act may be cited as *The Apprenticeship and Tradesmen's Qualification Amendment Act, 1973*.

An Act to amend
The Apprenticeship and
Tradesmen's Qualification Act

1st Reading

March 22nd, 1973

2nd Reading

3rd Reading

MR. DREA

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Consumer Protection Act

MR. DREA

EXPLANATORY NOTE

The Bill provides for the licensing and bonding of television repair services and the licensing of repairmen.

BILL 19

1973

**An Act to amend
The Consumer Protection Act**

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 Consumer Protection Act*, being chapter 82 of the Revised Statutes of Ontario, 1970, as amended by the Statutes of Ontario, 1971, chapter 50, section 23 and 1972, chapter 1, section 35, is further amended by adding thereto the following clauses:

(ra) "repairman" means a person employed, appointed or authorized by a television repair service to repair television sets on the television repair service's behalf;

.

(sa) "television repair service" means a person who carries on the business of repairing television sets whether for his own account or the account of any other person or who holds himself out as carrying on the business of repairing television sets.

2. The said Act is amended by adding thereto the following Part:

PART 1A

LICENSING OF TELEVISION REPAIRMEN

29b. The Registrar may exercise the powers and shall perform the duties conferred or imposed upon him by or under this Part under the supervision of the Director.

29c.—(1) No person shall,

Licence
required

(a) carry on business as a television repair service unless he is licensed by the Registrar under this Act; or

	(b) act as a repairman of or on behalf of a television repair service unless he is registered as a repairman of such repair service and such repair service is registered as a television repair service under this Act.
Name and place of business	(2) A licensed television repair service shall not carry on business in a name other than the name in which it is licensed or from a place of business other than that authorized by the licence.
Representation	(3) No person shall publish or cause to be published in writing any representation that he is licensed under this Act.
Repair service to ensure repairmen licensed	29d. A television repair service shall not retain the services of a repairman who is not licensed under this Act.
Application	29e. Sections 5, 6, 7, 21, 22, 23, 24, 26, 27, 28, 29 and 29a apply <i>mutatis mutandis</i> to the licensing of television repair services and repairmen.
Notice of changes	29f.—(1) Every television repair service shall, within five days after the event, notify the Registrar in writing of, <ul style="list-style-type: none"> (a) any change in his address for service; (b) any change in the officers in the case of a corporation or of the members in the case of a partnership; (c) any commencement or termination of the employment, appointment or authorization of a repairman; (d) in the case of a corporation, any change in the ownership of its shares.
Idem	(2) Every repairman shall, within five days after the event, notify the Registrar in writing of, <ul style="list-style-type: none"> (a) any change in his address for service; and (b) any commencement or termination of his employment.
Bond required	29g.—(1) Every application for a licence as a television repair service shall be accompanied by the fee required by the regulations and a bond in the amount and form prescribed in subsection 2.
Form and amount of bond	(2) The bond shall be,

- (a) the bond of a guarantee company approved under *The Guarantee Companies Securities Act*; R.S.O. 1970,
c. 196
- (b) a personal bond accompanied by collateral security;
or
- (c) the bond of a guarantor, other than a guarantee company, accompanied by collateral security,

and shall be in the principal amount of \$1,000.

(3) The classes of negotiable security that may be accepted as collateral security for a bond are, Classes of
negotiable
security

- (a) bonds issued or guaranteed by Canada; or
- (b) bonds issued or guaranteed by any province of Canada.

(4) The market value of the collateral security referred to in subsection 3 shall be posted with the Treasurer of Ontario and maintained at an amount not less than \$1,000. Idem

(5) The bond shall be in the form required by the regulations. Form of
bond

29h. A bond may be cancelled by any person bound thereunder by giving to the Registrar and the television repair service named in the bond, at least two months notice in writing of intention to cancel and, subject to section 29i, the bond shall be deemed to be cancelled on the date stated in the notice, which date shall be not less than two months after the receipt of the notice by the Registrar. Forfeiture
of bond

29i. For the purpose of every act or omission occurring, Bond to
continue
in force

- (a) during the period of the licence; or
- (b) during the period prior to cancellation of the bond under section 29h where there has been no termination of the licence,

every bond shall continue in force and the collateral security, if any, shall remain on deposit for a period of two years following the termination of the licence or the cancellation of the bond, as the case may be.

29j. Where a bond has been cancelled or the licence has been terminated, and the bond has not been forfeited, the Treasurer of Ontario may, two years following the termination of the licence to which the bond relates or two years after the cancellation of the bond, deliver the collateral security to the person who deposited such security. Disposition
of collateral
security

Registrar may
forfeit bond

29k. The Registrar may declare any bond mentioned in section 29g forfeited,

(a) where a licensed television repair service, including any member of a partnership, in respect of whose conduct the bond has been conditioned has been convicted of,

(i) an offence under the Act, or

(ii) an offence involving fraud or theft or conspiracy to commit an offence involving fraud or theft under the *Criminal Code* (Canada), and the conviction has become final;

R.S.C. 1970,
c. C-34

(b) where proceedings by or in respect of a licensed television repair service, including any member of a partnership, in respect of whose conduct the bond has been conditioned, have been taken under the *Bankruptcy Act* (Canada), either by way of assignment, or by petition, or where proceedings have been taken by way of winding-up, and in the case of a petition, a receiving order under the *Bankruptcy Act* (Canada), or a winding-up order has been made, and the order has become final;

R.S.C. 1970,
c. B-4

(c) where a judgment based on a finding of fraud has been given against a licensed television repair service, including any member of a partnership, in respect of whose conduct the bond has been conditioned and the judgment has become final; or

(d) where judgment has been given against a licensed television repair service, including any member of a partnership, in respect of whose conduct the bond has been conditioned, on any claim arising out of a sale of goods or services made in the course of his business as a licensed television repair service, and the judgment has remained unsatisfied for a period of ninety days,

and thereupon the amount thereof becomes due and owing by the person bound thereby as a debt due the Crown in right of Ontario.

Current
market value

29l. Where a bond secured by the deposit of collateral security is forfeited under section 29k, the Treasurer of Ontario may sell the collateral security at the current market price.

29m. Where the Crown in right of Ontario becomes a creditor of a person in respect of a debt to the Crown arising from the provisions of section 29k, the Registrar may take such proceedings as he sees fit under the *Bankruptcy Act* (Canada), *The Judicature Act*, *The Business Corporations Act* or the *Winding-up Act* (Canada) for the appointment of an interim receiver, custodian, trustee, receiver or liquidator, as the case may be.

Appointment
of interim
receiver, etc.
R.S.C. 1970,
cc. B-4, W-11
R.S.O. 1970,
cc. 228, 53

29n.—(1) The Treasurer of Ontario may in his discretion, ^{Idem}

- (a) assign any bond forfeited under section 29k and transfer the collateral security, if any;
- (b) pay over any money recovered under the bond;
- (c) pay over any money realized from the sale of the collateral security under section 29m,

to any person who,

- (d) is a judgment creditor of any television repair service, including any member of a partnership, in respect of whose conduct the bond has been conditioned where the judgment was based on a claim arising out of a sale of goods or services;
- (e) in respect of a claim for less than \$100 against any television repair service, including any member of a partnership, in respect of whose conduct the bond has been conditioned, arising out of a sale of goods or services, satisfies the Registrar as to the validity of such claim; or
- (f) has proven a claim in bankruptcy against any television repair service, including any member of a partnership in respect of whose conduct the bond has been conditioned, in respect of any claim arising out of a sale of goods or services,

provided that the claim or transaction occurred during the period referred to in clause *a* or *b* of section 29i.

(2) The Treasurer of Ontario may, where he deems it advisable, without any order, pay the whole or any part of the proceeds referred to in clause *b* or *c* of subsection 1 to the accountant of the Supreme Court in trust for such persons as are or may become entitled to share in the proceeds of the bond under the provisions of subsection 1. ^{Idem}

Notice

29o. Where a bond has been forfeited and the Treasurer of Ontario has not received notice in writing of any claim against the proceeds of the bond or such part as remains in his hands within two years of the forfeiture, the Treasurer of Ontario may pay the proceeds of the bond or the collateral security, or any part remaining, to any person who made a payment under the bond or who deposited the collateral security, after first deducting the amount of any expenses that have been incurred in connection with any investigation or otherwise relating to the television repair service, including any member of a partnership, in respect of whose conduct the bond was conditioned.

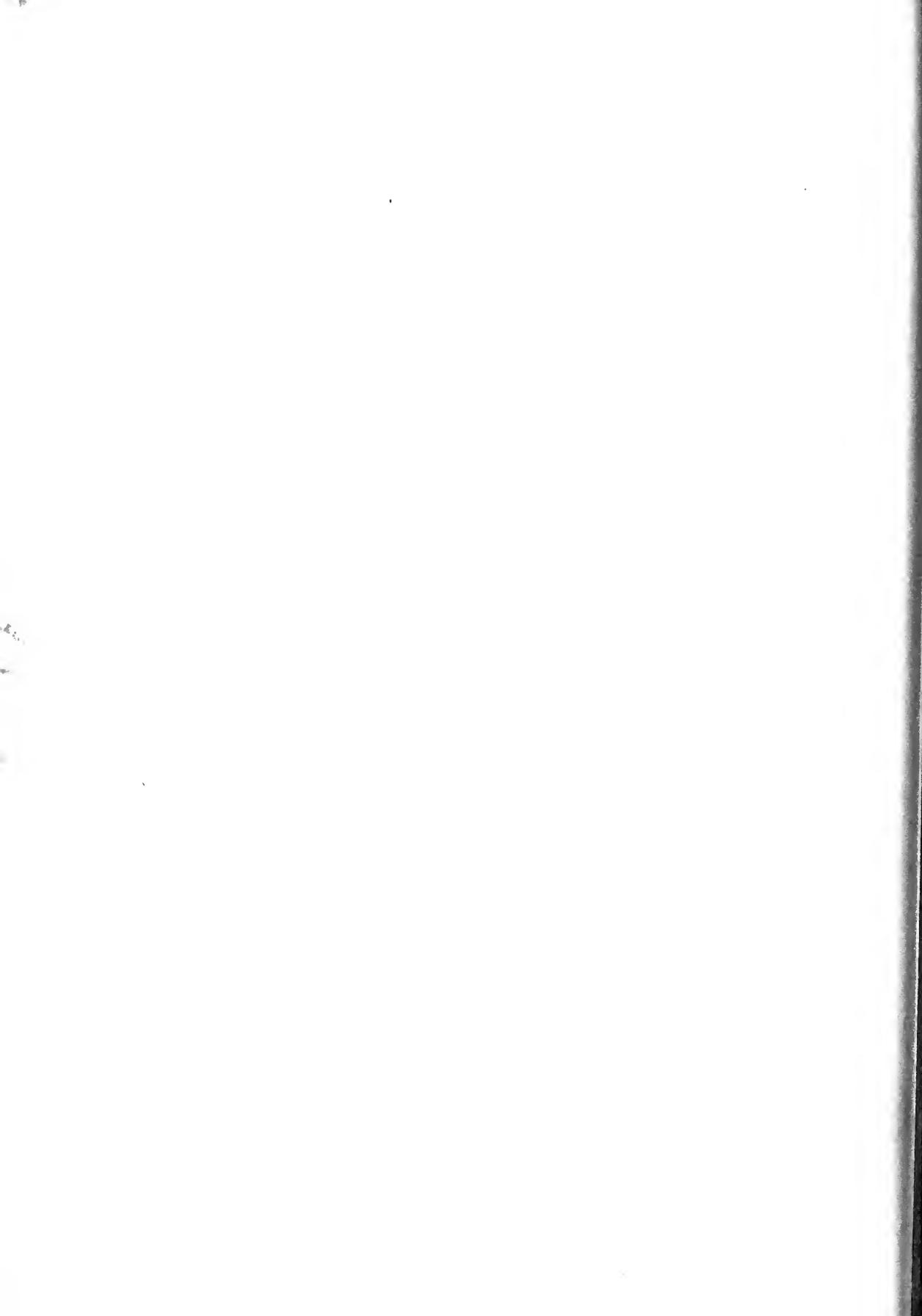
Commence-
ment

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

Short title

4. This Act may be cited as *The Consumer Protection Amendment Act, 1973*.







An Act to amend
The Consumer Protection Act

1st Reading

March 22nd, 1973

2nd Reading

3rd Reading

MR. DREA

(Private Member's Bill)

1973

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Public Hospitals Act

MR. NIXON (BRANT)

EXPLANATORY NOTE

The Bill provides for appeal procedures for an applicant who has been refused appointment as a member of the medical staff of a public hospital for the first time.

An Act to amend The Public Hospitals 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 48 of *The Public Hospitals Act*, being ^{s. 48 (1),} re-enacted chapter 378 of the Revised Statutes of Ontario, 1970, as enacted by the Statutes of Ontario, 1972, chapter 90, section 23, is repealed and the following substituted therefor:

(1) Any applicant for first appointment to or member of the medical staff or who was a party to a proceeding before the board and who is affected by, ^{Reasons and appeal}

- (a) a decision refusing, revoking or suspending his appointment or refusing to reappoint him under clause c of section 43; or
- (b) a decision cancelling, suspending or substantially altering his hospital privileges under section 41 or the by-laws,

is entitled to,

- (c) written reasons for the decision if a request is received by the board, person or body making the decision within seven days of the receipt by the party or member of a notice of the decision; and
- (d) a hearing before the Appeal Board if a written request is received by the Appeal Board and the board, person or body making the decision within seven days of the receipt by the party or member of written reasons under clause a.

2. This Act comes into force on the day it receives Royal Assent. ^{Commence-}ment
3. This Act may be cited as *The Public Hospitals Amendment Act, 1973*. ^{Short title}

An Act to amend
The Public Hospitals Act

1st Reading

March 22nd, 1973

2nd Reading

3rd Reading

MR. NIXON (BRANT)

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting Ethics of Elected Representatives

MR. SHULMAN

EXPLANATORY NOTE

The Bill provides a code of ethics covering the use of influence and performance of services for gain and applies to members of the Legislative Assembly and members of municipal councils and school boards.

BILL 21

1973

An Act respecting Ethics of Elected Representatives

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 "elected representative" means a member of the Legislative Assembly, a member of a municipal council or a member of a school board. Interpre-
tation

2. No elected representative shall, Ethics

- (a) ask, receive or agree to receive any form of compensation, from a source other than public funds, for performing his duties as a public official or for services in connection with any judicial or administrative proceeding or activity wherein his official position might reasonably be expected to give him unusual influence;
- (b) ask, receive or agree to receive anything of value upon any understanding that his vote, opinion, judgment or action will be influenced thereby;
- (c) receive any gift having a value of \$25 or more under circumstances in which it could reasonably be inferred that the gift was made to influence him in the performance of his official duties; or
- (d) use his official position to secure privileges or exemptions for himself or others, or have any interest, financial or otherwise, direct or indirect, or engage in any business transaction or professional activity or incur any obligation of any nature that is in substantial conflict with the proper discharge of his duties in the public interest.

3. Each elected representative shall, on or before the 31st day of January in each year, file with, Report of
financial
interest in
regulated
activities

- (a) in the case of a member of the Legislative Assembly, the Clerk of the Assembly;
- (b) in the case of a member of a municipal council, the clerk of the municipality; or
- (c) in the case of a member of a school board, the secretary of the board,

a written report in respect of the preceding calendar year, or part thereof in which he was an elected representative, of each financial interest, direct or indirect, of a value in excess of \$500 of himself, his spouse and his dependants in any activity that is regulated under the jurisdiction of the body on which he serves as an elected representative or any agency thereof.

Commence-
ment

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

Short title

5. This Act may be cited as *The Elected Representatives' Ethics Act, 1973*.

100



An Act respecting
Ethics of Elected Representatives

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act respecting
Businesses Controlled by Organized Crime**

MR. SHULMAN

EXPLANATORY NOTE

The Bill provides a means of exposing businesses and corporations which are involved with organized crime.

An Act respecting Businesses Controlled by Organized Crime

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 Act, “organized crime” means any combination or conspiracy to engage in any offence under section 185, 186, 187, 189, subsection 1 of section 193, clause *c* of subsection 2 of section 193, section 195, 305, 331, 407, 408, 409, 410, 411, 413, 416, 417 or 418 of the *Criminal Code* (Canada) or section 4, 5 or 6 of the *Narcotic Control Act* (Canada) as a significant source of income or livelihood.

Interpre-
tation

R.S.C. 1970,
cc. C-34, N-1

(2) Any reference in this Act to the *Criminal Code* (Canada) or the *Narcotic Control Act* (Canada), or any provisions thereof shall be deemed to be a reference to the *Criminal Code* (Canada) or the *Narcotic Control Act* (Canada), or the provisions thereof as amended or re-enacted from time to time.

References
to *Criminal
Code,
Narcotic
Control
Act*

2. The Attorney General may institute civil proceedings in the Supreme Court to,

Civil
proceedings

(a) cancel the letters patent of a corporation incorporated under *The Corporations Act*;

R.S.O. 1970,
c. 89

(b) declare the corporate existence of a corporation under *The Corporations Act*, incorporated otherwise than by letters patent, to be terminated;

(c) cancel any supplementary letters patent issued to a corporation under *The Corporations Act*;

(d) cancel any licence issued to an extra-provincial corporation under Part IX or a predecessor thereof of *The Corporations Act*;

(e) dissolve a corporation incorporated under *The Business Corporations Act*; or

R.S.O. 1970,
c. 53

R.S.O. 1970,
c. 340

- (f) enjoin the operation of any sole proprietorship or partnership registered under *The Partnerships Registration Act*;

as the case may be, where,

R.S.O. 1970,
cc. 89, 53

- (g) any director or officer of a corporation incorporated under *The Corporations Act* or *The Business Corporations Act*, with the knowledge of the president and a majority of the board of directors or under circumstances in which the president and a majority of the board of directors ought to have had knowledge, is engaged in organized crime or is connected directly or indirectly with an organization or criminal society engaged in organized crime;

- (h) any director, officer, employee, agent or stockholder of a corporation incorporated under *The Corporations Act* or *The Business Corporations Act*, with the knowledge of the president and a majority of the board of directors or under circumstances in which the president and a majority of the board of directors ought to have had knowledge, acts for, through or on behalf of the corporation in a persistent course of organized crime with the intent to compel or induce other persons or corporations to carry on business with the corporation or to engage in organized crime;
or

- (i) any partner in a partnership or the owner of a sole proprietorship registered under *The Partnerships Registration Act* or any employee or agent of such partnership or sole proprietorship engages in a persistent course of organized crime with the intent to compel or induce other persons or corporations to carry on business with the partnership or sole proprietorship or to engage in organized crime.

Commence-
ment

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

Short title

4. This Act may be cited as *The Businesses Controlled by Organized Crime Act, 1973*.



21



An Act respecting
Businesses Controlled by Organized Crime

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Highway Traffic Act

MR. SHULMAN

EXPLANATORY NOTE

The Bill provides for a system of registering motor vehicles based on the amount of carbon monoxide and hydrocarbons which the vehicle emits.

An Act to amend The Highway Traffic Act

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 6 of *The Highway Traffic Act*, s. 6(1),
being chapter 202 of the Revised Statutes of Ontario, 1970,^{re-enacted}
is repealed and the following substituted therefor:

(1) The owner of every motor vehicle shall register it with the Ministry before driving or operating it or causing it to be driven or operated upon a highway and shall pay to the Ministry a fee, based on the level of carbon monoxide and hydrocarbon emission of the motor vehicle, for the registration of such motor vehicle and for the number plates therefor.
Registration of motor vehicles

(1a) The owner of every trailer or conversion unit shall register it with the Ministry before causing it to be operated on a highway and shall pay to the Ministry a fee for the registration of such trailer or conversion unit and for the number plates therefor.
Registration of trailers

- (2) Subsection 7 of the said section 6 is repealed and the following substituted therefor:
s. 6(7), re-enacted

(7) The Lieutenant Governor in Council may make regulations regarding,
Regulations re registration

- (a) the renewal and transfer of such permits;
- (b) the payment of fees therefor;
- (c) the amount of such fees based on a sliding scale varying with the emission of carbon monoxide and hydrocarbons from the motor vehicle;
- (d) the time of payment of such fees; and

(e) the measuring of carbon monoxide and hydrocarbon emissions from motor vehicles.

Commence-
ment

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

Short title

3. This Act may be cited as *The Highway Traffic Amendment Act, 1973*.





An Act to amend
The Highway Traffic Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Dentistry Act

MR. SHULMAN

EXPLANATORY NOTE

The Bill repeals that section of the Act which puts a time limit on commencing an action under the Act.

BILL 24

1973

An Act to amend The Dentistry Act

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

1. Section 28 of *The Dentistry Act*, being chapter 108 of the Revised Statutes of Ontario, 1970, is repealed. s. 28,
repealed
2. This Act comes into force on the day it receives Royal Assent. Commence-
ment
3. This Act may be cited as *The Dentistry Amendment Act, 1973*. Short title

An Act to amend
The Dentistry Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

The Occupational Safety Act, 1973

MR. SHULMAN

EXPLANATORY NOTE

The Bill replaces a series of Acts dealing with safety matters and brings the whole field of occupational safety under one statute.

The Ontario Safety Advisory Board replaces the present Labour Safety Council of Ontario, and is given expanded powers.

BILL 25

1973

The Occupational Safety Act, 1973

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,

Interpre-
tation

- (a) "Board" means the Ontario Safety Advisory Board;
- (b) "Minister" means the Minister of Labour;
- (c) "Ministry" means the Ministry of Labour.

2. This Act applies to every employee, employer and owner^{Application} and to every place of employment.

3. There shall be appointed such persons as are necessary^{Appointment} to administer the provisions of this Act and the regulations.

4. There shall be a board known as the "Ontario Safety^{Establishment of} Advisory Board" consisting of not fewer than three members,^{board} one of whom shall be the chairman.

5. The Board shall,

Duties of
Board

- (a) advise the Minister on all matters pertaining to the administration of this Act;
- (b) examine the effectiveness of the legislation and recommend additions, deletions and amendments;
- (c) conduct public hearings and consider all views respecting proposed or existing safety standards; and
- (d) grant permission for an employer or employee to deviate from the standards in special circumstances under such conditions as the Board considers to provide a reasonable standard of safety under such circumstances.

- Liability** **6.**—(1) Neither the members of the Board, any of its staff nor any officer of the Ministry is personally liable for anything done by it or by him under the authority of this Act.
- Appoint-ments** (2) The Minister may appoint such persons and committees as he considers necessary to assist the Board in carrying out its duties.
- Appeal** (3) A person who believes a decision of the Board to be unjust may appeal in writing to the Minister within fifteen days of the date that the decision was announced, setting out his reasons for his belief, and, if the Minister considers the reasons to so warrant, he may direct the Board to hold additional hearings and review its decision in the light of the additional evidence presented.
- Duties of employer** **7.** Every person operating or carrying on a place of employment shall,
- (a) do so in a manner that will not endanger the safety or health of any person employed thereon or in connection therewith;
 - (b) comply with this Act and the regulations;
 - (c) adopt and carry out such procedures and techniques as will prevent or reduce the risk of injury to employees and other persons having access to the place of employment; and
 - (d) ensure that the equipment, materials and safeguards prescribed by the regulations are provided and available.
- Acts endangering safety prohibited** **8.** No person shall,
- (a) endanger his safety or that of another person;
 - (b) move, alter or destroy any safeguards, equipment or device furnished for protection, without the permission of the employer; or
 - (c) use or operate any equipment, machine, device or thing in an unsafe manner.
- When machine, etc., not to be used** **9.** No person who has reasonable cause to believe that any machine, vehicle, tool, equipment, device or thing, or any part thereof, is unsafe or in contravention of this Act, or the regulations, shall use or operate or cause or permit it to be used or operated.

10. Non-compliance with a standard prescribed by the regulations shall be deemed to endanger the safety of persons in the place of employment except where alternative safeguards have been provided which the Board deems to be adequate for the purposes intended.

11. Where a person is killed or is critically injured, the employer shall immediately notify an officer of the Ministry by telephone, telegraph or in person of the occurrence and shall send him a written report of the occurrence.

12. An officer who receives a notice under section 11 shall immediately upon receipt thereof, notify the Executive Director of Safety Services and forthwith investigate the circumstances of the occurrence.

13. Where a person is killed or is critically injured, no person shall, except for the purposes of,

(a) saving life or relieving suffering; or

(b) maintaining an essential public utility service or a public transportation system,

interfere with, disturb, destroy, alter or carry away any wreckage, article or thing at the scene of, or connected with the occurrence until permission so to do has been given by an officer.

14. Section 13 does not apply where the occurrence was investigated by a constable or other police officer and the constable or other police officer is satisfied that such action will not be detrimental to further investigation by an officer of the Ministry.

15. Subject to section 16, every person who contravenes any provision of this Act is guilty of an offence under this Act and on summary conviction is liable to a fine of not more than \$1,000 or imprisonment for a term of not more than twelve months or to both.

16. Where a corporation is convicted of an offence under section 15, the maximum penalty that may be imposed is \$5,000.

17. The laying of a charge or a conviction under this Act shall in no way affect a decision of the Workmen's Compensation Board respecting the levy to be paid by the employer under *The Workmen's Compensation Act*.

- Time limit for prosecution** **18.** No prosecution under this Act shall be instituted more than one year after the last act or default upon which the prosecution is based occurred.
- Liability** **19.** Where there is an act or default that constitutes an offence under this Act or the regulations and the act or default has in fact been committed or made by a person other than the employer or owner, such person is liable to the same penalty or punishment as if he were the employer or owner.
- Information** **20.** It is sufficient in an information for an offence under this Act or the regulations to name the employer or owner by stating the ostensible employer or owner, or the firm by which the employer or owner is usually known.
- Regulations** **21.** The Lieutenant Governor in Council may make regulations,
- (a) prescribing the duties, qualifications and procedures of the Board and its staff;
 - (b) prescribing the duties and qualifications of officers of the Ministry;
 - (c) prescribing safeguards and inspection procedures for,
 - (i) elevating devices,
 - (ii) boilers and pressure vessels,
 - (iii) midway rides,
 - (iv) motor vehicle racing,
 - (v) any matter, device or thing to be used in a place of employment,
 - (vi) places of employment;
 - (d) prescribing codes which are considered to fulfil the intent of this Act and the regulations for the safety of any technical device to be used in a place of employment;
 - (e) exempting any person or any class of persons from the application of the regulations, or of any of the provisions thereof;
 - (f) prescribing forms and providing for their use, including the conditions under which they may be issued, suspended or cancelled;

- (g) providing for the submission of drawings and specifications of technical devices and structures covered by the regulations;
- (h) prescribing physical requirements and qualifications of persons who may be employed in a particular occupation;
- (i) prescribing the conditions under which a child may be employed or present in a place of employment;
- (j) prescribing the conditions under which the safety of persons is deemed to be endangered for the purposes of this Act;
- (k) prescribing the reports to be submitted to the Board or the Ministry or the Workmen's Compensation Board or other agency;
- (l) prohibiting employment or modifying or limiting the hours of employment of any person in connection with a place of employment;
- (m) prescribing the qualifications of persons required to perform specific tasks;
- (n) regulating or prohibiting the use of any machine, device or thing;
- (o) respecting the procedure for appealing from an officer's direction or for an exemption from a provision of the regulations.

22. The following are repealed:

Repeals

1. *The Boilers and Pressure Vessels Act*, being chapter 47 of the Revised Statutes of Ontario, 1970.
2. *The Boilers and Pressure Vessels Amendment Act, 1972*, being chapter 31.
3. Section 28 of *The Government Reorganization Act, 1972*, being chapter 1.
4. *The Construction Hoists Act*, being chapter 80 of the Revised Statutes of Ontario, 1970.
5. Section 10 of *The Ministry of Labour Act*, being chapter 117 of the Revised Statutes of Ontario, 1970.

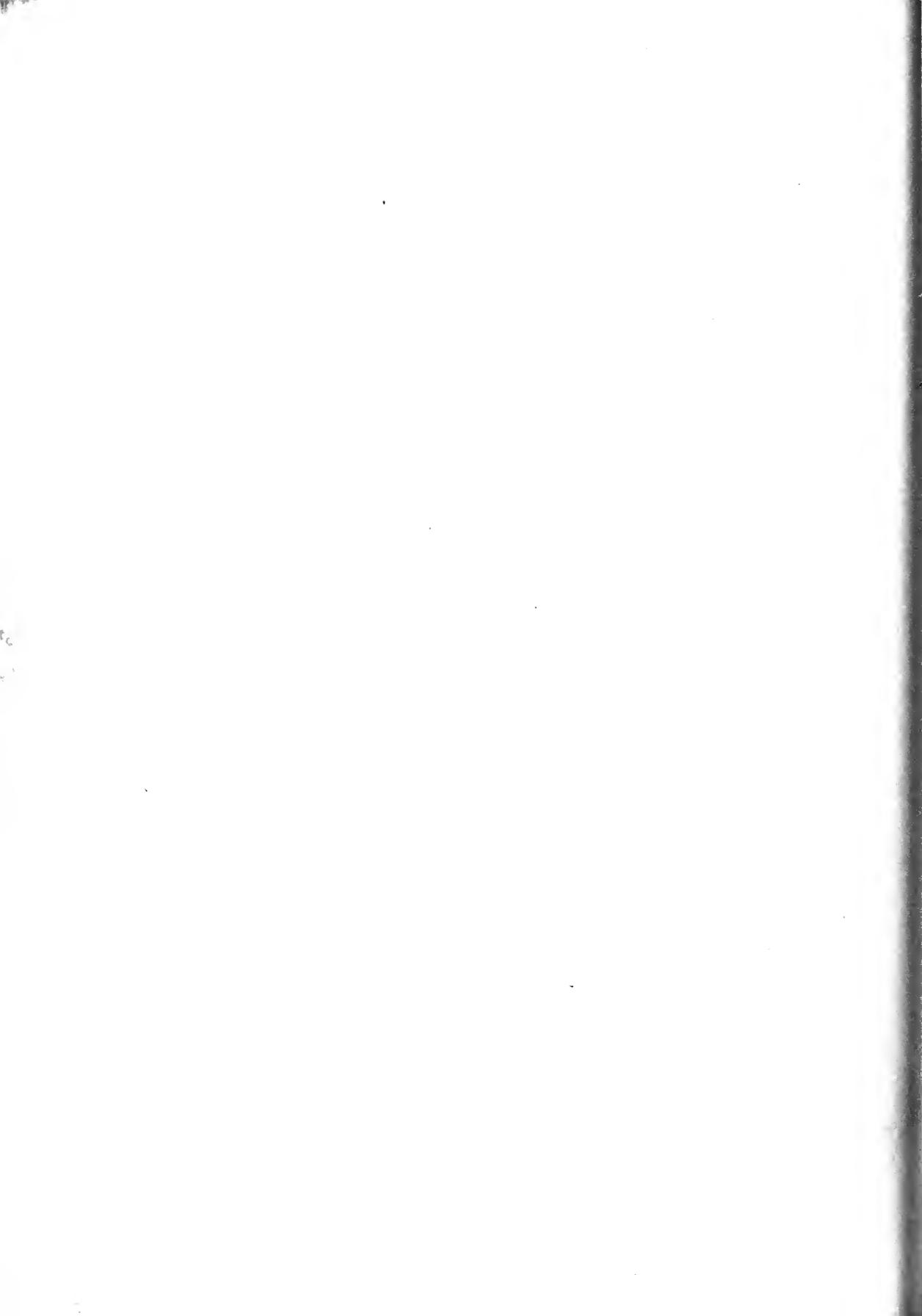
6. Subsection 1 of section 11 of *The Ministry of Labour Act*, being chapter 117 of the Revised Statutes of Ontario, 1970.
7. *The Elevators and Lifts Act*, being chapter 143 of the Revised Statutes of Ontario, 1970.
8. Section 39 of *The Government Reorganization Act, 1972*, being chapter 1.
9. *The Industrial Safety Act, 1971*, being chapter 43.
10. *The Industrial Safety Amendment Act, 1972*, being chapter 122.
11. *The Trench Excavators' Protection Act*, being chapter 469 of the Revised Statutes of Ontario, 1970.
12. Section 83 of *The Civil Rights Statute Law Amendment Act, 1971*, being chapter 50.

Commence-
ment

23. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

24. This Act may be cited as *The Occupational Safety Act, 1973*.



The Occupational Safety Act, 1973

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Child Welfare Act

MR. SHULMAN

EXPLANATORY NOTES

SECTION 1.—Subsection 1. The section now allows an applicant to adopt where the applicant is unmarried or where the applicant is a husband and wife acting together and one or both of them is under eighteen years of age. The section also prohibits an applicant from adopting his spouse.

Subsection 2. The amendment removes the necessity of consent of the applicant's spouse in certain circumstances.

An Act to amend The Child Welfare Act

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 72 of *The Child Welfare Act*, being ^{s. 72 (1),} chapter 64 of the Revised Statutes of Ontario, 1970, as ^{re-enacted} amended by the Statutes of Ontario, 1971, chapter 98, section 4, is repealed and the following substituted therefor:

- (1) The court shall not make an adoption order, Where order
not to be
made
- (a) where the applicant is under eighteen years of age;
- (b) where the applicant is a male and the child sought to be adopted is a female under eighteen years of age; or
- (c) where the applicant is the spouse of the child sought to be adopted,

unless the court is satisfied that there are special circumstances that justify, as an exceptional measure, the making of the order.

- (2) Subsection 3 of the said section 72 is repealed and the ^{s. 72 (3),} following substituted therefor: ^{re-enacted}

- (3) Except where the other spouse fails to consent to the ^{Consent of} adoption by reason of, ^{adopting} ^{spouse}

- (a) prolonged unexplained absence;
- (b) unavailability;
- (c) incapacity; or
- (d) circumstances constituting an unreasonable withholding of consent,

an adoption order shall not be made upon the application of a husband or wife without the written consent of the spouse

s. 73 (5),
re-enacted

2. Subsection 5 of section 73 of the said Act is repealed and the following substituted therefor:

Where
consent
dispensed
with

(5) The court may, upon application by the applicant for the adoption, dispense with a consent required by this section where,

- (a) the child has been abandoned by the parent or parents, as the case may be;
- (b) by reason of repeated and continued neglect, by the parent or parents, as the case may be, the child is without proper parental care, control or subsistence necessary for his physical and mental health;
- (c) by reason of the physical or mental incapacity of the parent or parents, as the case may be, the child is without proper care, control or subsistence necessary for his physical and mental health; or
- (d) the parent, parents, guardian or person who has lawful custody or control or who is liable to contribute to the support of the child, as the case may be, by reason of prolonged unexplained absence, unavailability or other circumstances unreasonably withholds consent,

and the court is satisfied that it is in the best interests of the child that the requirement be dispensed with.

s. 87a,
enacted

3. The said Act is amended by adding thereto the following section

Report re
expenses

87a.—(1) Subject to subsection 2, an applicant shall before an application for the adoption of a child under eighteen years of age is heard, file with the court, a report showing any expenses incurred in connection with,

- (a) the birth of the child;
- (b) placement of the child with the applicant;
- (c) medical or hospital care received by the mother or by the child during the mother's prenatal care and confinement;
- (d) services relating to the adoption or to the placement of the child for adoption which were received by or on behalf of,

SECTION 2. The amendment clarifies the situations in which the court may dispense with consent.

SECTION 3. The section requires a report by the adopting parent of all expenditures made on his behalf in connection with the adoption.

82

- (i) the applicant,
- (ii) the mother of the child,
- (iii) the father of the child, or
- (iv) any person other than those persons listed in subclauses i, ii and iii.

(2) Subsection 1 does not apply to an adoption by an applicant whose spouse is the mother or father of the child. Application of subs. 1

- 4. This Act comes into force on the day it receives Royal Assent. Commencement
- 5. This Act may be cited as *The Child Welfare Amendment Act, 1973*. Short title

An Act to amend
The Child Welfare Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Consumer Protection Act

MR. SHULMAN

EXPLANATORY NOTE

The Bill provides for disclosure to the consumer of the unit price and the total price of consumer products.

An Act to amend The Consumer Protection Act

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

1. *The Consumer Protection Act*, being chapter 82 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following Part:

PART IIIA

CONSUMER INFORMATION

43a. In this Part,

Interpre-
tation

- (a) "consumer" means a person who purchases goods for personal, family or household purposes, but does not include a person who purchases for the purpose of carrying on business;
- (b) "consumer product" means any product intended for or customarily used for personal, family or household purposes;
- (c) "unit price" means the retail price of a consumer product expressed in terms of the retail price of such product per such unit of weight, measure or count as the regulations prescribe.

43b. Every person who sells or offers for sale a consumer product at retail, shall disclose the unit price and the total price of the consumer product to the consumer in the manner prescribed in section 43c.

43c. The unit price and the total price of a consumer product shall be disclosed to the consumer,

- (a) where the consumer product is so located that,
 - (i) it is not conspicuously visible to the consumer, or
 - (ii) the price information if displayed in accordance with clause *b* would not be conspicuously visible to the consumer, by a sign or list bearing the price information, conspicuously displayed near the point of procurement of the consumer product;
- (b) where the consumer product is so located that it is conspicuously visible to the consumer, by the attachment of a stamp, tag or label to,
 - (i) the consumer product, and
 - (ii) the shelf, wall or stand upon which the consumer product is displayed; or
- (c) where the methods set out in clauses *a* and *b* would not be effective in conveying the price information to the consumer, by those methods prescribed by the regulations.

Advertising

43*d*. No person shall advertise the price of a consumer product unless the advertisement states both the unit price and total price of the consumer product.

Regulations

43*e*. The Lieutenant Governor in Council may make regulations,

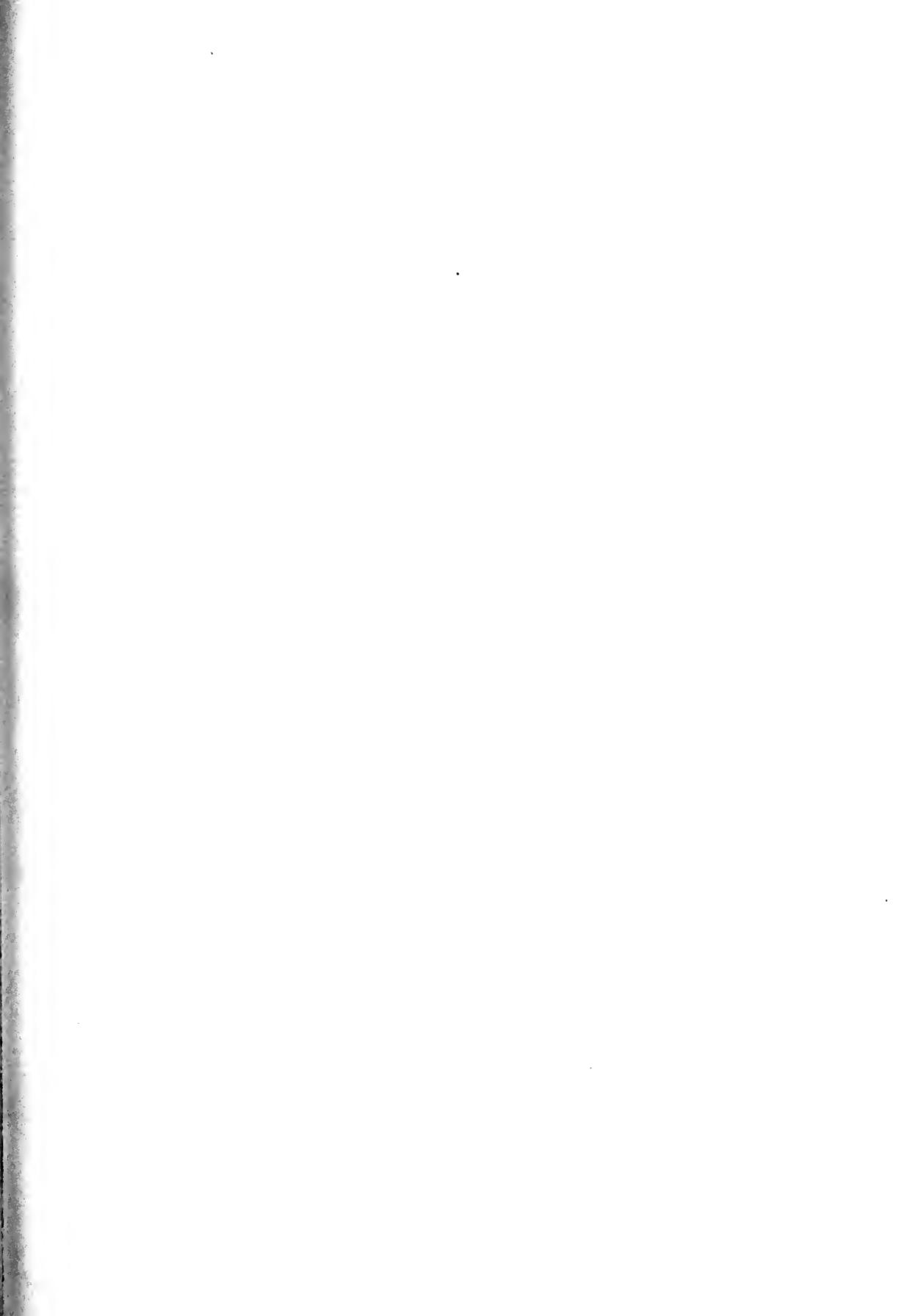
- (a) designating the unit of weight, measure or count upon which the unit price of a consumer product shall be expressed and whether it is to be expressed to the nearest whole cent or fraction thereof;
- (b) prescribing methods for disclosing the unit price and the total price of a consumer product;
- (c) exempting any class of persons from any or all requirements of the Act.

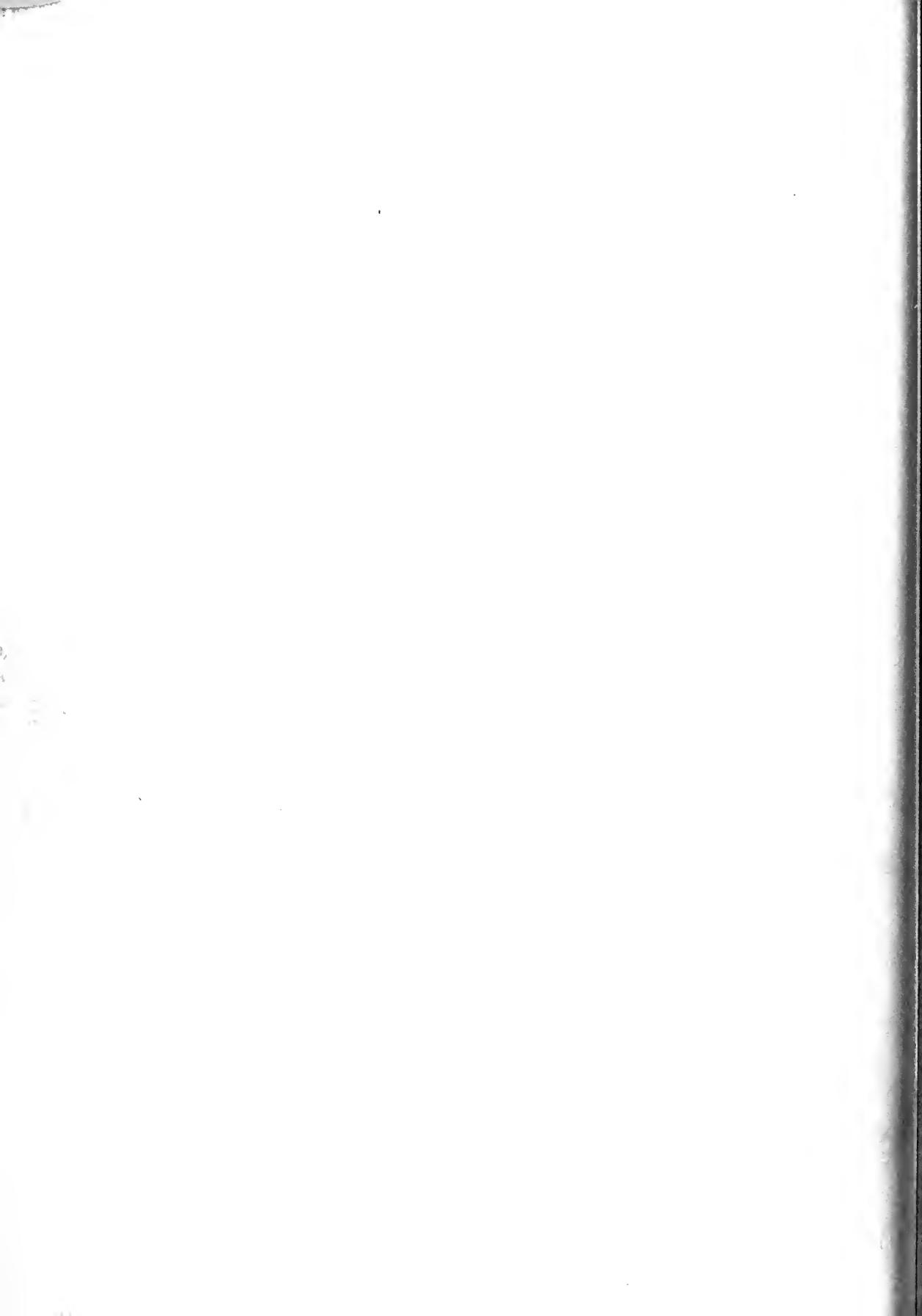
Commencement

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

Short title

3. This Act may be cited as *The Consumer Protection Amendment Act, 1973*.







An Act to amend
The Consumer Protection Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to control Promotional Games

MR. SHULMAN

EXPLANATORY NOTE

The purpose of the Bill is to control the operation of promotional games intended to attract customers or to advertise products sold at retail.

An Act to control Promotional Games

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,

Interpre-
tation

- (a) "operator" means a person that organizes and manages the overall conduct of a promotional game;
- (b) "promotional game" means a game, contest or scheme that offers the opportunity to receive gifts or prizes, determined by chance, of a total value in excess of \$1,000 and that is organized or operated for advertising purposes;
- (c) "Registrar" means the Registrar of the Consumer Protection Bureau;
- (d) "regulations" means the regulations made under this Act;
- (e) "Tribunal" means The Commercial Registration Appeal Tribunal established under *The Ministry of Consumer and Commercial Relations Act*. R.S.O. 1970, c. 113

2. No person shall offer to the public the opportunity to participate in a promotional game unless a statement of the plan of the promotional game is filed with the Registrar and a certificate of acceptance thereof is issued by the Registrar. Statement required

3. A statement as to a promotional game filed with the Registrar shall set out, Contents of statement

- (a) the minimum number of gifts or prizes that will be offered in the promotional game;
- (b) the minimum number of participating objects to be made available;

- (c) the proportionate opportunity of receiving gifts or prizes;
- (d) the minimum value of the gifts or prizes to be made available;
- (e) the period of time and the geographic area to be covered by the promotional game;
- (f) the rules of the promotional game; and
- (g) the name and address of the operator.

Certificate of acceptance

4. The Registrar shall issue a certificate except where,

- (a) having regard to the financial position of the operator, he cannot reasonably be expected to be financially responsible in the conduct of his business;
- (b) the past conduct of the operator or, where it is a corporation, of its officers or directors affords reasonable grounds for belief that the promotional game will not be conducted with integrity and honesty; or
- (c) the statement contains any misleading facts or omissions.

Amendment of statement

5. An operator shall not depart from the plan of the promotional game set out in the statement filed with the Registrar but may amend the plan by filing with the Registrar a supplementary statement and receiving a supplementary certificate of acceptance issued by the Registrar.

Suspension or withdrawal

6. Subject to section 7, the Registrar may suspend or withdraw a certificate for any reason that would disentitle the operator to a certificate under section 4 if he were an applicant.

Refusal to issue

7.—(1) Where the Registrar proposes to,

- (a) refuse to grant;
- (b) suspend; or
- (c) withdraw,

a certificate of acceptance, he shall serve notice of his proposal, together with written reasons therefor, on the operator.

(2) A notice under subsection 1 shall inform the operator that he is entitled to a hearing by the Tribunal if he mails or delivers, within fifteen days after the notice under subsection 1 is served on him, notice in writing requiring a hearing to the Registrar and the Tribunal and he may so require such a hearing.

Notice
requiring
hearing

(3) Where an operator does not require a hearing by the Tribunal as set out in subsection 2, the Registrar may carry out the proposal stated in his notice under subsection 1.

Where
hearing not
required

(4) Where an operator requires a hearing by the Tribunal in accordance with subsection 2, the Tribunal shall appoint a time and place for and hold the hearing and, on application at the hearing, may by order direct the Registrar to carry out or refrain from carrying out his proposal.

Hearing

(5) The Registrar, the operator and such other persons as the Tribunal may specify are parties to the hearing.

Parties

(6) Notwithstanding subsection 1, the Registrar may cancel a certificate of acceptance upon the written request of the operator surrendering the certificate.

Voluntary
cancellation

(7) Notwithstanding that an operator appeals from an order of the Tribunal under section 9b of *The Ministry of Consumer and Commercial Relations Act*, the order takes effect immediately but the Tribunal may grant a stay until disposition of the appeal.

Order
effective,
stay
R.S.O. 1970,
c. 113

8.—(1) Every operator shall deliver to the owner or manager of each retail establishment that takes part in the operation of the promotional game a copy of the statement referred to in section 3, the supplementary statements, if any, referred to in section 5 and statements setting out the names and addresses of the persons who receive the gifts or prizes offered in the promotional game.

Delivery of
statements to
retail estab-
lishments

(2) The owner or manager of a retail establishment referred to in subsection 1 shall post or cause to be posted the statements mentioned in subsection 1 in a place in the retail establishment where they are likely to be seen by customers of the establishment.

Posting of
statements

9.—(1) Every operator shall maintain for six months after the date the promotional game ends a record of,

Records to be
maintained

- (a) the name and address of each person who receives in the promotional game a gift or prize of the value of more than \$25;

(b) a description of each gift or prize referred to in clause *a*; and

(c) the date of the delivery of each gift or prize referred to in clause *a*.

Filing of record

(2) Every operator shall, upon demand made by the Registrar during the six month period referred to in subsection 1, file with the Registrar a copy of the record.

Manipulation of game prohibited

10.—(1) Except as provided in subsection 2, an operator shall not distribute the prize-winning objects in a promotional game to predetermined persons or retail establishments.

Proviso

(2) Subsection 1 does not prevent the distribution of prize-winning objects of equal value to retail establishments in a uniform ratio to the number of participating objects distributed to such retail establishments.

Distribution of gifts or prizes

11. Every operator shall distribute the gifts or prizes offered in the promotional game to the persons who qualify therefor in accordance with the rules of the promotional game.

Coercion of retailers prohibited

12. An operator shall not require the owner or manager of any retail establishment to participate in a promotional game as a condition of the carrying on or the continuation of business dealings between the operator and such owner or manager.

False advertising

13. Where the Registrar believes on reasonable and probable grounds that an operator is making false, misleading or deceptive statements in any literature or material in connection with a promotional game, the Registrar may order the immediate cessation of the use of the literature or material and section 7 applies *mutatis mutandis* to the order and the order is effective immediately but the Tribunal may grant a stay until the order becomes final.

Application to High Court

14.—(1) Where it appears to the Registrar that any person does not comply with any provision of this Act, the regulations or an order or demand made under this Act, notwithstanding the imposition of any penalty in respect of such non-compliance, the Registrar may apply to a judge of the High Court for an order directing such person to comply with such provision and the judge may make such order or such other order as the judge thinks fit.

Appeal

(2) An appeal lies to the Court of Appeal from an order made under subsection 1.

15.—(1) Every person who,

Offences

- (a) makes a statement in any statement, record or other document required to be filed or furnished under this Act or the regulations that, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact or that omits any material fact;
- (b) fails to comply with any order, demand or other requirement under this Act; or
- (c) contravenes any provision of this Act or the regulations,

and every director or officer of a corporation who knowingly concurs in such act, failure or contravention is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.

(2) Where a corporation is convicted of an offence under sub-^{Corporations} section 1, the maximum penalty that may be imposed upon the corporation is \$10,000 and not as provided therein.

16. The Lieutenant Governor in Council may make^{Regulations} regulations,

- (a) exempting any class of person from this Act or the regulations or any provision thereof;
- (b) requiring any information required to be furnished or contained in any statement, demand or return to be verified by affidavit;
- (c) requiring operators or owners or managers of retail establishments to make returns and furnish information to the Registrar.

17. This Act comes into force on the day it receives^{Commence-} Royal Assent.^{ment}

18. This Act may be cited as *The Promotional Games Act*,^{Short title} 1973.

An Act to control
Promotional Games

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Securities Act

MR. SHULMAN

EXPLANATORY NOTE

In addition to the liability of an insider to compensate a person or company for direct loss suffered as a result of use of confidential information in the manner specified, the Bill makes it an offence to so use such information.

An Act to amend The Securities 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 113 of *The Securities Act*, being chapter 426 of the Revised Statutes of Ontario, 1970, is amended by adding at the end thereof "and in addition is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000", so that the subsection shall read as follows:

(1) Every insider of a corporation or associate or affiliate of such insider, who, in connection with a transaction relating to the capital securities of the corporation, makes use of any specific confidential information for his own benefit or advantage that, if generally known, might reasonably be expected to affect materially the value of such securities, is liable to compensate any person or company for any direct loss suffered by such person or company as a result of such transaction, unless such information was known or ought reasonably to have been known to such person or company at the time of such transaction, and is also accountable to the corporation for any direct benefit or advantage received or receivable by such insider, associate or affiliate, as the case may be, as a result of such transaction and in addition is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.

2. This Act comes into force on the day it receives Royal Assent.
3. This Act may be cited as *The Securities Amendment Act, 1973*.

An Act to amend
The Securities Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to regulate the Operation of Aircraft over Ontario and
to investigate the Effect and Consequences of Sonic Booms**

MR. SHULMAN

EXPLANATORY NOTE

The purpose of this Bill is:

1. To prohibit the creation of sonic booms by aircraft while flying over Ontario airspace.
2. To provide for a complete study and investigation by the Minister of Health into the effects on persons and property of sonic booms.

BILL 30

1973

An Act to regulate the Operation of Aircraft over Ontario and to investigate the Effect and Consequences of Sonic Booms

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, "Minister" means the Minister of Health. Interpre-
tation
2. Subject to section 3, no person shall operate an aircraft Sonic booms
by aircraft
prohibited over Ontario in such manner as to penetrate the sound barrier and create a sonic boom.
3. Section 2 does not apply to a person operating an Saving aircraft,
 - (a) in the course of his duties as a member of any branch of the armed forces of Canada; or
 - (b) while engaged in the investigation and study referred to in section 4.
- 4.—(1) The Minister shall conduct a full and complete Investiga-
tion and
study investigation and study into the effect of sonic booms, for the purpose of determining what exposures, in amount and frequency, to sonic booms is or may be detrimental to the health and welfare of persons resident in Ontario or detrimental to the preservation of natural beauty and historic shrines in Ontario.
- (2) The investigation mentioned in subsection 1 shall in- What
investiga-
tion to
include clude a study of the startle effect and the physiological and psychological problems that may result from exposure to sonic booms.
5. The Minister shall, Report of
Minister
 - (a) on or before the expiration of one year from the day this Act comes into force, lay before the Assembly

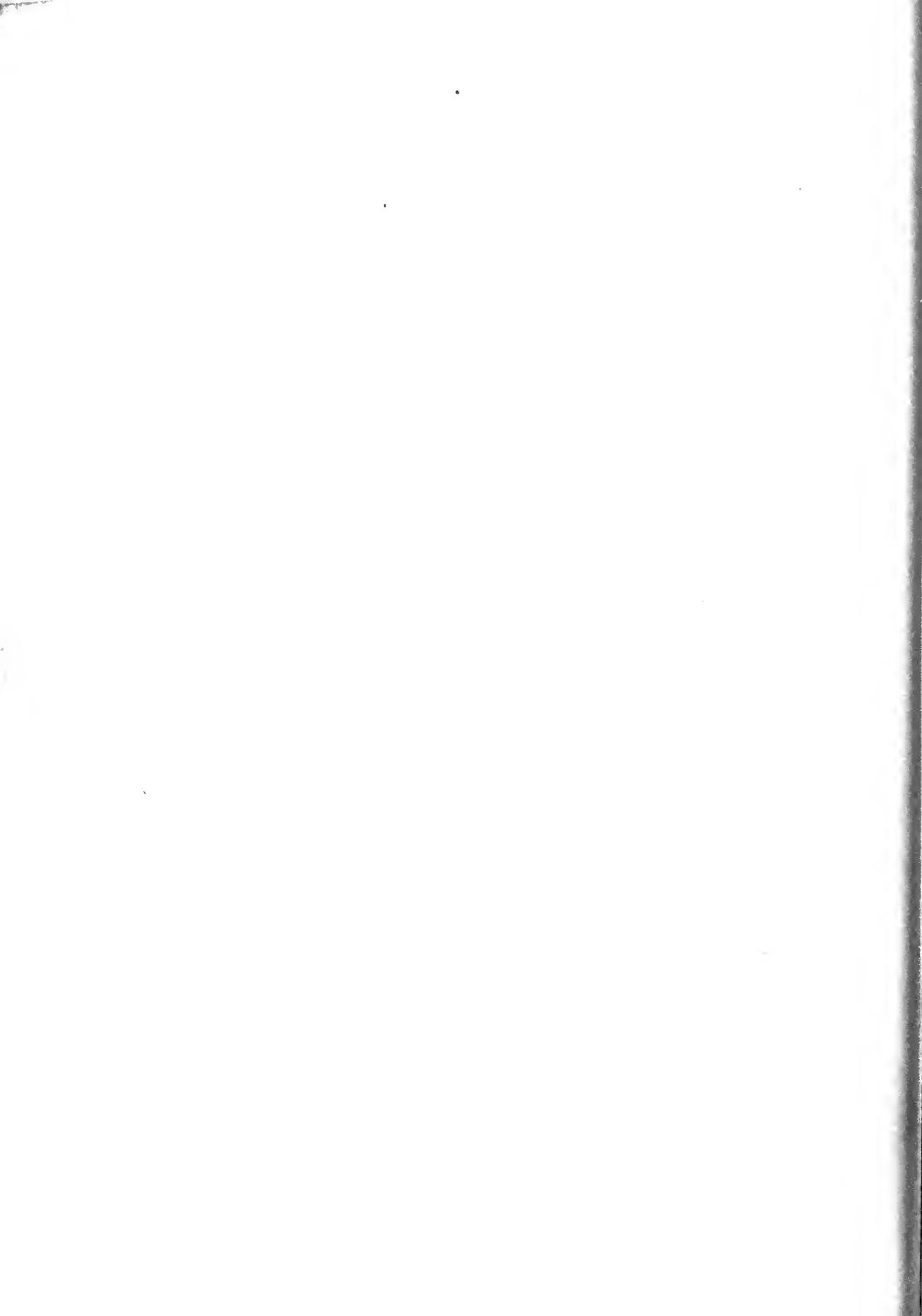
an interim report of his findings under the study and investigation, together with the written comments of any persons or officials consulted; and

- (b) on or before the expiration of two years from the day this Act comes into force, lay before the Assembly a final report of his findings under the study and investigation.

Offence **6.** Any person who contravenes any of the provisions of section 2 is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.

Commence-
ment **7.** This Act comes into force on the day it receives Royal Assent.

Short title **8.** This Act may be cited as *The Sonic Boom Investigation and Control Act, 1973*.



An Act to regulate the Operation of
Aircraft over Ontario and to investigate
the Effect and Consequences of
Sonic Booms

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Insurance Act

MR. SHULMAN

EXPLANATORY NOTES

SECTION 1. On and after the 1st day of January, 1975, the sale of Automobile insurance in Ontario by any insurer other than the Government of the Province of Ontario or a board, commission or agency thereof is prohibited.

SECTION 2. Complementary to section 1.

SECTION 3. Self-explanatory.

An Act to amend The Insurance Act

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

1. *The Insurance Act*, being chapter 224 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following section:

198a. On and after the day on which this section comes into force, no insurer, other than the Government of the Province of Ontario or a board, commission or agency thereof, shall undertake or agree or offer to undertake a contract of automobile insurance in Ontario or carry on the business of automobile insurance in Ontario.

2. Subject to section 3, Part VI of the said Act is repealed.
3. Part VI of the said Act as it was in force immediately before the day on which section 2 comes into force continues to apply to contracts of automobile insurance made before the day on which section 2 comes into force until the contract expires or is cancelled.
4. This Act comes into force on the 1st day of January, 1975.
5. This Act may be cited as *The Insurance Amendment Act, 1973*.

Part VI,
repealed

Exception
of existing
contracts

Commence-
ment

Short title

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Securities Act

MR. SHULMAN

EXPLANATORY NOTE

The amendment requires that shareholders of public corporations be notified of material changes in the corporate affairs that affect the value of the shares.

An Act to amend The Securities Act

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

1. *The Securities Act*, being chapter 426 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following section:

130a.—(1) Where a material change or development occurs in the affairs of a corporation, the directors shall cause a notice giving the particulars of the change to be sent to each registered shareholder as soon as is practicable but not later than the tenth day of the month immediately following the month in which the change occurs.

(2) For the purposes of subsection 1, a material change or development includes,

- (a) an actual or proposed change in the control of the corporation;
- (b) an actual or proposed acquisition or disposition of material assets;
- (c) any proposed take-over, merger, consolidation, amalgamation or reorganization;
- (d) any material discoveries, changes or developments in the corporation's resources, technology, products or contracts that would materially increase or decrease the earnings of the corporation;
- (e) any proposed change in capital structure, including stock splits or stock dividends;
- (f) any indicated increase or decrease of earnings of more than recent average size and any changes in dividends;

- (g) any other change in the affairs of the corporation that could reasonably be expected to affect materially the value of the shares.

Short title

- 2. This Act may be cited as *The Securities Amendment Act, 1973*.





An Act to amend The Securities Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to relieve Medical Practitioners, Registered
Nurses and Others from Liability in respect of Voluntary
Emergency First Aid and Medical Services**

MR. SHULMAN

EXPLANATORY NOTE

The purpose of this Bill is to relieve medical practitioners, registered nurses and others from liability in respect of voluntary emergency first aid assistance or medical services rendered at or near the scene of an accident or other sudden emergency.

BILL 33

1973

**An Act to relieve Medical Practitioners,
Registered Nurses and Others from Liability
in respect of Voluntary Emergency First Aid
and Medical Services**

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, Interpre-
tation
- (a) "medical practitioner" means a person who is registered as a medical practitioner under *The Medical Act*; R.S.O. 1970,
c. 268
- (b) "registered nurse" means a person who is registered as a nurse under *The Nurses Act*. R.S.O. 1970,
c. 301
2. Where, in respect of a person who is ill, injured or unconscious as the result of an accident or other sudden emergency, Relief from
liability
for damages
- (a) a medical practitioner or registered nurse voluntarily and without expectation of compensation or reward renders emergency medical services or first aid assistance and such services or assistance are not rendered at a hospital or other place having adequate medical facilities and equipment; or
- (b) a person other than a person mentioned in clause a voluntarily renders emergency first aid assistance and such assistance is rendered at the immediate scene of the accident or emergency,

the medical practitioner, registered nurse or other person shall not be liable for damages for injuries to or the death of such person alleged to have been caused by an act or omission on his part in rendering the medical services or first aid assistance, unless it is established that the injuries or death were caused by gross negligence on his part.

Act does
not apply
to normal
medical
services

3. Nothing in section 2 shall be deemed to relieve a medical practitioner from liability for damages for injuries to or the death of any person caused by an act or omission on the part of the medical practitioner in respect of medical services rendered by him in the normal and ordinary course of his practice.

Commence-
ment

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

Short title

5. This Act may be cited as *The Voluntary Emergency First Aid and Medical Services Act, 1973*.







9111-35

An Act to relieve Medical Practitioners,
Registered Nurses and Others from Lia-
bility in respect of Voluntary Emergency
First Aid and Medical Services

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Insurance Act

MR. SHULMAN

EXPLANATORY NOTE

The amendment prevents binding settlements or releases from being entered into by accident victims in haste or while under the stress of recent injury.

An Act to amend The Insurance Act

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

1. *The Insurance Act*, being chapter 224 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following section:

115a. Any agreement, release, waiver or settlement entered into by an injured person within fifteen days after the injury was incurred and given or entered into in respect of any claim under a policy of automobile insurance or accident insurance is voidable by the injured person by notice in writing delivered to the insurer or any office of the insurer or its agent or adjuster within thirty days after the agreement, release, waiver or settlement is entered into.

2. This Act may be cited as *The Insurance Amendment Act, 1973*.

An Act to amend The Insurance Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Public Health Act

MR. SHULMAN

EXPLANATORY NOTE

The Bill requires cigarette packages to bear a warning label and requires cigarette advertisements to include the warning as well as a statement of the tar and nicotine content of the cigarettes being advertised.

An Act to amend The Public Health Act

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

1. *The Public Health Act*, being chapter 377 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following section:

LABELLING, ETC., OF CIGARETTES

59a.—(1) No person shall package for sale, sell or offer for sale in Ontario cigarettes that do not bear the words “Warning: Cigarette Smoking Is Dangerous to Health and May Cause Death From Cancer and Other Diseases” legibly and conspicuously displayed on the outer surface of the package in which the cigarettes are contained.

(2) No person shall publish or display or cause to be published or displayed or disseminate or cause to be disseminated in any other manner any advertisement intended to induce, directly or indirectly, the purchase of any cigarettes unless there is included as part of the advertisement,

(a) the statement “Warning: Cigarette Smoking Is Dangerous to Health and May Cause Death From Cancer and Other Diseases”; and

(b) a statement setting forth the average tar and nicotine yield per cigarette of the cigarettes referred to in the advertisement.

(3) The average tar and nicotine yield mentioned in clause *b* of subsection 2 shall be determined by a method approved by the Minister.

2. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

3. This Act may be cited as *The Public Health Amendment Act, 1973*.

An Act to amend
The Public Health Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Provincial Courts Act

MR. SHULMAN

EXPLANATORY NOTE

The purpose of this Bill is to raise the upper age limit of persons, who are to be dealt with as juvenile delinquents by the Provincial Courts, from sixteen years of age to eighteen years of age.

BILL 36

1973

An Act to amend The Provincial 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 17 of *The Provincial Courts Act*, being chapter 369 of ^{s. 17,} the Revised Statutes of Ontario, 1970, is amended by adding ^{amended} thereto the following subsection:

(3) For the purposes of the *Juvenile Delinquents Act* ^{Interpre-} (Canada), in Ontario "child" means any boy or girl actually ^{tation} or apparently under the age of eighteen years. ^{R.S.C. 1970,} ^{c. J-3}
2. This Act comes into force on the day it receives Royal Assent. ^{Commence-} ^{ment}
3. This Act may be cited as *The Provincial Courts Amendment* ^{Short title} *Act, 1973*.

An Act to amend
The Provincial Courts Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Ophthalmic Dispensers Act**

MR. SHULMAN

EXPLANATORY NOTE

Self-explanatory.

BILL 37

1973

**An Act to amend
The Ophthalmic Dispensers Act**

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

1. *The Ophthalmic Dispensers Act*, being chapter 334 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following section:

21a. Notwithstanding the other provisions of this Act or any other general or special Act, no person shall offer for sale or sell spectacles or eyeglasses having frames made of cellulose nitrate.

2. This Act comes into force on the day it receives Royal Assent.
3. This Act may be cited as *The Ophthalmic Dispensers Amendment Act, 1973*.

An Act to amend
The Ophthalmic Dispensers Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

Mr. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Mental Health Act

MR. SHULMAN

EXPLANATORY NOTE

The Bill requires that where a person charged with or convicted of an offence is ordered to attend a psychiatric facility for examination, he be examined by at least one psychiatrist.

BILL 38

1973

An Act to amend The Mental Health 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 14 of *The Mental Health Act*, being ^{s. 14 (1).} chapter 269 of the Revised Statutes of Ontario, 1970, is amended ^{amended} by adding at the end thereof "and the person shall be examined by at least one psychiatrist", so that the subsection shall read as follows:

(1) Where a judge has reason to believe that a person ^{Judge's} who appears before him charged with or convicted of an ^{order for} offence suffers from mental disorder, the judge may order the ^{examination} person to attend a psychiatric facility for examination, and the person shall be examined by at least one psychiatrist.

2. This Act comes into force on the day it receives Royal Assent. ^{Commence-}ment
3. This Act may be cited as *The Mental Health Amendment Act*, ^{Short title} 1973.

An Act to amend
The Mental Health Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Ministry of Correctional Services Act**

MR. SHULMAN

EXPLANATORY NOTE

Self-explanatory.

BILL 39

1973

**An Act to amend
The Ministry of Correctional Services Act**

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

1. *The Ministry of Correctional Services Act*, being chapter 110^{s. 19a, enacted} of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following section:

19a. The Lieutenant Governor in Council may establish a^{Conjugal visiting program} conjugal visiting program under which persons detained in a correctional institution or any class thereof may, under such terms and conditions as are specified, receive visits from the husbands or wives of such persons for the purpose of continuing or resuming their marital relations.

2. Subsection 1 of section 33 of the said Act is amended by^{s. 33 (1), amended} adding thereto the following clause:

(ca) establishing and governing the conjugal visiting program referred to in section 19a.

3. This Act comes into force on the day it receives Royal Assent.^{Commence-ment}
4. This Act may be cited as *The Ministry of Correctional Services*^{Short title} *Amendment Act, 1973*.

An Act to amend The Ministry of
Correctional Services Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Highway Traffic Act

MR. SHULMAN

EXPLANATORY NOTE

The purpose of the Bill is to establish three classes of chauffeur's licences related to the size and complexity of operation of the motor vehicle being driven. Provision is made for chauffeurs' learners' permits, and tests designed to reveal an applicant's driving ability are to be devised and administered. Existing chauffeurs' licences will expire when the Act comes into force, and exchanges of such licences for the ones of the new classes will be in accordance with terms and conditions to be prescribed.

An Act to amend The Highway Traffic Act

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 16 of *The Highway Traffic Act*, ^{s. 16 (1),} being chapter 202 of the Revised Statutes of Ontario, ^{re-enacted} 1970, is repealed and the following substituted therefor:

(1) No person shall operate or drive a motor vehicle on a ^{Chauffeur's} highway as a chauffeur unless he is the holder of a class of ^{licence} chauffeur's licence entitling him to drive such vehicle, and no person shall employ anyone to drive a motor vehicle who is not the holder of a class of chauffeur's licence entitling him to drive such vehicle.

- (2) Subsection 3 of the said section 16 is repealed and the ^{s. 16 (3),} following substituted therefor: ^{re-enacted}

(3) Chauffeurs' licences shall be of three classes as follows: ^{Classes of} ^{licence}

1. Class 1—Entitling the holder thereof to drive as a chauffeur a private motor vehicle, taxicab, bus, truck-trailer combination, tractor-trailer combination or any truck.
2. Class 2—Entitling the holder thereof to drive as a chauffeur a private motor vehicle, taxicab, bus or any truck.
3. Class 3—Entitling the holder thereof to drive as a chauffeur a private motor vehicle, taxicab or any truck.

- (3) The said section 16 is amended by adding thereto the ^{s. 16,} following subsections: ^{amended}

(4) Where the holder of any class of chauffeur's licence ^{When} drives or operates a motor vehicle on the highway other ^{deemed} ^{driving} ^{without a} ^{licence}

than of the type permitted by his class of licence, he shall be deemed to be driving or operating a motor vehicle without a licence.

Chauffeurs'
learners'
permits

(5) Notwithstanding the provisions of subsection 1, any person who desires to qualify for a chauffeur's licence of any of the classes prescribed by subsection 3, may drive or operate a motor vehicle as a chauffeur for a period of six months from the date of issuance to him of a chauffeur's learner's permit, in accordance with the terms of such permit.

Learners
to drive
under
supervision

(6) The holder of a chauffeur's learner's permit shall not drive a motor vehicle as a chauffeur except under the immediate supervision and control of a chauffeur who holds a licence of the class permitting him to drive such vehicle, and where the holder of a chauffeur's learner's permit drives a motor vehicle in contravention of this subsection he shall be deemed to be driving or operating the motor vehicle without a licence.

Exchange of
subsisting
chauffeurs'
licences

(7) The holder of a chauffeur's licence or an operator's licence issued prior to the day this Act comes into force may exchange such licence for a chauffeur's licence of any one of the classes prescribed by subsection 3 on such terms and conditions as the Lieutenant Governor in Council may prescribe.

Tests for
licence

(8) The Minister shall devise, revise from time to time as appropriate, and administer tests for persons applying for chauffeurs' learners' permits and each of the several classes of chauffeurs' licences prescribed by subsection 3.

Evidence
of driving
ability

(9) The tests mentioned in subsection 8 shall be designed to furnish the Minister with evidence as to the ability of an applicant to drive safely the class or classes of motor vehicle involved.

Terms of
licence

(10) Subject to satisfactory performance on the tests mentioned in subsection 8, chauffeurs' learners' permits and chauffeurs' licences of any of the classes prescribed by subsection 3 may be issued by the Minister to such persons for such time and upon such terms and subject to such regulations and restrictions as the Lieutenant Governor in Council may prescribe.

Expiry of
subsisting
chauffeurs'
licences

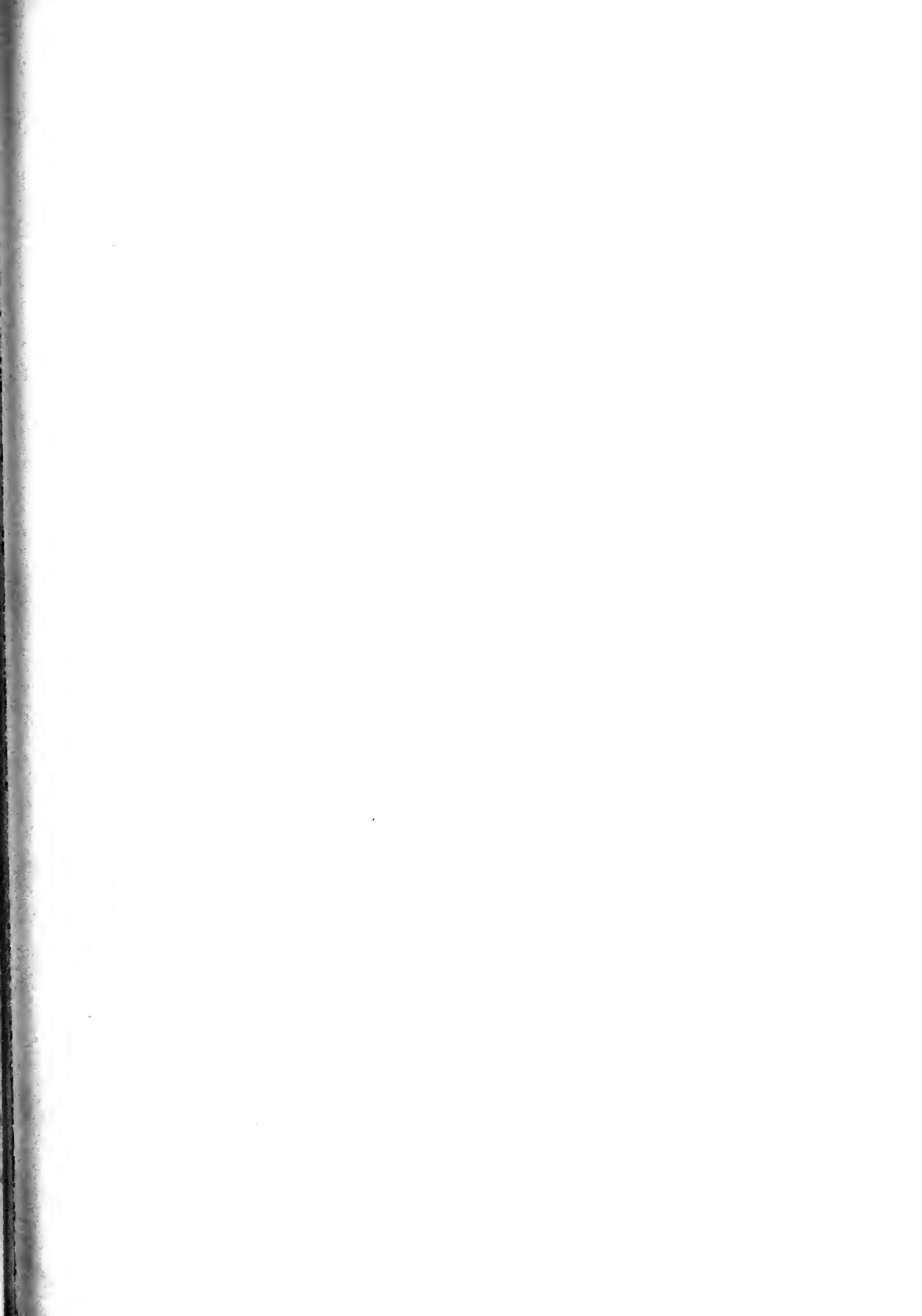
(11) Notwithstanding the date of expiry appearing on any chauffeur's licence issued prior to the day this Act comes into force, all such chauffeurs' licences expire on the day this Act comes into force.

Commence-
ment

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 Highway Traffic Amendment Act 1973*.







3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Planning Act

MR. SHULMAN

EXPLANATORY NOTE

The purpose of this Bill is to give municipalities the discretionary power to issue or withhold permits for the removal or wrecking of buildings or structures.

An Act to amend The Planning Act

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

1. Paragraph 7 of subsection 1 of section 38 of *The Planning Act*, s. 38(1), par. 7, being chapter 349 of the Revised Statutes of Ontario, 1970, is re-enacted repealed and the following substituted therefor:
 7. For regulating the removing or wrecking of buildings and structures and the spraying thereof during such work so as to prevent dust or rubbish arising therefrom; for the issuing of a permit for the removing, wrecking or partial removing or wrecking of buildings and structures without which no building or structure may be removed or wrecked or partially removed or wrecked; for determining, in such manner as the by-law may provide, whether or not the permit shall be issued; and for fixing and charging fees for the permit.
2. This Act comes into force on the day it receives Royal Assent. Commencement
3. This Act may be cited as *The Planning Amendment Act, 1973*. Short title

An Act to amend
The Planning Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Highway Traffic Act

MR. SHULMAN

EXPLANATORY NOTE

The purpose of the amendment is to provide for the medical testing of motor vehicle drivers suspected of being under the influence of drugs.

An Act to amend The Highway Traffic Act

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

1. *The Highway Traffic Act*, being chapter 202 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following section:

20a. Where a peace officer on reasonable and probable grounds believes that a person is driving or has the care and control of a motor vehicle, or at any time within the preceding two hours has driven or had the care and control of a motor vehicle, while his ability to drive a motor vehicle is or was impaired by a drug, the peace officer may require the person forthwith or as soon thereafter as is practicable to submit to such medical examination as may be necessary to determine the presence or absence of a drug and such person shall be deemed to have consented to such medical examination.

2. This Act comes into force on the day it receives Royal Assent.
3. This Act may be cited as *The Highway Traffic Amendment Act, 1973*.

An Act to amend
The Highway Traffic Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to establish
a Commission to evaluate Government Programs**

MR. SHULMAN

EXPLANATORY NOTE

The Bill establishes a Commission whose function is to study and evaluate provincial programs and whose findings and recommendations thereon are to be submitted to the Assembly on or before July 1st, 1974.

BILL 43

1973

An Act to establish a Commission to evaluate Government Programs

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

1. There is hereby established a commission to evaluate Government programs, herein called the Commission. Commission established

2.—(1) The Commission shall be composed as follows: Composition

1. Seven members appointed by the political interest representing the Government of the day.
2. Three members appointed by the political interest having the second largest representation in the Assembly.
3. Two members appointed by the political interest having the third largest representation in the Assembly.

(2) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made. Vacancy

3. The Commission shall elect a chairman and a vice-chairman from among its members. Chairman and vice-chairman

4. Seven members of the Commission constitute a quorum. Quorum

5. The Commission shall make a full and complete study and evaluation of existing provincial programs and activities, both old and new, and of projected expansions of such programs and activities for the purpose of determining, in the light of the fundamental needs of Ontario and its vital objectives, Functions of Commission

- (a) the effectiveness of each such program or activity in terms of its present and projected costs;
- (b) whether such program or activity should be continued; and
- (c) in the allocation of provincial funds, the relative priority that should be assigned to such program or activity.

Powers of
Commission

6.—(1) The Commission may for the purpose of carrying out this Act hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable.

Idem

(2) The chairman or vice-chairman of the Commission may administer oaths or affirmations to witnesses appearing before it.

Idem

(3) When so authorized by the Commission, any member or agent of the Commission may take any action which the Commission is authorized to take by this section.

Idem

(4) The Commission may secure directly from any department or agency of the Province of Ontario information necessary to enable it to carry out this Act and upon the request of the chairman or vice-chairman of the Commission such department or agency shall furnish such information to the Commission.

Report of
Commission

7. The Commission shall, on or before the 1st day of July, 1973, lay before the Assembly a comprehensive report of its study and evaluation, together with the recommendations, including any recommendations as to legislative enactments and administrative actions, of the changes in provincial programs and activities that in its judgment are necessary to meet the fundamental needs and vital objectives of Ontario.

Commence-
ment

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

Short title

9. This Act may be cited as *The Government Programs Evaluation Commission Act, 1973*.



An Act to establish a Commission
to evaluate Government Programs

1st Reading ✓

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Game and Fish Act

MR. SHULMAN

EXPLANATORY NOTE

Self-explanatory.

BILL 44

1973

An Act to amend The Game and Fish Act

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

1. Section 57 of *The Game and Fish Act*, being chapter 186 of^{s. 57.} the Revised Statutes of Ontario, 1970, is amended by adding^{amended} thereto the following subsection:
 - (2) Notwithstanding any other provision of this Act, no^{Hunting} person shall, except on his own lands in defence or preserva^{raccoon}tion of his property, hunt raccoon in that part of Ontario lying north of the centre line of that part of the King's Highway known as No. 7, except from the 25th day of October in any year to the 25th day of January in the year next following, both inclusive.
2. This Act comes into force on the day it receives Royal Assent.^{Commence-}
3. This Act may be cited as *The Game and Fish Amendment Act*,^{Short title} 1973.

AN ACT TO AMEND
The Game and Fish Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Child Welfare Act.

MR. SHULMAN

EXPLANATORY NOTE

The Bill prevents children leaving the Province for adoption unless adoption opportunities have been exhausted in Ontario and the adopting home meets Ontario standards.

An Act to amend The Child Welfare Act

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

1. *The Child Welfare Act*, being chapter 64 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following section:

86a. A children's aid society shall not place a child for adoption and no interim custody order or adoption order shall be made where the adopting parents are ordinarily resident outside of Ontario unless,

s. 86a,
enacted

Where
adoptive
home
outside
Ontario

- (a) the availability of the child for adoption has been advertised at least once each week for sixteen weeks in a newspaper having general circulation throughout Ontario and at least two months have elapsed since the sixteenth publication;
 - (b) there is no prospect of adopting parents being found who are ordinarily resident in Ontario and otherwise qualified; and
 - (c) the qualifications of the adopting parents have been investigated by the children's aid society personally by its own staff and meet the standards required for adoptions in Ontario.
2. Section 1 does not apply to adoption orders in respect of children placed for adoption before this Act comes into force. Application
of section 1
 3. This Act comes into force on the day it receives Royal Assent. Commence-
ment
 4. This Act may be cited as *The Child Welfare Amendment Act, 1973*. Short title
1973.

An Act to amend
The Child Welfare Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

1973

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Consumer Protection Act

MR. SHULMAN

EXPLANATORY NOTE

This Bill introduces the concept of strict liability for the manufacturing, selling or leasing of defective and/or dangerous consumer products.

An Act to amend The Consumer Protection Act

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

1. *The Consumer Protection Act*, being chapter 82 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following Part: ^{Part IIIA, enacted}

PART IIIA

CONSUMER PRODUCT LIABILITY

43a. In this Part,

Interpre-
tation

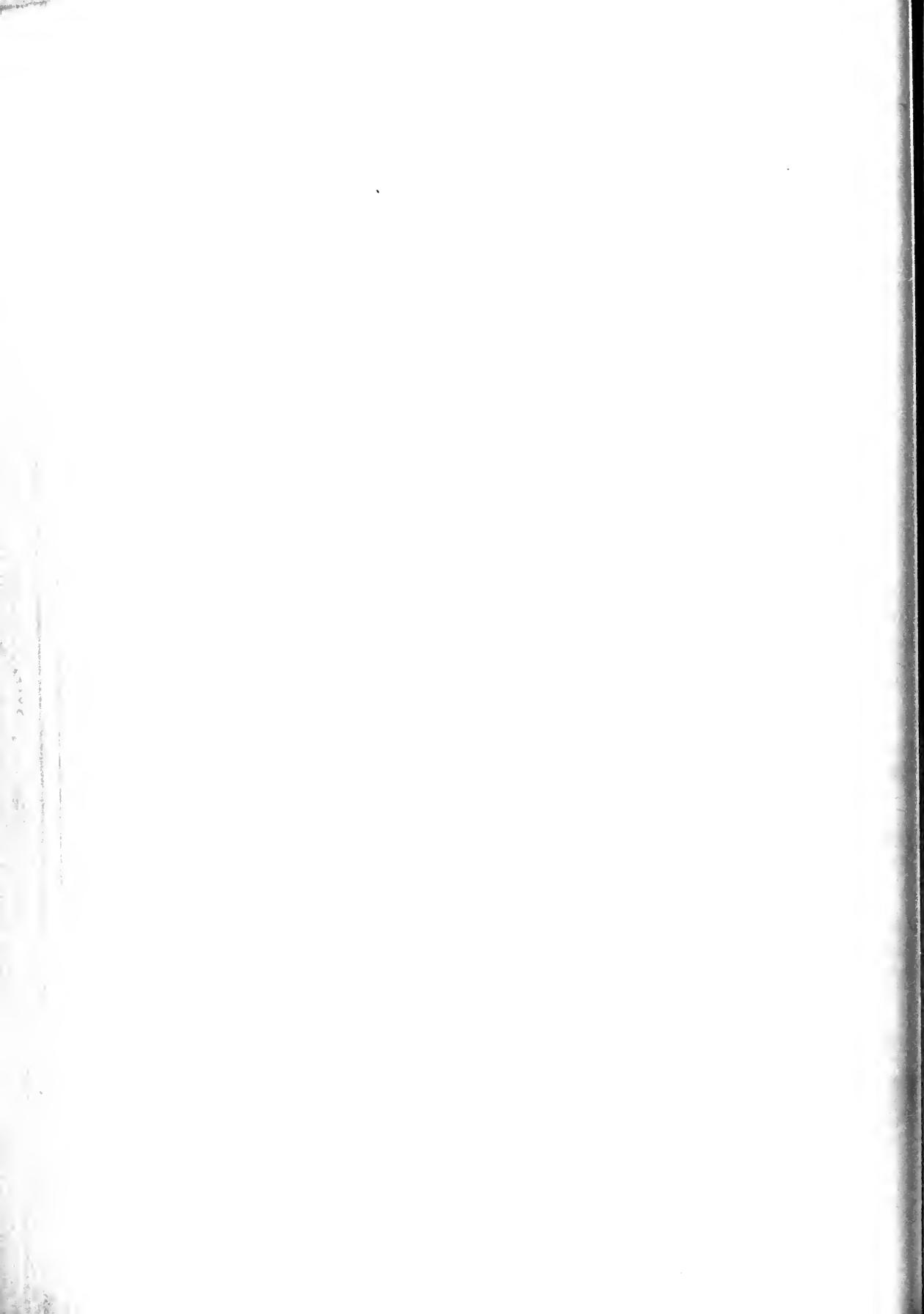
- (a) "consumer" means a person who purchases goods for personal, family or household purposes, but does not include a person who purchases for the purpose of carrying on business;
- (b) "consumer product" means any product intended for or customarily used for personal, family or household purposes;
- (c) "damage" includes physical or emotional injury, property damage or economic loss to a consumer;
- (d) "defect" or "defective condition" means any aspect, characteristic, or design of a product, inherent or otherwise, which makes the product dangerous.

43b. A manufacturer, seller or lessor of any consumer product in a defective condition is liable to a consumer for damage caused by the defective condition unless the consumer, ^{Strict liability}

- (a) knew or reasonably should have known of the defect;
- (b) knew or reasonably should have known the magnitude of the risk and the potential for harm presented by the defect; or

(c) has misused the product in a manner reasonably unforeseeable within the general usage of the product.

Warning	43c. In determining questions of knowledge, the effect of a warning is not to be taken into account in the case of a product reasonably anticipated to be used primarily by children.
Burden of proof	43d.—(1) A defect shown to have existed in a consumer product at the time of injury is admissible in evidence and is <i>prima facie</i> proof that the defect existed in the product when it left the control of the manufacturer.
Malfunction	(2) A malfunction of the product is admissible in evidence and is <i>prima facie</i> proof of a defect.
Seller liability	43e.—(1) Where a seller or lessor of a defective consumer product fails upon request from a consumer or his agent to reveal any information available to him as to the manufacture and distribution of the defective product, he is liable under this Act to the same extent as a manufacturer.
Idem	(2) Any seller or lessor of a consumer product, found liable under section 43b, has full rights of recovery against the manufacturer of such consumer product to the full extent that the seller or lessor has been found liable to the consumer, unless the defect is the result of some action or inaction of the seller or lessor.
Right of recovery	43f. Nothing in this Act limits in any way any rights of recovery, either in tort or in contract, at common law or by any statute of Canada or statute of Ontario.
Compliance with safety codes	43g.—(1) Compliance with any federal, provincial or municipal safety code, standard or regulation is not a defence to an action brought under this Act.
Failure to comply with safety codes	(2) Failure to comply with any federal, provincial or municipal safety code, standard or regulation is <i>prima facie</i> proof that the product is defective within the definition of clause <i>d</i> of section 43a.
Commencement	2. This Act comes into force on the day it receives Royal Assent.
Short title	3. This Act may be cited as <i>The Consumer Protection Amendment Act, 1973</i> .





An Act to amend
The Consumer Protection Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend The Ontario Society for the Prevention
of Cruelty to Animals Act, 1955**

MR. SHULMAN

EXPLANATORY NOTE

The amendment delegates to the S.P.C.A. the licensing and regulating of dog kennels.

An Act to amend The Ontario Society for the Prevention of Cruelty to Animals Act, 1955

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

1. Section 7 of *The Ontario Society for the Prevention of Cruelty to Animals Act, 1955*, being chapter 58, is amended by adding thereto the following subsections:

(1a) Without restricting the generality of subsection 1, ^{Regulation of kennels} the Society may pass by-laws,

- (a) requiring and providing for the licensing of kennels and prescribing the terms and conditions of licences;
- (b) prescribing the standards for the accommodation, facilities and operation of kennels including the care of dogs therein;
- (c) requiring the payment of fees for licences and prescribing the amount thereof.

(4) In this section, "kennel" means any premises where ^{"kennel" defined} dogs are kept for the purposes of boarding, breeding or sale for gain.

2. This Act comes into force on the day it receives Royal Assent. ^{Commence-ment}
3. This Act may be cited as *The Ontario Society for the Prevention of Cruelty to Animals Amendment Act, 1973*. ^{Short title}

Bill 47
An Act to amend The Ontario Society for
the Prevention of Cruelty to Animals Act,
1955

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Cemeteries Act

MR. SHULMAN

EXPLANATORY NOTE

Self-explanatory.

An Act to amend The Cemeteries Act

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 80 of *The Cemeteries Act*, being ^{s. 80 (1),} ^{amended} chapter 57 of the Revised Statutes of Ontario, 1970, is amended by inserting at the commencement thereof “Subject to subsection 3”, so that the subsection shall read as follows:

(1) Subject to subsection 3, no body shall be cremated ^{Coroner's} ^{certificate} unless a certificate in the prescribed form, signed by a coroner of the municipality in which the death took place, has been deposited with the owner, which certificate shall contain the statement that the cause of death has been definitely ascertained and that there exists no reason for further inquiry or examination.

- (2) The said section 80 is amended by adding thereto the ^{s. 80.} ^{amended} following subsection:

(3) Where a coroner has investigated the circumstances ^{Saving} of a death and has issued his warrant to bury the body, the certificate mentioned in subsection 1 need not be filed.

2. This Act comes into force on the day it receives Royal Assent. ^{Commence-} ^{ment}
3. This Act may be cited as *The Cemeteries Amendment Act, 1973*. ^{Short title}

An Act to amend
The Cemeteries Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Real Estate and Business Brokers Act

MR. SHULMAN

EXPLANATORY NOTE

These amendments extend the prospectus requirements which used to apply only to subdivision lots or units outside Ontario, so that they now apply to subdivision lots or units in the province as well.

**An Act to amend
The Real Estate and Business Brokers 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 49 of *The Real Estate and Business Brokers Act*, being chapter 401 of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor: s. 49 (1),
re-enacted

(1) No person shall, in any capacity, trade in real estate, where the real estate is a lot or unit of land in a subdivision, until there has been filed with the Registrar a prospectus containing the prescribed information and until there has been obtained from the Registrar a certificate of acceptance thereof. Sale of
subdivision
land

2. Subsection 1 of section 50 of the said Act is repealed and the following substituted therefor: s. 50 (1),
re-enacted

(1) No person shall, either as a vendor or as a broker or salesman, enter into or negotiate any contract for the sale or lease of a lot or a unit of land in a subdivision unless, Prospectus
to be
delivered
to
purchaser

- (a) a copy of the prospectus referred to in section 49 or such shorter form of the prospectus as the Registrar may have approved for distribution to the public has been delivered to the prospective purchaser or tenant, as the case may be;
- (b) the prospective purchaser or tenant has in writing acknowledged receipt of a copy of the prospectus or the shorter form of the prospectus and that he has been afforded the opportunity to read it; and
- (c) he is a registered broker or the contract is negotiated by a registered broker.

3. Section 58 of the said Act is repealed and the following substituted therefor: s. 58,
re-enacted

Approval of
advertisements

58. No person shall publish or cause to be published any advertisement for the sale of a lot or unit in a subdivision until the advertisement has been approved by the Registrar.

Commencement

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

Short title

5. This Act may be cited as *The Real Estate and Business Brokers Amendment Act, 1973*.







An Act to amend
The Real Estate and Business Brokers Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to provide for the
Control and Regulation of Snowmobiles**

MR. SHULMAN

T O R O N T O

PRINTED AND PUBLISHED BY THE QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

Self-explanatory.

BILL 50

1973

An Act to provide for the Control and Regulation of Snowmobiles

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,

Interpre-
tation

- (a) "highway" includes a common and public highway, street and bridge intended for or used by the general public;
- (b) "municipality" means a locality the inhabitants of which are incorporated;
- (c) "snowmobile" means a motorized, self-propelled vehicle intended primarily for travel on snow or ice.

2. No person shall operate a snowmobile upon a highway.

Snowmobiles
prohibited
on highways

3.—(1) A municipality may temporarily close a highway within the municipality in order to permit the holding of a snowmobile race or derby.

Snowmobile
derbies

(2) Notwithstanding subsection 1, no part of the King's Highway or any highway that intersects or runs into the King's Highway shall be closed under subsection 1.

Not to
affect King's
Highway

(3) Where a highway is temporarily closed by a municipality under subsection 1, the municipality shall give written notice of the closing to the chief of police or the chairman of the board of commissioners of police, as may be applicable, of the municipality and to the Attorney General.

Notice

(4) A notice under subsection 3 shall be delivered not less than one week prior to the date of the closing of the highway and shall state the date, length of time and purpose of the closing and the name and location of the highway to be closed.

Contents
of notice

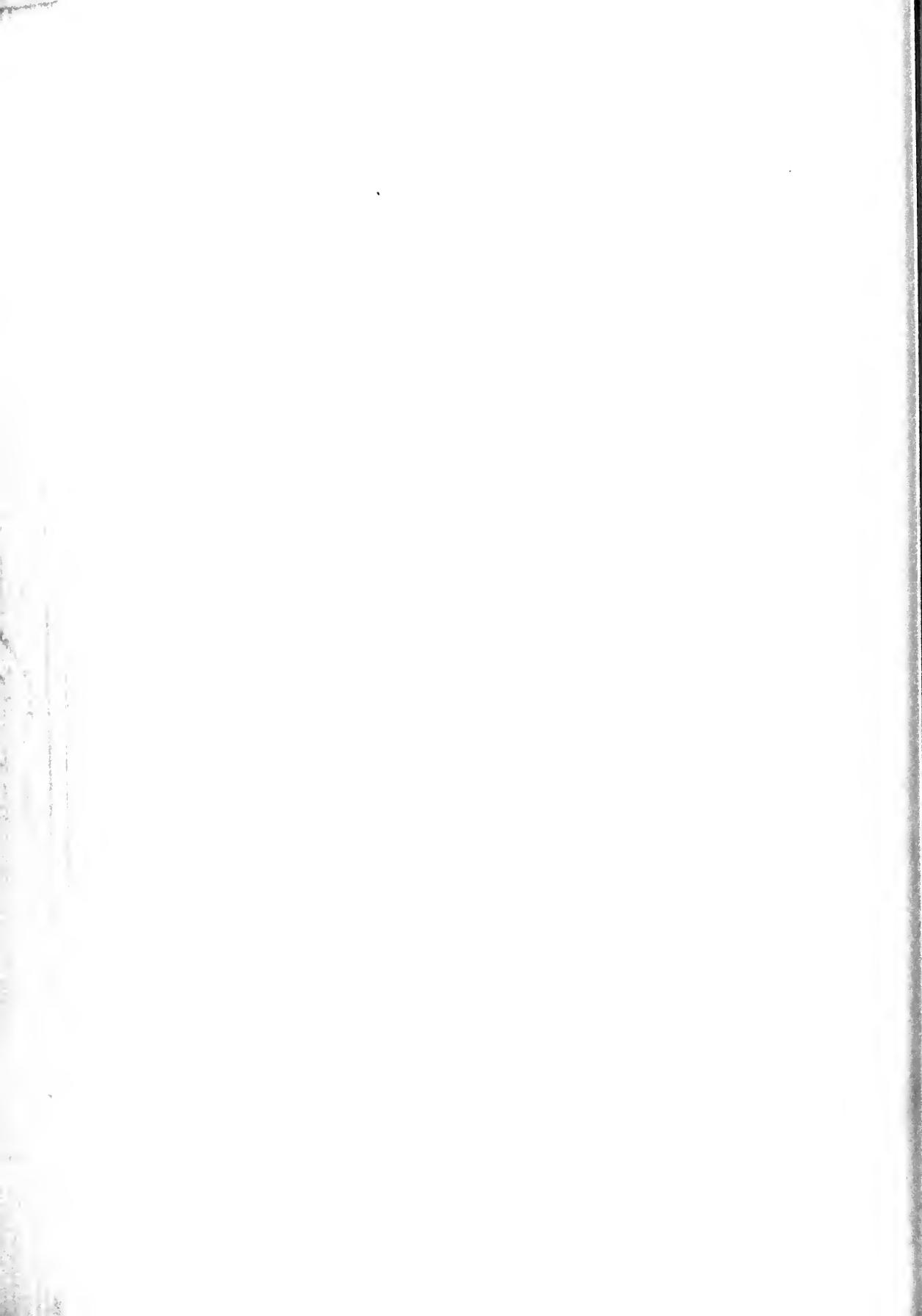
- Police action** (5) The chief of police or the board of commissioners of police, as the case may be, upon receipt of the notice under subsection 3 shall take all steps necessary to provide for the protection of persons and property and the regulation of traffic as a result of the temporary closing and the holding of the snowmobile race or derby.
- Municipality not liable** (6) Where a municipality complies with the requirements of this section, the municipality shall not be held liable for any loss or damage arising out of the closing or any snowmobile race or derby held in connection therewith.
- Age restriction** 4. No person under the age of twelve years shall drive a snowmobile across a highway.
- Fire-arm restricted** 5.—(1) No person shall have a fire-arm on a snowmobile unless the fire-arm is unloaded and contained in a carrying-case.
- Bow restricted** (2) No person shall have a bow on a snowmobile unless the bow is unstrung or contained in a carrying-case.
- Hunting** 6. No person shall use a snowmobile for the purpose of driving or pursuing any deer or bear or wolf.
- Permitting operation by impaired person prohibited** 7. No person shall permit the operation of a snowmobile by a person whose ability to operate a snowmobile is impaired by reason of age, physical or mental disability, alcohol or a drug.
- Offences** 8. No person shall drive a snowmobile,
- (a) at a rate of speed greater than reasonable under the circumstances;
 - (b) without due care and attention or without reasonable consideration for other persons or property;
 - (c) while under the influence of alcohol or a drug;
 - (d) in a manner that creates an excessive or unusual level of motor or exhaust noise; or
 - (e) unless it is equipped with a muffler in good working order and in constant operation.
- Penalty** 9. Every person who contravenes any provision of this Act is guilty of an offence and on summary conviction is liable for the first offence to a fine of not less than \$50 and not more than \$100; and, for the second contravention of the

same provision within one year from the date of the first offence, to a fine of not less than \$100 and not more than \$500.

10. No snowmobile may be operated at a noise level greater than 86 decibels measured at 50 feet from the machine. ^{Noise level}

11. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. <sup>Commence-
ment</sup>

12. This Act may be cited as *The Snowmobile Regulation Act, 1973*. ^{Short title}



An Act to provide for the
Control and Regulation of Snowmobiles

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Insurance Act

MR. SHULMAN

EXPLANATORY NOTE

Self-explanatory.

BILL 51

1973

An Act to amend The Insurance Act

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

1. Section 357 of *The Insurance Act*, being chapter 224 of the Revised Statutes of Ontario, 1970, as re-enacted by the Statutes of Ontario, 1971, chapter 84, section 20, is repealed and the following substituted therefor:

357. A person licensed as an agent for life insurance under this Act who makes a false or misleading statement or representation in the solicitation or negotiation of insurance, or coerces or proposes, directly or indirectly, to coerce a prospective buyer of life insurance through the influence of a business or a professional relationship or otherwise, to give a preference in respect to the placing of life insurance that would not be otherwise given in the effecting of a life insurance contract, is guilty of an offence.

2. This Act comes into force on the day it receives Royal Assent.
3. This Act may be cited as *The Insurance Amendment Act, 1973*.

An Act to amend
The Insurance Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Highway Traffic Act

MR. SHULMAN

EXPLANATORY NOTE

The amendment requires persons under eighteen years of age to take an approved driver education course before being issued a driver's licence.

BILL 52

1973

An Act to amend The Highway Traffic Act

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

1. Section 18 of *The Highway Traffic Act*, being chapter 202 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following subsection: s. 18.
amended

(1a) A licence shall not be issued to a person under the age of eighteen years to drive or operate a motor vehicle on a highway unless he has satisfactorily completed a driver education course designated by the Lieutenant Governor in Council by regulation. Driver
education
courses

2. This Act comes into force on the 1st day of July, 1973. Commence-
ment
3. This Act may be cited as *The Highway Traffic Amendment Act, 1973*. Short title

An Act to amend
The Highway Traffic Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Highway Traffic Act

MR. SHULMAN

EXPLANATORY NOTE

Self-explanatory.

An Act to amend The Highway Traffic Act

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

1. *The Highway Traffic Act*, being chapter 202 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following section: ^{s. 62a, enacted}

62a.—(1) In this section, “motor bus” means any motor vehicle used or designed to be used on a highway for the carriage of ten or more passengers. <sup>Interpre-
tation</sup>

(2) No person shall,

(a) manufacture any motor bus; or

(b) introduce, deliver, transport or cause to be transported for sale, sell or offer for sale, in Ontario any motor bus manufactured on or after the day this section comes into force,

Manufac-
ture, sale,
etc., of a
motor bus
without
seat belts
prohibited

unless the motor bus is equipped with a seat belt at each passenger seat location.

(3) Any person who contravenes any of the provisions of subsection 2 is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000 or to imprisonment for a term of not more than one year, or to both. ^{Offence}

2. This Act comes into force on the 1st day of August, 1974. <sup>Commence-
ment</sup>
3. This Act may be cited as *The Highway Traffic Amendment Act, 1973*. ^{Short title}

An Act to amend
The Highway Traffic Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Election Act

MR. SHULMAN

EXPLANATORY NOTE

The amendment requires that contributors to election campaigns report contributions of more than \$100 to the Chief Election Officer.

BILL 54

1973

An Act to amend The Election Act

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

1. *The Election Act*, being chapter 142 of The Revised Statutes of Ontario, 1970, is amended by adding thereto the following section:

161a. Every person or corporation contributing money or its equivalent in the amount or value of more than \$100 to the provincial election campaign of any individual or party shall, within three months after the election, submit a detailed and itemized report of such contribution to the Chief Election Officer.

2. This Act may be cited as *The Election Amendment Act, 1973*. Short title

An Act to amend The Election Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Highway Traffic Act

MR. SHULMAN

EXPLANATORY NOTE

The Bill makes it an offence for a dealer in motor vehicles to:

1. Sell a motor vehicle knowing its odometer has been altered, without making a full disclosure in writing regarding the alteration.
2. Alter the odometer of a motor vehicle for the purpose of deceiving a purchaser or prospective purchaser.

An Act to amend The Highway Traffic Act

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

1. *The Highway Traffic Act*, being chapter 202 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following section:

58a.—(1) No dealer in motor vehicles shall,

- (a) sell or offer for sale any motor vehicle, knowing that the odometer thereof has been altered in any manner for the purpose of deceiving any purchaser or prospective purchaser as to the usage, mileage or condition of the vehicle, without making a full disclosure in writing regarding such alteration; or
- (b) alter the odometer on any motor vehicle for the purpose of deceiving any purchaser or prospective purchaser as to the usage, mileage or condition of the vehicle.

Altering
odometer to
deceive
purchaser
of motor
vehicle
prohibited

(2) A dealer in motor vehicles who contravenes any of the provisions of subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not more than \$5,000.

Offence

2. This Act comes into force on the day it receives Royal Assent.
3. This Act may be cited as *The Highway Traffic Amendment Act, 1973*.

Commence
ment

Short title

An Act to amend
The Highway Traffic Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to provide for the Control of Eavesdropping

MR. SHULMAN

EXPLANATORY NOTES

The purpose of the Bill is to control wiretapping and all other forms of electronic overhearing of conversations.

Except in cases involving national security or organized crime, and then only for periods of time not exceeding forty-eight hours, no person may engage in "eavesdropping" without a court order.

The Bill provides that a court order may only be granted on the application of the Attorney General or a Crown attorney and specifies the information that must be given to the court on such an application.

BILL 56

1973

An Act to provide for the Control of Eavesdropping

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,

Interpre-
tation

(a) "eavesdropping" means wiretapping and all other forms of electronic overhearing of conversations and "eavesdrop" has a corresponding meaning; and

(b) "wiretapping" means the unauthorized use, interference with or connection to any telephone instrument, wiring or equipment for the purpose of acquiring knowledge of any conversation passing over a telephone line.

2. No person shall eavesdrop except under the authority of an order made under this Act.

Order
required to
eavesdrop

3.—(1) The Attorney General or a Crown attorney may apply *ex parte* to a judge of the Supreme Court for an order authorizing eavesdropping.

Application
for order

(2) An order granting authority to eavesdrop shall not be made except upon the application of the Attorney General or a Crown attorney.

Who may
apply for
order

(3) An order under this Act shall not grant authority to eavesdrop unless the applicant by affidavit discloses to the judge,

Affidavit
in support
of applica-
tion

(a) the applicant's name and official position;

(b) the name of the person against whom the eavesdropping will be directed;

- (c) the nature and location of the premises against which the eavesdropping will be directed;
- (d) full particulars of the offence under investigation;
- (e) a description of the type of conversation that the applicant seeks to overhear;
- (f) particulars of any other alternative investigative procedures and the reasons for the applicant's belief that such procedures have not or will not be sufficient;
- (g) the period of time during which the applicant believes the eavesdropping is necessary;
- (h) full particulars of all previous applications under this Act with respect to the person or the place set out in clauses *b* and *c* and the order made by the judge on each of the applications; and
- (i) that the applicant believes that the eavesdropping is necessary in the particular circumstances.

Limitation
as to time

(4) An order made under this section shall,

- (a) limit the time during which the eavesdropping is authorized to a period of not more than thirty days; and
- (b) terminate the authority to eavesdrop as soon as the conversation set out in clause *e* of subsection 3 is overheard.

Additional
conversations

(5) Notwithstanding clause *b* of subsection 4, where the judge is satisfied by the information disclosed in the affidavit required by subsection 3 that the applicant has reasonable cause to believe that further conversations of a type similar to that set out in clause *e* of subsection 3 are likely to occur, the order made under this section need not terminate the authority when that conversation is overheard.

Extension
of time

4.—(1) Where an order is made under section 3, an application may be made to a judge of the Supreme Court for a further order extending the authority to eavesdrop for an additional period of not more than thirty days from the date of the expiration of the authority.

Provisions
of s. 3
apply

(2) The provisions of section 3 apply *mutatis mutandis* to an application and an order made under this section.

(3) An order made under this section shall not extend the period of time of the authority to eavesdrop unless the applicant discloses by affidavit to the judge, ^{Additional information by affidavit}

- (a) the information obtained by the exercise of the authority and the progress of the investigation resulting from the information obtained; and
- (b) the reason why the period of time of the authority under the order made under section 3 was not sufficient.

5. On an application under section 4 or section 5, the applicant shall submit by affidavit such additional information as the judge may require. ^{Judge may require additional information}

6.—(1) Where an order is made under section 3 granting authority to eavesdrop, the applicant for the order shall, not later than ninety days after the termination of the authority, serve upon the person named in the application as the person against whom the eavesdropping is directed, notice of the eavesdropping. ^{Notice}

(2) Where the period of time of the authority to eavesdrop is extended by an order made under section 4, the notice required under subsection 1 shall be served not later than ninety days after the termination of the extension of the authority. ^{Idem}

(3) The notice shall set out, ^{Particulars of notice}

- (a) the name of the person against whom the eavesdropping was directed;
- (b) the location of the premises against which the eavesdropping was directed;
- (c) the dates on which the eavesdropping occurred; and
- (d) the authority under which the eavesdropping occurred.

(4) The notice required by this section shall be in writing and shall be served personally or by registered mail addressed to the person at his residence or place of business and if served by registered mail it shall be deemed to be served on the third day after it is mailed. ^{Service of notice}

(5) A judge of the Supreme Court may make an order dispensing with service of the notice required by this section where on an application to the judge the applicant ^{Dispensing with notice}

discloses by affidavit facts that establish good cause for dispensing with service of the notice.

Recording
to be made
available
to judge

7. Upon the expiration of the authority to eavesdrop granted under an order made under section 3 or section 4, as the case may be, the applicant for the order shall forthwith make available to the judge who made the order a copy of the recording of every conversation recorded during the eavesdropping.

Nature of
offence

R.S.C. 1970,
c. C-34

8. An order made under this Act shall not grant authority to eavesdrop unless the offence under investigation is one that is an indictable offence within the meaning of the *Criminal Code* (Canada) or is an offence that under the law of Canada or Ontario is punishable by imprisonment for more than one year.

Exception
in the case
of national
security or
organized
crime

9. Notwithstanding any other provision of this Act, where the offence under investigation is likely to endanger the safety, security or defence of Canada or involves the activities of persons organized for criminal purposes, eavesdropping may be directed against any person or place for a period of not more than forty-eight hours without the authority of an order under this Act.

Offence

10. Every person who contravenes any provision of this Act is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than two years, or to both.

Commence-
ment

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

Short title

12. This Act may be cited as *The Control of Eavesdropping Act, 1973*.



An Act to provide for
the Control of Eavesdropping

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Highway Traffic Act

MR. SHULMAN

EXPLANATORY NOTE

The Bill makes it an offence for the driver of a motor vehicle to fail to stop when given a clear signal to do so by a uniformed constable or police officer driving a plainly marked police vehicle.

An Act to amend The Highway Traffic Act

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

1. *The Highway Traffic Act*, being chapter 202 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following section: ^{s. 153a, enacted}

153a.—(1) Every driver of a motor vehicle when given by means of hand, voice, siren or emergency light an audible or visual signal to stop by a constable or officer in a police vehicle, shall bring his vehicle to a stop and shall not otherwise flee or attempt to elude the police vehicle provided, ^{Duty of driver when signalled to stop by officer}

- (a) the police vehicle is plainly marked as such; and
- (b) the constable or officer is in uniform with his badge of office prominently displayed thereon.

(2) Every person who contravenes the provisions of sub-section 1 is liable to a fine of not less than \$100 and not more than \$500, or to imprisonment for a term of not less than thirty days and not more than six months, or to both such fine and imprisonment. ^{Penalty}

2. This Act comes into force on the day it receives Royal Assent. ^{Commencement}
3. This Act may be cited as *The Highway Traffic Amendment Act*, ^{Short title} 1973.

An Act to amend The Highway Traffic Act

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to provide for the Certification of Dealers and Persons
engaged in the fitting and selling of Hearing Aids**

MR. SHULMAN

EXPLANATORY NOTE

The Bill requires a person engaged in the sale of or practice of fitting hearing aids to be the holder of a certificate of registration issued by the Minister of Health.

Requirements for registration are specified and provision is made for the examination of applicants for registration. Certificates of registration may be suspended or revoked by the Minister of Health on grounds specified in the Bill, and appeals from suspension or revocation may be made to a judge of a county or district court. The Advisory Council on Hearing Aids is established and is empowered to advise the Minister of Health on all matters relating to the Bill.

BILL 58

1973

**An Act to provide for the Certification of
Dealers and Persons engaged in the fitting and
selling of Hearing Aids**

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,

Interpre-
tation

- (a) "certificate of registration" means a certificate of registration issued by the Minister under this Act;
- (b) "Council" means the Advisory Council on Hearing Aids;
- (c) "hearing aid" means any instrument or device designed for or represented as aiding, improving or correcting defective human hearing and any parts, attachments or accessories of such an instrument or device;
- (d) "Minister" means the Minister of Health;
- (e) "Ministry" means the Ministry of Health;
- (f) "practice of fitting hearing aids" means the evaluation or measurement of the powers or range of human hearing by means of an audiometer or by any other means devised, and the consequent selection or adaption or sale of hearing aids intended to compensate for hearing loss;
- (g) "prescribed" means prescribed by the regulations;
- (h) "regulations" means the regulations made under this Act;
- (i) "unethical conduct" means,

- (i) the obtaining of any fee or the making of any sale by fraud or misrepresentation,
- (ii) employing directly or indirectly any suspended or unregistered person to perform any work covered by this Act,
- (iii) using or causing or promoting the use of any advertising matter, promotional literature, testimonial, guarantee, warranty, label, brand, insignia or any other representation, however disseminated or published, which is misleading, deceiving, improbable or untruthful,
- (iv) advertising a particular model, type or kind of hearing aid for sale when purchasers or prospective purchasers responding to the advertisement cannot purchase or are dissuaded from purchasing the advertised model, type or kind, where it is established that the purpose of the advertisement is to obtain prospects for the sale of a different model, type or kind than that advertised,
- (v) representing that the services or advice of a duly qualified medical practitioner will be used or made available in the selection, fitting, adjustment, maintenance or repair of hearing aids when that is not true, or using the word "doctor", "clinic" or other like words, abbreviations or symbols which tend to connote the medical profession when such use is not accurate,
- (vi) habitual intemperance,
- (vii) gross immorality,
- (viii) permitting another to use his certificate.

Delegation
of
Minister's
powers

2. The Minister may delegate any of the powers conferred upon him by or under this Act to the Deputy Minister of the Ministry or any other official of the Ministry designated by the Minister.

Unautho-
rized
practice
prohibited

3.—(1) No person shall engage in the sale of or practice of fitting hearing aids or display a sign or in any other way advertise or hold himself out as a person who practises the fitting of hearing aids unless he holds a current, unsuspended, unrevoked certificate of registration issued by the Minister as provided in this Act.

(2) The certificate required by subsection 1 shall be kept ^{Posting of certificates} conspicuously posted in the holder's office or place of business at all times.

4. Any person who practises the fitting of or dealing in ^{Receipts} hearing aids shall deliver to each person supplied with a hearing aid by him or at his order or direction, a receipt which shall contain his signature and show the address of his regular place of practice and the number of his certificate, together with a specification of the hearing aid furnished and the amount charged therefor.

5.—(1) This Act does not apply to a person while he is ^{Saving as to institutions of higher education, etc.} engaged in the practice of fitting hearing aids if his practice is part of the academic curriculum of an accredited institution of higher education or part of a program conducted by a public, charitable institution or non-profit organization, that is primarily supported by voluntary contributions.

(2) This Act shall not be construed to prevent a legally ^{Saving as to legally qualified medical practitioners} qualified medical practitioner from treating or fitting hearing aids to the human ear.

6. An applicant for registration shall pay the prescribed ^{Registration requirements} fee and shall show to the satisfaction of the Minister that he,

- (a) is a resident of Ontario;
- (b) is a person of good moral character;
- (c) is eighteen years of age or older;
- (d) has Grade 12 standing or such other academic standing as is, in the opinion of the Minister, equivalent thereto or has continuously engaged in the practice of fitting hearing aids in Ontario during the three years preceding the date this Act comes into force; and
- (e) is free of contagious or infectious disease.

7.—(1) An applicant for registration who is notified by ^{Written and practical tests} the Minister that he has fulfilled the requirements of section 6 shall appear at a time and place and before such persons as the Minister may designate, to be examined by written and practical tests in order to demonstrate that he is qualified to practise the fitting of hearing aids.

Examina-
tions to be
held yearly

(2) The Minister or persons designated by him shall hold at least one examination of the type prescribed in subsection 1 in each year, and such additional examinations as the volume of applications may make appropriate.

Content of
examina-
tions

8. The examination provided in subsection 1 of section 7 shall consist of,

(a) tests of knowledge in the following areas as they pertain to the fitting of hearing aids,

(i) basic physics of sound,

(ii) the human hearing mechanism, including the science of hearing and the causes and rehabilitation of abnormal hearing and hearing disorders,

(iii) structure and function of hearing aids; and

(b) tests of proficiency in the following techniques as they pertain to the fitting of hearing aids,

(i) pure tone audiometry, including air conduction testing and bone conduction testing,

(ii) live voice or recorded voice speech audiometry, including speech reception, threshold testing and speech discrimination testing,

(iii) effective masking,

(iv) recording and evaluation of audiograms and speech audiometry to determine hearing aid candidacy,

(v) selection and adaption of hearing aids and testing of hearing aids,

(vi) taking earmold impressions.

Certificate
of
registration

9.—(1) Upon payment of the prescribed fee, the Minister shall register each applicant who satisfactorily passes the examination and thereupon the Minister shall issue to the applicant a certificate of registration.

Duration of
certificate

(2) A certificate of registration is effective for one year from the date of its issue.

10.—(1) Any person registered under this Act may, after a hearing of which he has received not less than ten days notice, have his certificate revoked or suspended for a fixed period by the Minister for any of the following causes: ^{Suspension or revocation of certificate}

1. His conviction of an offence involving moral turpitude.
2. Where his certificate has been secured by fraud or deceit practised upon the Minister.
3. For unethical conduct, or for gross ignorance or inefficiency in his profession.
4. Practising while knowingly suffering from a contagious or infectious disease.
5. Advertising professional methods or professional superiority.
6. Practising the fitting of hearing aids under a false or alias name.

(2) For the purposes of this section, the record of conviction, or a certified copy thereof certified by the clerk of the court or by the judge in whose court the conviction is had, shall be conclusive evidence of such conviction. ^{Evidence of conviction}

(3) At the hearing referred to in subsection 1, the person registered is entitled to hear the evidence, cross-examine, call witnesses, present argument and be represented by counsel or agent. ^{Hearing}

(4) Notice of the decision of the Minister following a hearing under subsection 1, together with reasons in writing therefor, shall be served upon the person affected thereby, either personally or by registered mail addressed to such person at his last known place of address. ^{Notice of decision}

(5) Where the person affected by a decision after a hearing under subsection 1 deems himself aggrieved thereby, he may, within five days of receipt of the decision, appeal the decision to a judge of the county or district court of the county or district within which he carries on business, and the judge may confirm, revoke or modify the decision. ^{Appeal}

11.—(1) The Advisory Council on Hearing Aids is hereby established and shall consist of five members to be appointed by the Lieutenant Governor in Council. ^{Advisory Council on Hearing Aids established}

Qualifica-
tion of
members

(2) Members of the Council shall be residents of Ontario.

Idem

(3) One member shall be a legally qualified medical practitioner who holds certification of otolaryngology from The Royal College of Physicians and Surgeons of Canada.

Idem

(4) Three members shall be persons experienced in the fitting of hearing aids, who possess the qualifications prescribed in section 6, but all successors to the position of such members, who are appointed to the Council after the date on which the Minister first issues a certificate of registration as provided in section 9, shall be persons who hold valid certificates of registration under this Act.

Idem

(5) No member of the Council shall be an employee of the Ministry.

Duties of
Council

12.—(1) The Council shall have the responsibility and duty of advising the Minister in all matters relating to this Act, shall prepare the examinations required by this Act, subject to the approval of the Minister, and shall assist the Minister in carrying out the provisions of this Act.

Minister
to be
guided

(2) The Minister shall consider and be guided by the recommendations of the Council in all matters relating to this Act.

Meetings
of Council

13.—(1) The Council shall meet at least once each year at a place and time determined by the Council.

Idem

(2) The Council shall also meet at such other times and places as are specified by the Minister.

Regulations

14. The Lieutenant Governor in Council may make regulations,

- (a) prescribing the fees payable on an application for registration and on the issuance of a certificate of registration;
- (b) prescribing forms and providing for their use;
- (c) governing the conduct of meetings of the Council;
- (d) regulating the practice and procedure on hearings under section 10.

Offence

15.—(1) Any person who contravenes any of the provisions of this Act is guilty of an offence and liable on summary conviction to a fine of not more than \$500 or to imprisonment for not more than ninety days, or to both.

(2) Where any provision of this Act is contravened, in addition to any proceeding had under subsection 1, such contravention may be restrained by action at the instance of the Minister.

16. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

17. This Act may be cited as *The Hearing Aid Sales Act*, 1973.





An Act to provide for the Certification
of Dealers and Persons engaged in the
fitting and selling of Hearing Aids

1st Reading

March 23rd, 1973

2nd Reading

3rd Reading

MR. SHULMAN

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Labour Relations Act

MR. DREA

EXPLANATORY NOTE

The effect of the Bill is to provide that no trade union may be certified under the Act that sends any part of the moneys paid in by its members to any place outside Canada; sending such moneys outside Canada after certification is grounds for decertification.

An Act to amend The Labour Relations Act

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

1. Section 12 of *The Labour Relations Act*, being chapter 232 of the Revised Statutes of Ontario, 1970, is amended by adding at the end thereof "or if it keeps at or sends to any place outside Canada the whole or any part of moneys paid to the trade union by its members in respect of initiation fees, monthly dues or any other assessment or levy". ^{s. 12, amended}

2. The said Act is amended by adding thereto the following section: ^{s. 50a, enacted}

50a. If a trade union that has obtained a certificate keeps at or sends to any place outside Canada at any time the whole or any part of moneys paid to the trade union by its members in respect of initiation fees, monthly dues or any other assessment or levy, the Board may declare that the trade union no longer represents the employees in the bargaining unit and, upon the making of such declaration, the trade union is not entitled to claim any rights or privileges flowing from certification. ^{Termination for sending moneys outside Canada}

3. This Act comes into force on the day it receives Royal Assent. ^{Commencement}
4. This Act may be cited as *The Labour Relations Amendment Act, 1973*. ^{Short title}

An Act to amend
The Labour Relations Act

1st Reading

March 26th, 1973

2nd Reading

3rd Reading

MR. DREA

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to provide for the Appointment of a Commissioner
to investigate Administrative Decisions and Acts of Officials
of the Government of Ontario and its Agencies, and to
define the Commissioner's Powers and Duties**

MR. SINGER



An Act to provide for the Appointment of a Commissioner to investigate Administrative Decisions and Acts of Officials of the Government of Ontario and its Agencies, and to define the Commissioner's Powers and Duties

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,

Interpre-
tation

- (a) "agency" means an agency of the Government of Ontario;
- (b) "Commissioner" means the Commissioner of the Legislature appointed under this Act;
- (c) "minister" means a member of the Executive Council;
- (d) "ministry" means a ministry of the Government of Ontario.

2. There shall be appointed by the Lieutenant Governor in Council on the recommendation of the Assembly as an officer of the Legislature a commissioner, to be called the Commissioner of the Legislature, who shall exercise the powers and perform the duties specified in this Act.

Appoint-
ment

3. The Commissioner shall not be a member of the Assembly and shall not hold any office of trust or profit, other than his office as Commissioner, or engage in any occupation for reward outside the duties of his office.

To hold
no other
office

4.—(1) The recommendation for the appointment of the Commissioner shall be made in the first session of every Legislature.

Term of
office

- Reappointment** (2) Unless his office sooner becomes vacant, every person appointed as Commissioner shall hold office until his successor is appointed, and every such person may from time to time be reappointed.
- Resignation** (3) The Commissioner may at any time resign his office by a writing addressed to the Speaker of the Assembly or, if there is no Speaker or if the Speaker is absent from Ontario, to the Clerk of the Assembly.
- Removal from office** **5.—**(1) The Commissioner may at any time be removed or suspended from his office by the Lieutenant Governor in Council on the recommendation of the Assembly for disability, neglect of duty, misconduct or upon a bankruptcy.
- Suspension when Legislature not in session** (2) At any time when the Legislature is not in session, the Commissioner may be suspended from his office by the Lieutenant Governor in Council for disability, neglect of duty, misconduct or upon a bankruptcy proved to the satisfaction of the Lieutenant Governor in Council, but any such suspension shall not continue in force beyond the end of the next ensuing session of the Legislature.
- Filling of vacancy** **6.—**(1) If the Commissioner dies, retires, resigns or is removed from office, the vacancy thereby created shall be filled in accordance with this section.
- When Legislature in session** (2) If a vacancy in the office of Commissioner occurs at any time while the Legislature is in session, it shall be filled by the appointment of a Commissioner by the Lieutenant Governor in Council on the recommendation of the Assembly, but, if the vacancy occurs less than one month before the end of that session and no such recommendation is made in that session, subsection 3 applies as if the vacancy had occurred while the Legislature was not in session.
- When Legislature not in session** (3) If such a vacancy occurs at any time while the Legislature is not in session, the Lieutenant Governor in Council may appoint a Commissioner to fill the vacancy, and the person so appointed shall, unless his office sooner becomes vacant, hold office until his appointment is confirmed by the Assembly, and, if the appointment is not so confirmed within two months after the commencement of the next ensuing session, the appointment lapses, and there shall be deemed to be another vacancy in the office of Commissioner.
- Oath of office** **7.—**(1) Before entering upon his duties, the Commissioner shall take an oath that he will faithfully and impartially perform the duties of his office and that he will not, except in accordance with subsection 3 of section 16, divulge any information received by him under this Act.

(2) The oath shall be administered by the Speaker of the ^{Idem} Assembly or by the Clerk of the Assembly.

8.—(1) Subject to subsection 2, the Commissioner may ^{Staff} appoint such officers and employees as may be necessary for the efficient carrying out of his functions under this Act.

(2) The number of persons that may be appointed under ^{Idem} this section, whether generally or in respect of any specified duties or class of duties, shall from time to time be determined by the Lieutenant Governor in Council.

9.—(1) The principal function of the Commissioner is to ^{Functions} investigate any decision or recommendation made, including any recommendation made to a minister, or any act done or omitted, relating to a matter of administration and affecting any person or body of persons in his or its personal capacity, in or by any ministry or agency, or by any officer, employee or member thereof in the exercise of any power or function conferred on him by any Act.

(2) The Commissioner may make any such investigation ^{Initiation of investigation} either on a complaint made to him by any person or of his own motion, and he may commence any such investigation notwithstanding that the complaint may not on its face be against any such decision, recommendation, act or omission as aforesaid.

(3) Without limiting subsection 1, any committee of the ^{Referrals by committees} Assembly may at any time refer to the Commissioner, for investigation and report by him, any petition that is before that committee for consideration or any matter to which the petition relates, and, in any such case, the Commissioner shall, subject to any special directions of the committee, investigate the matters so referred to him so far as they are within his jurisdiction and make such report to the committee as he thinks fit, but nothing in section 12, 17 or 18 applies in respect of any investigation or report made under this subsection.

(4) The powers and duties conferred on the Commissioner ^{Powers and duties paramount} by this Act may be exercised and performed notwithstanding any provision in any Act to the effect that any decision, recommendation, act or omission mentioned in subsection 1 is final, or that no appeal lies in respect thereof, or that no proceeding or decision of the person or organization whose decision, recommendation, act or omission it is shall be challenged, reviewed, quashed or called in question.

(5) Nothing in this Act authorizes the Commissioner to ^{Areas outside jurisdiction} investigate,

- (a) any decision, recommendation, act or omission in respect of which there is under any Act a right of appeal or objection or a right to apply for a review on the merits of the case to any court or to any tribunal constituted by or under any Act, whether or not that right of appeal or objection or application has been exercised in the particular case and whether or not any time prescribed for the exercise of that right has expired; or
- (b) any decision, recommendation, act or omission of any person acting as a solicitor for the Crown or acting as counsel for the Crown in relation to any proceedings.

Determina-
tion of
jurisdiction

(6) If any question arises as to whether the Commissioner has jurisdiction to investigate any case or class of cases under this Act, he may, if he thinks fit, apply to the Supreme Court for a declaratory order determining the question.

Guide
rules

10.—(1) The Assembly may from time to time, if it thinks fit, make general rules for the guidance of the Commissioner in the exercise of his functions, and may at any time in like manner revoke or vary any such rules.

Publication
of reports

(2) Any such rules may authorize the Commissioner from time to time, in the public interest or in the interests of any person or ministry or agency, to publish reports relating generally to the exercise of his functions under this Act or to any particular case or cases investigated by him, whether or not the matters to be dealt with in any such report have been the subject of a report to the Assembly under this Act.

Publication
of rules

(3) All such rules shall be printed and published.

Mode of
complaint

11.—(1) Every complaint to the Commissioner shall be made in writing.

Letters
to be
forwarded

(2) Notwithstanding any Act, where a letter written by any person in custody on a charge or after conviction of any offence, or by any inmate of any private sanitarium within the meaning of *The Private Sanitaria Act* or an institution within the meaning of *The Mental Hospitals Act*, is addressed to the Commissioner, it shall be immediately forwarded, unopened, to the Commissioner by the person for the time being in charge of the place or institution where the writer of the letter is detained or of which he is an inmate.

R.S.O. 1970,
cc. 363, 269

Commis-
sioner may
refuse to
investigate
complaint

12.—(1) If in the course of the investigation of any complaint it appears to the Commissioner,

- (a) that under the law or existing administrative practice there is an adequate remedy, other than the right to petition the Legislature, for the complainant, whether or not he has availed himself of it; or
- (b) that, having regard to all the circumstances of the case, any further investigation is unnecessary,

he may in his discretion refuse to investigate the matter further.

(2) Without limiting the generality of the powers conferred on the Commissioner by this Act, the Commissioner may in his discretion decide not to investigate, or, as the case may require, not to further investigate, any complaint if it relates to any decision, recommendation, act or omission of which the complainant has had knowledge for more than twelve months before the complaint is received by the Commissioner, or if in his opinion,

- (a) the subject-matter of the complaint is trivial;
- (b) the complaint is frivolous or vexatious or is not made in good faith; or
- (c) the complainant has not a sufficient personal interest in the subject-matter of the complaint.

(3) In any case where the Commissioner decides not to investigate or further investigate a complaint, he shall inform the complainant of his decision, and he may, if he thinks fit, state his reasons therefor.

13.—(1) Before investigating any matter under this Act, the Commissioner shall inform the deputy minister of the ministry affected, or, as the case may require, the administrative head of the agency affected, of his intention to make the investigation.

(2) Every investigation by the Commissioner under this Act shall be conducted in private.

(3) The Commissioner may hear or obtain information from such persons as he thinks fit, and he may make such inquiries as he thinks fit.

(4) It is not necessary for the Commissioner to hold any hearing and no person is entitled as of right to be heard by the Commissioner, but, if at any time during the course of an investigation it appears to the Commissioner that there

may be sufficient grounds for his making a report or recommendation that may adversely affect any ministry, agency or person, he shall give to that ministry, agency or person an opportunity to be heard, and at any such hearing the ministry, agency or person is entitled to counsel.

**Con-
sulta-
tions**

(5) The Commissioner may in his discretion, at any time during or after any investigation, consult any minister who is concerned in the matter of the investigation.

Idem

(6) On the request of any minister in relation to an investigation or in any case where an investigation relates to any recommendation made to a minister, the Commissioner shall consult that minister after making the investigation and before forming a final opinion on any of the matters referred to in subsection 1 or 2 of section 17.

Misconduct

(7) If, during or after any investigation, the Commissioner is of opinion that there is evidence of any breach of duty or misconduct on the part of any officer or employee of any ministry or agency, he shall refer the matter to the appropriate authority.

**Regulation
of procedure**

(8) Subject to this Act and any rules made under section 10, the Commissioner may regulate his procedure in such manner as he thinks fit.

Evidence

14. (1) Subject to this section and section 15, the Commissioner may from time to time require any person who in his opinion is able to give any information relating to any matter that is being investigated by him to furnish to him any such information and to produce any such document, paper or thing that in his opinion relates to any such matter and that may be in the possession or under the control of such person, whether or not such person is an officer, employee or member of a ministry or agency, and whether or not such document, paper or thing is in the custody or under the control of any such ministry or agency.

**Power
to take
evidence
on oath**

(2) The Commissioner may summon before him and examine on oath,

(a) any person who is an officer or employee or member of any ministry or agency and who in the Commissioner's opinion is able to give any information mentioned in subsection 1;

(b) any complainant; or

(c) with the prior approval of the Attorney General in each case, any other person who in the Commissioner's opinion is able to give such information,

and for that purpose may administer an oath.

(3) Subject to subsection 4, no person who is bound by any Act to maintain secrecy in relation to, or not to disclose, any matter shall be required to supply any information to or answer any question put by the Commissioner in relation to that matter, or to produce to the Commissioner any document, paper or thing relating to it, if compliance with that requirement would be in breach of the obligation of secrecy or non-disclosure. ^{Duty to maintain secrecy paramount}

(4) With the prior consent in writing of a complainant, any person to whom subsection 3 applies may be required by the Commissioner to supply information or answer any question or produce any document, paper or thing relating only to the complainant, and it is duty of the person to comply with such requirement. ^{Idem}

(5) Every person has the same privileges in relation to the giving of information, the answering of questions and the production of documents, papers and things under this Act as witnesses have in any court. ^{Privilege}

(6) Except on the trial of a person for perjury, no statement made or answer given by that or any other person in the course of any inquiry by or any proceedings before the Commissioner is admissible in evidence against any person in any court or at any inquiry or in any other proceedings, and no evidence in respect of proceedings before the Commissioner shall be given against any person. ^{Evidence not admissible elsewhere}

(7) No person is liable to prosecution for an offence against any Act by reason of his compliance with any requirement of the Commissioner under this section. ^{No prosecution}

15.—(1) Where the Attorney General certifies that the giving of any information or the answering of any question or the production of any document, paper or thing might involve the disclosure of, ^{Disclosure of certain matters not to be required}

(a) the deliberations of the Executive Council; or

(b) proceedings of the Executive Council, or any committee thereof, relating to matters of a secret or confidential nature, and would be injurious to the public interest,

the Commissioner shall not require the information or answer to be given or, as the case may be, the document, paper or thing to be produced, but shall report the giving of such a certificate to the Legislature.

Rule as to privileged documents, etc., does not apply

(2) Subject to subsection 1, the rule of law that authorizes or requires the withholding of any document, paper or thing, or the refusal to answer any question, on the ground that the disclosure of the document, paper or thing or the answering of the question would be injurious to the public interest, does not apply in respect of any investigation by or proceedings before the Commissioner.

Secrecy

16.—(1) The Commissioner and every person holding any office or appointment under him shall maintain secrecy in respect of all matters that come to their knowledge in the exercise of their functions.

Oath

(2) Every person holding any office or appointment under the Commissioner shall, before he begins to perform his duties under this Act, take an oath, to be administered by the Commissioner, that he will not divulge any information received by him under this Act except for the purpose of giving effect to this Act.

Exception

(3) Notwithstanding subsection 1, the Commissioner may disclose in any report made by him under this Act such matters as in his opinion ought to be disclosed in order to establish grounds for his conclusions and recommendations.

Procedure after investigation

17.—(1) This section applies in every case where, after making any investigation under this Act, the Commissioner is of opinion that the decision, recommendation, act or omission that was the subject-matter of the investigation,

(a) appears to have been contrary to law;

(b) was unreasonable, unjust, oppressive, improperly discriminatory or was, in accordance with a rule of law or a provision of any Act or a practice that is or may be unreasonable, unjust, oppressive or improperly discriminatory;

(c) was based wholly or partly on a mistake of law or fact; or

(d) was wrong.

Idem

(2) This section also applies in any case where the Commissioner is of opinion that in the making of the decision or

recommendation, or in the doing or omission of the act, a discretionary power has been exercised for an improper purpose or on irrelevant grounds or on the taking into account of irrelevant considerations, or that, in the case of a decision made in the exercise of any discretionary power, reasons should have been given for the decision.

(3) If in any case to which this section applies the Commissioner is of opinion, Opinion, etc., to be reported to ministry

- (a) that the matter should be referred to the appropriate authority for further consideration ;
- (b) that the omission should be rectified ;
- (c) that the decision should be cancelled or varied ;
- (d) that any practice on which the decision, recommendation, act or omission was based should be altered ;
- (e) that any law on which the decision, recommendation, act or omission was based should be reconsidered ;
- (f) that reasons should have been given for the decision ;
or
- (g) that any other steps should be taken,

the Commissioner shall report his opinion and his reasons therefor to the appropriate minister and to the ministry or agency concerned, and may make such recommendations as he thinks fit, and in any such case he may request the ministry or agency to notify him, within a specified time, of the steps, if any, that it proposes to take to give effect to his recommendations.

(4) If within a reasonable time after the report is made no action is taken that seems to the Commissioner to be adequate and appropriate, the Commissioner, in his discretion, after considering the comments, if any, made by or on behalf of the ministry or agency affected, may send a copy of the report and recommendations to the Lieutenant Governor in Council and may thereafter make such report to the Legislature on the matter as he thinks fit. Report to Cabinet and Assembly

(5) The Commissioner shall attach to every report sent or made under subsection 4 a copy of any comments made by or on behalf of the ministry or agency concerned. Idem

Comment
adverse
to person

(6) Notwithstanding anything in this section, the Commissioner shall not, in any report made under this Act, make any comment that is adverse to any person unless the person has been given an opportunity to be heard.

Complainant
to be
informed of
result of
investigation

18. (1) Where on any investigation under this Act the Commissioner makes a recommendation under subsection 3 of section 17 and no action that seems to the Commissioner to be adequate and appropriate is taken thereon within a reasonable time, the Commissioner shall inform the complainant of his recommendation and make such comments on the matter as he thinks fit.

Idem

(2) The Commissioner shall in any case inform the complainant, in such manner and at such time as he thinks proper, of the result of the investigation.

Private
clause

19. No proceedings of the Commissioner shall be held bad for want of form and, except on the ground of lack of jurisdiction, no proceedings or decision of the Commissioner shall be challenged, reviewed, quashed or called in question in any court.

Proceedings
privileged

20.—(1) No proceedings lie against the Commissioner or against any person holding any office or appointment under the Commissioner for anything he may do or report or say in the course of the exercise or intended exercise of his functions under this Act, unless it is shown that he acted in bad faith.

Not
compellable
as witnesses

(2) Neither the Commissioner nor any person holding any office or appointment under the Commissioner shall be called upon to give evidence in any court or in any proceedings of a judicial nature in respect of anything coming to his knowledge in the exercise of his functions under this Act.

Privilege

(3) Anything said or any information supplied or any document, paper or thing produced by any person in the course of any inquiry by or proceedings before the Commissioner under this Act is privileged in the same manner as if the inquiry or proceedings were proceedings in a court.

Report
deemed
privileged
R.S.O. 1970,
c. 243

(4) For the purposes of *The Libel and Slander Act*, any report made by the Commissioner under this Act shall be deemed to be privileged, and a fair and accurate report in a newspaper or a broadcast shall be deemed to be privileged.

Power
to enter
premises

21.—(1) For the purposes of this Act but subject to this section, the Commissioner may at any time enter upon any premises occupied by any ministry or agency and inspect the premises and, subject to sections 14 and 15, carry out therein any investigation that is within his jurisdiction.

(2) Before entering upon any such premises, the Commissioner shall notify the deputy minister of the ministry or, as the case may require, the administrative head of the agency that occupies the premises of his intention so to do. Notice

22.—(1) With the prior approval of the Lieutenant Governor in Council, the Commissioner may from time to time, by writing under his hand, delegate to any person holding any office under him any of his powers under this Act, except this power of delegation and the power to make any report under this Act. Delegation of powers

(2) Any such delegation may be made to a specified person or to the holder for the time being of a specified office or to the holders of offices of a specified class. To whom powers may be delegated

(3) Every such delegation is revocable at will, and no such delegation prevents the exercise of any power by the Commissioner. Delegations revocable

(4) Any such delegation may be made subject to such restrictions and conditions as the Commissioner thinks fit, and may be made either generally or in relation to any particular case or class of cases. Scope of delegations

(5) Until any such delegation is revoked, it continues in force according to its tenor and, in the event of the Commissioner by whom it was made ceasing to hold office, continues to have effect as if made by his successor. Life of delegations

(6) Any person purporting to exercise any power of the Commissioner by virtue of such a delegation shall, when required to do so, produce evidence of his authority to exercise the power. Evidence of delegated powers

23. Without limiting his right to report at any other time, but subject to subsection 6 of section 17 and to any rules made under section 10, the Commissioner shall in each year make a report to the Legislature on the exercise of his functions under this Act. Annual report

24. Every person commits an offence against this Act and is liable on summary conviction to a fine of not more than \$500 who, Offences

- (a) without lawful justification or excuse, wilfully obstructs, hinders or resists the Commissioner or any other person in the exercise of his powers under this Act;

- (b) without lawful justification or excuse, refuses or wilfully fails to comply with any lawful requirement of the Commissioner or any other person under this Act; or
- (c) wilfully makes any false statement to or misleads or attempts to mislead the Commissioner or any other person in the exercise of his powers under this Act.

Provisions
are in
addition
to other
laws

25. The provisions of this Act are in addition to the provisions of any other Act or any rule of law under which any remedy or right of appeal or objection is provided for any person or any procedure is provided for the inquiry into or investigation of any matter, and nothing in this Act limits or affects any such remedy or right of appeal or objection or procedure.

Short title

26. This Act may be cited as *The Commissioner of the Legislature Act, 1973*.



An Act to provide for the Appointment of a Commissioner to investigate Administrative Decisions and Acts of Officials of the Government of Ontario and its Agencies, and to define the Commissioner's Powers and Duties

1st Reading

March 26th, 1973

2nd Reading

3rd Reading

MR. SINGER

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to establish
The Ontario Bureau of Statistics**

MRS. SCRIVENER

EXPLANATORY NOTE

The Bill repeals the present *Statistics Act* and establishes The Ontario Bureau of Statistics with a view to promoting a provincial social census at five year intervals.

BILL 61

1973

**An Act to establish
The Ontario Bureau of Statistics**

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,

Interpre-
tation

(a) "Bureau" means The Ontario Bureau of Statistics;

(b) "Minister" means the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs;

(c) "person", in addition to its meaning in *The Interpretation Act*, includes a municipality as defined in *The Municipal Affairs Act*;

R.S.O. 1970,
cc. 225, 118

(d) "statistical information" means information relative to the economic, financial, industrial, commercial, social and general activities and condition of persons, whether such information is collected by means of sampling or any other statistical method.

2.—(1) A Bureau to be known as The Ontario Bureau of Statistics is hereby established.

Bureau
established

(2) The Bureau shall be composed of not fewer than seven members appointed by the Lieutenant Governor in Council.

Composition

3. The Lieutenant Governor in Council may designate one of the members of the Bureau to be chairman.

Chairman

4. Five members of the Bureau constitute a quorum.

Quorum

5. The Lieutenant Governor in Council may fill any vacancy among the members of the Bureau.

Vacancies

Objects
and
powers

6.—(1) The objects of the Bureau are and it has the power,

(a) to study and evaluate every five years commencing in the year 1974, the public's attitudes and values as they relate to,

(i) housing,

(ii) personal attachment to the local community,

(iii) services provided by the local community,

(iv) accessibility to the local political structure and the degree to which a person may influence that structure,

(v) the working environment,

(vi) family life and marriage,

(vii) past and present educational, health and social services, and

(viii) personal concerns and worries that affect a person's daily activities and attitudes;

(b) to collect, compile, analyze and disseminate statistical information; and

(c) to collect statistical information jointly with the minister of any other ministry of government.

Further
powers

(2) Subject to the approval of the Lieutenant Governor in Council, for the furtherance of its objects, the Bureau may enter into agreements with the Government of Canada or the government of any province in Canada or any agency of any such government to provide for an exchange or joint collection of statistical information.

Agreements

(3) Every agreement proposed under subsection 2 shall be in writing and filed with the Minister before submission to the Lieutenant Governor in Council.

Report

(4) The Minister shall submit a report to the Lieutenant Governor in Council on every agreement proposed under subsection 2.

By-laws

7. The Bureau may make such by-laws as are considered expedient for its constitution and the administration of its affairs, and may do such other things as are considered necessary or advisable to carry out its objects.

8. The Bureau shall make a report annually to the Minister who shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session. ^{Annual report}

9. The questions in any questionnaire authorized under this Act shall be accurately and truthfully answered by each person to whom the questionnaire is directed and shall be returned to the minister who issued it. ^{Questions to be answered}

10.—(1) No person shall collect, compile, analyze or publish statistical information under this Act until he takes and subscribes before his minister, his deputy minister, or a person designated in writing by either of them, an oath of office and secrecy in the following form: ^{Oath of office and secrecy}

I,, do swear that I will faithfully discharge my duties under *The Ontario Bureau of Statistics Act, 1973* and, except as I may be legally required, I will not disclose or give to any person any information or document that comes to my knowledge or possession by reason of my duties under *The Ontario Bureau of Statistics Act, 1973*. So help me God.

(2) Subject to section 12, no public servant having knowledge of the answers to questions asked in a questionnaire under this Act shall disclose or give to any person any information or document with respect to such answers without the written permission of his minister, and, except where statistical information is collected jointly under this Act, such permission shall be limited to the disclosing or giving of information or documents to public servants in the ministry of the minister or in prosecutions instituted for offences against this Act. ^{No un-authorized disclosure}

(3) Notwithstanding anything in this Act, no minister or public servant shall, in any way, use the answers to questions asked in a questionnaire authorized under this Act for any purpose other than the purposes of this Act. ^{Answers to be confidential}

(4) No person who collects, compiles, analyzes or publishes statistical information under this Act is personally liable for anything done by him under the authority of this Act. ^{No personal liability}

11.—(1) No person, when acting under the authority of this Act, shall discriminate between persons to the prejudice of any person. ^{No discrimination}

(2) Nothing in this section prohibits the collection of statistical information by means of sampling. ^{Sampling permitted}

Disclosure
of informa-
tion to
another
ministry

12.—(1) Where a person who has answered a question in a questionnaire consents in writing, a minister may give permission to a public servant in his ministry who has knowledge of the answer to disclose or give the answer to one or more public servants in another ministry.

Indexes,
etc.,
excepted

(2) Subsection 1 does not apply to an index or list, whether released separately or in a report, summary of statistics or other publication under this Act, of answers to the questions in a questionnaire revealing only,

- (a) the names and locations of individual firms or businesses; or
- (b) the types of products commercially produced, manufactured or dealt with by individual firms or businesses,

but no such list or index shall otherwise disclose any of the answers given to the questions in a questionnaire.

Offences:
failure
to give
answers;
false
answers

13. Any person who,

- (a) being required under the authority of this Act to answer any question in a questionnaire and to return it to the minister who issued it, fails to answer, without lawful excuse, any such question or to return the questionnaire within the time prescribed; or
- (b) wilfully gives a false answer to any such question,

is, for every day of such failure or for every false answer, guilty of an offence and on summary conviction is liable to a fine of not more than \$100 or to imprisonment for a term of not more than three months, or to both.

Offences:
obtaining
unauthorized
information;
unauthorized
disclosure

14. Any person who,

- (a) in the pretended performance of his duties under this Act, obtains or seeks to obtain information that he is not duly authorized to obtain; or
- (b) discloses or gives any information or document to any person in contravention of subsection 2 of section 10,

is guilty of an offence and on summary conviction is liable to a fine of not more than \$300 or to imprisonment for a term of not more than six months, or to both.

15. Any person who,

Offences:
affecting
market
value;
speculating

- (a) discloses or gives any information or document respecting an answer to a question in a questionnaire authorized under this Act to any person with the intent that the market value of a product is thereby affected; or
- (b) uses an answer in any such questionnaire for the purpose of speculating in a product,

is guilty of an offence and on summary conviction is liable to a fine of not more than \$5,000 or to imprisonment for a term of not more than five years, or to both.

16. The Lieutenant Governor in Council may make regulations, Regulations

- (a) prescribing the manner in which information shall be collected, compiled, analyzed or published under this Act;
- (b) prescribing forms and providing for their use.

17. *The Statistics Act*, being chapter 443 of the Revised Statutes of Ontario, 1970, is repealed. R.S.O. 1970,
c. 443,
repealed

18. This Act comes into force on the day it receives Royal Assent. Commence-
ment

19. This Act may be cited as *The Ontario Bureau of Statistics Act, 1973*. Short title

An Act to establish
The Ontario Bureau of Statistics

1st Reading

March 27th, 1973

2nd Reading

3rd Reading

MRS. SCRIVENER

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Charitable Institutions Act

THE HON. R. BRUNELLE
Minister of Community and Social Services

EXPLANATORY NOTES

SECTION 1.—Subsection 1. The definition of “charitable institution” is amended to include part of a building.

Subsection 2. The definition of “Director” is amended in recognition of the fact that there are now several Directors each administering separate programs under the Act.

Subsection 3. The amendment provides a Director with the power of inspection under section 8 of the Act.

SECTIONS 2 AND 3. The amendments provide for approvals by the Minister rather than by the Lieutenant Governor in Council.

BILL 62

1973

An Act to amend The Charitable Institutions Act

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 section 1 of *The Charitable Institutions Act*, ^{s. 1(c),} amended being chapter 62 of the Revised Statutes of Ontario, 1970, is amended by inserting after “means” in the first line “all or any part of”.
 - (2) Clause *d* of the said section 1, as re-enacted by the ^{s. 1(d),} re-enacted Statutes of Ontario, 1972, chapter 61, section 1, is repealed and the following substituted therefor:
 - (d) “Director” means a Director appointed for the purposes of this Act.
 - (3) Clause *g* of the said section 1 is amended by striking ^{s. 1(g),} amended out “or” in the second line and inserting after “supervisor” in the second line “or a Director”, and by striking out “Department of Social and Family Services” in the third and fourth lines and inserting in lieu thereof “Ministry of Community and Social Services”.
2. Section 2 of the said Act, as re-enacted by the Statutes of ^{s. 2,} amended Ontario, 1971, chapter 50, section 16, is amended by striking out “Lieutenant Governor in Council” in the first line and inserting in lieu thereof “Minister”.
 3. Section 3 of the said Act, as re-enacted by the Statutes of ^{s. 3,} re-enacted Ontario, 1971, chapter 50, section 16 and amended by 1972, chapter 61, section 2, is repealed and the following substituted therefor:
 - 3.—(1) Subject to section 3a, where the Minister is satisfied ^{Approval of} buildings that all or any part of a building or buildings is suitable for providing accommodation as a charitable institution in accordance with this Act and the regulations, he may approve all or any part of such building or buildings, as the case

may be, as a member of a class of charitable institutions prescribed in the regulations for the maintenance and operation of which assistance may be given under this Act.

Effective
date of
approval

(2) An approval given under subsection 1 or under section 2 may take effect on any date fixed by the Minister that is prior to the date on which the approval is given, but in no case shall the date upon which the approval under subsection 1 takes effect precede the date that the approval given under section 2 to the corporation maintaining and operating the institution takes effect.

s. 4 (1) (a),
repealed

4.—(1) Clause *a* of subsection 1 of section 4 of the said Act is repealed.

s. 4 (1) (d),
amended

(2) Clause *d* of subsection 1 of the said section 4 is amended by inserting after “building” in the first line “or part thereof”.

s. 4 (1) (e),
amended

(3) Clause *e* of subsection 1 of the said section 4, as amended by the Statutes of Ontario, 1972, chapter 61, section 4, is further amended by inserting after “site” in the first line “or use”.

s. 5 (a),
amended

5.—(1) Clause *a* of section 5 of the said Act, as amended by the Statutes of Ontario, 1972, chapter 61, section 5, is further amended by inserting after “where” in the first line “all or any part of” and by striking out “building or the addition” in the fourth line and in the sixth and seventh lines and inserting in lieu thereof in each instance “charitable institution”.

s. 5 (b),
amended

(2) Clause *b* of the said section 5, as amended by the Statutes of Ontario, 1972, chapter 61, section 5, is further amended by inserting after “where” in the first line “all or any part of” and by striking out “building or the addition” in the third and fourth lines, “building” in the sixth line and “building or the addition” in the tenth and eleventh lines and inserting in lieu thereof in each instance “hostel”.

s. 6,
re-enacted

6. Section 6 of the said Act, as amended by the Statutes of Ontario, 1972, chapter 61, section 6, is repealed and the following substituted therefor:

Grants for
acquisition
of buildings

6. Where,

(a) the acquisition or structural alteration of a building or any part thereof to be used as a charitable institution other than a hostel has been approved by

SECTION 4.—Subsection 1. Self-explanatory.

Subsection 2. The amendment is consistent with the change in section 1 of the Act.

Subsection 3. The amendment requires that the Minister approve of a change in the use of a charitable institution.

SECTION 5. The amendment is consistent with the change in section 1 of the Act.

SECTION 6. The amendment provides for the payment of capital grants for alterations or renovations to an institution or for the purchasing of furnishings and equipment.

SECTION 7. The amendment provides for the payment of subsidies for residential services approved by the Director provided in other than approved institutions.

SECTION 8. The amendment provides for the inspection of premises at all reasonable times rather than once a year.

the Minister under clause *d* or *e*, as the case may be, of subsection 1 of section 4; or

- (b) the Minister has approved the renovation of a charitable institution other than a hostel or approved the purchase of furnishings or equipment in connection with an approved charitable institution other than a hostel,

the Minister may, out of the moneys that are appropriated therefor by the Legislature, direct payment to the approved corporation acquiring or operating and maintaining the institution, as the case may be, of an amount equal to the cost to the approved corporation of the acquisition, alteration, renovation or purchase of furnishings or equipment, as the case may be, computed in accordance with the regulations, but not exceeding an amount based upon the bed capacity of the institution at the rate of \$1,200 per bed or such greater amount per bed as is prescribed by the regulations.

7. Section 7 of the said Act, as amended by the Statutes of Ontario, ^{s. 7, re-enacted} 1972, chapter 61, section 7, is repealed and the following substituted therefor:

7. There shall be paid to an approved corporation out of the moneys appropriated therefor by the Legislature an amount equal to 80 per cent or such higher percentage as the regulations prescribe of the cost, computed in accordance with the regulations, ^{Maintenance grants for institutions other than hostels}

- (a) of the care and maintenance of each person resident in an approved charitable institution other than a hostel that is maintained and operated by the corporation; or
- (b) of residential services approved by the Director provided by or on behalf of the corporation in other than an approved charitable institution.

8. Subsection 1 of section 8 of the said Act is repealed and the ^{s. 8 (1), re-enacted} following substituted therefor:

(1) Every charitable institution, its books and records shall be open at all reasonable times for inspection by a provincial supervisor. ^{Inspection of books of charitable institutions}

(1a) Every premises, that is not a charitable institution, ^{Idem} where residential services are provided or where residential services are to be provided for persons placed therein by an approved corporation, shall be open at all reasonable times for inspection by a provincial supervisor.

s. 9 (1),
amended

9.—(1) Subsection 1 of section 9 of the said Act, as re-enacted by the Statutes of Ontario, 1971, chapter 50, section 16, is amended by striking out “by the Minister or revoked by the Lieutenant Governor in Council on the recommendation of the Minister” in the second, third and fourth lines and inserting in lieu thereof “or revoked by the Minister”.

s. 9 (2),
amended

(2) Subsection 2 of the said section 9 is amended by striking out “before recommending to the Lieutenant Governor in Council revocation of” in the fourth and fifth lines and inserting in lieu thereof “revoking” and by striking out “Department of Social and Family Services” in the ninth and tenth lines and inserting in lieu thereof “Ministry of Community and Social Services”.

s. 9 (5),
amended

(3) Subsection 5 of the said section 9 is amended by striking out “recommend revocation of” in the third line and inserting in lieu thereof “revoke”.

s. 10 (a),
re-enacted

10.—(1) Clause *a* of section 10 of the said Act is repealed and the following substituted therefor:

(a) exempting designated approved corporations or charitable institutions from specified provisions of the Act or the regulations.

s. 10 (b),
amended

(2) Clause *b* of the said section 10, as re-enacted by the Statutes of Ontario, 1972, chapter 61, section 9, is amended by striking out “specified” in the first line and in the seventh line.

s. 10 (c),
amended

(3) Clause *c* of the said section 10 is amended by striking out “or specified charitable institutions” in the second and third lines.

s. 10 (g),
re-enacted

(4) Clause *g* of the said section 10, as amended by the Statutes of Ontario, 1972, chapter 61, section 9, is repealed and the following substituted therefor:

(g) prescribing the manner of computing the cost to approved corporations, and prescribing classes of payments and a greater amount per bed in determining the amount of a payment or any class or classes of payment for the purposes of sections 5 and 6.

s. 10 (h),
re-enacted

(5) Clause *h* of the said section 10, as re-enacted by the Statutes of Ontario, 1972, chapter 61, section 9, is repealed and the following substituted therefor:

SECTION 9. The amendment provides for approvals by the Minister rather than by the Lieutenant Governor in Council.

SECTION 10.— Subsection 1. The amendment eliminates the specification of corporations and institutions that are approved under the Act in schedules under the regulations and enables specific corporations and institutions to be exempted from the provisions of specified sections of the regulations.

Subsections 2 and 3. The amendment is consistent with the changes in subsection 1.

Subsection 4. The amendment permits different classes of capital payments.

Subsection 5. The amendment proposes to authorize by regulation the payment of subsidies, subject to certain terms and conditions for residential services provided in other than approved institutions.



(h) for the purposes of section 7, prescribing the manner of computing the cost of care and maintenance in a charitable institution other than a hostel, and the cost of residential services provided in other than an approved charitable institution, prescribing classes of payments and a higher percentage in respect of the cost for the purpose of determining the amount of a payment or a class or classes of payment, and prescribing the maximum amounts of the cost to which Ontario may contribute.

(6) The said section 10, as amended by the Statutes of Ontario, ^{s. 10,} 1971, chapter 50, section 16 and 1972, chapter 61, section ^{amended} 9, is further amended by adding thereto the following clause:

(he) for the purposes of section 7, prescribing the terms and conditions upon which the Director may approve the provision of residential services by or on behalf of an approved corporation in other than an approved charitable institution, the classes or levels of such services, the services, items and amenities to be provided in connection therewith, and the maximum amounts that may be charged persons in receipt of the residential services.

11. This Act comes into force on the day it receives Royal Assent. Commence-
ment
12. This Act may be cited as *The Charitable Institutions Amendment Act, 1973*. Short title

An Act to amend
The Charitable Institutions Act

1st Reading

March 27th, 1973

2nd Reading

3rd Reading

THE HON. R. BRUNELLE
Minister of Community and
Social Services

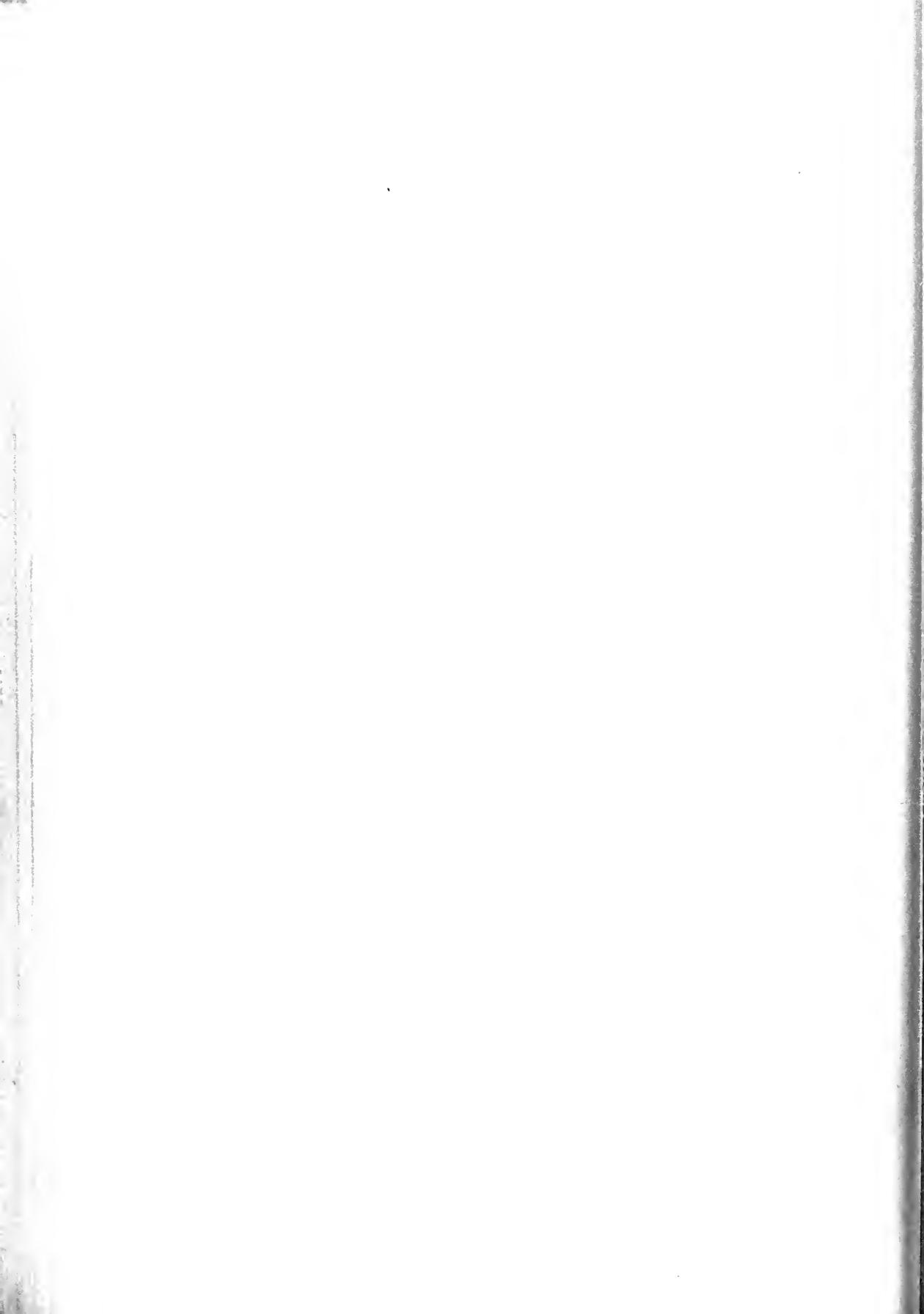
(Government Bill)

BILL 62

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Charitable Institutions Act

THE HON. R. BRUNELLE
Minister of Community and Social Services



BILL 62

1973

An Act to amend The Charitable Institutions Act

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 section 1 of *The Charitable Institutions Act*,^{s.1(c), amended} being chapter 62 of the Revised Statutes of Ontario, 1970, is amended by inserting after “means” in the first line “all or any part of”.
 - (2) Clause *d* of the said section 1, as re-enacted by the^{s.1(d), re-enacted} Statutes of Ontario, 1972, chapter 61, section 1, is repealed and the following substituted therefor:
 - (d) “Director” means a Director appointed for the purposes of this Act.
 - (3) Clause *g* of the said section 1 is amended by striking^{s.1(g), amended} out “or” in the second line and inserting after “supervisor” in the second line “or a Director”, and by striking out “Department of Social and Family Services” in the third and fourth lines and inserting in lieu thereof “Ministry of Community and Social Services”.
2. Section 2 of the said Act, as re-enacted by the Statutes of^{s.2, amended} Ontario, 1971, chapter 50, section 16, is amended by striking out “Lieutenant Governor in Council” in the first line and inserting in lieu thereof “Minister”.
 3. Section 3 of the said Act, as re-enacted by the Statutes of^{s.3, re-enacted} Ontario, 1971, chapter 50, section 16 and amended by 1972, chapter 61, section 2, is repealed and the following substituted therefor:
 - 3.—(1) Subject to section 3*a*, where the Minister is satisfied^{Approval of buildings} that all or any part of a building or buildings is suitable for providing accommodation as a charitable institution in accordance with this Act and the regulations, he may approve all or any part of such building or buildings, as the case

may be, as a member of a class of charitable institutions prescribed in the regulations for the maintenance and operation of which assistance may be given under this Act.

Effective
date of
approval

(2) An approval given under subsection 1 or under section 2 may take effect on any date fixed by the Minister that is prior to the date on which the approval is given, but in no case shall the date upon which the approval under subsection 1 takes effect precede the date that the approval given under section 2 to the corporation maintaining and operating the institution takes effect.

s. 4(1)(a),
repealed

4.—(1) Clause *a* of subsection 1 of section 4 of the said Act is repealed.

s. 4(1)(d),
amended

(2) Clause *d* of subsection 1 of the said section 4 is amended by inserting after “building” in the first line “or part thereof”.

s. 4(1)(e),
amended

(3) Clause *e* of subsection 1 of the said section 4, as amended by the Statutes of Ontario, 1972, chapter 61, section 4, is further amended by inserting after “site” in the first line “or use”.

s. 5(a),
amended

5.—(1) Clause *a* of section 5 of the said Act, as amended by the Statutes of Ontario, 1972, chapter 61, section 5, is further amended by inserting after “where” in the first line “all or any part of” and by striking out “building or the addition” in the fourth line and in the sixth and seventh lines and inserting in lieu thereof in each instance “charitable institution”.

s. 5(b),
amended

(2) Clause *b* of the said section 5, as amended by the Statutes of Ontario, 1972, chapter 61, section 5, is further amended by inserting after “where” in the first line “all or any part of” and by striking out “building or the addition” in the third and fourth lines, “building” in the sixth line and “building or the addition” in the tenth and eleventh lines and inserting in lieu thereof in each instance “hostel”.

s. 6,
re-enacted

6. Section 6 of the said Act, as amended by the Statutes of Ontario, 1972, chapter 61, section 6, is repealed and the following substituted therefor:

Grants for
acquisition
of buildings

6. Where,

(a) the acquisition or structural alteration of a building or any part thereof to be used as a charitable institution other than a hostel has been approved by

the Minister under clause *d* or *e*, as the case may be, of subsection 1 of section 4; or

- (b) the Minister has approved the renovation of a charitable institution other than a hostel or approved the purchase of furnishings or equipment in connection with an approved charitable institution other than a hostel,

the Minister may, out of the moneys that are appropriated therefor by the Legislature, direct payment to the approved corporation acquiring or operating and maintaining the institution, as the case may be, of an amount equal to the cost to the approved corporation of the acquisition, alteration, renovation or purchase of furnishings or equipment, as the case may be, computed in accordance with the regulations, but not exceeding an amount based upon the bed capacity of the institution at the rate of \$1,200 per bed or such greater amount per bed as is prescribed by the regulations.

7. Section 7 of the said Act, as amended by the Statutes of Ontario, ^{s. 7,} 1972, chapter 61, section 7, is repealed and the following substituted therefor: ^{re-enacted}

7. There shall be paid to an approved corporation out of the moneys appropriated therefor by the Legislature an amount equal to 80 per cent or such higher percentage as the regulations prescribe of the cost, computed in accordance with the regulations, ^{Maintenance grants for institutions other than hostels}

- (a) of the care and maintenance of each person resident in an approved charitable institution other than a hostel that is maintained and operated by the corporation; or
- (b) of residential services approved by the Director provided by or on behalf of the corporation in other than an approved charitable institution.

8. Subsection 1 of section 8 of the said Act is repealed and the following substituted therefor: ^{s. 8(1), re-enacted}

(1) Every charitable institution, its books and records shall be open at all reasonable times for inspection by a provincial supervisor. ^{Inspection of books of charitable institutions}

(1a) Every premises, that is not a charitable institution, ^{idem} where residential services are provided or where residential services are to be provided for persons placed therein by an approved corporation, shall be open at all reasonable times for inspection by a provincial supervisor.

- s. 9 (1),
amended
- 9.**—(1) Subsection 1 of section 9 of the said Act, as re-enacted by the Statutes of Ontario, 1971, chapter 50, section 16, is amended by striking out “by the Minister or revoked by the Lieutenant Governor in Council on the recommendation of the Minister” in the second, third and fourth lines and inserting in lieu thereof “or revoked by the Minister”.
- s. 9 (2),
amended
- (2) Subsection 2 of the said section 9 is amended by striking out “before recommending to the Lieutenant Governor in Council revocation of” in the fourth and fifth lines and inserting in lieu thereof “revoking” and by striking out “Department of Social and Family Services” in the ninth and tenth lines and inserting in lieu thereof “Ministry of Community and Social Services”.
- s. 9 (5),
amended
- (3) Subsection 5 of the said section 9 is amended by striking out “recommend revocation of” in the third line and inserting in lieu thereof “revoke”.
- s. 10 (a),
re-enacted
- 10.**—(1) Clause *a* of section 10 of the said Act is repealed and the following substituted therefor:
- (a) exempting designated approved corporations or charitable institutions from specified provisions of the Act or the regulations.
- s. 10 (b),
amended
- (2) Clause *b* of the said section 10, as re-enacted by the Statutes of Ontario, 1972, chapter 61, section 9, is amended by striking out “specified” in the first line and in the seventh line.
- s. 10 (c),
amended
- (3) Clause *c* of the said section 10 is amended by striking out “or specified charitable institutions” in the second and third lines.
- s. 10 (g),
re-enacted
- (4) Clause *g* of the said section 10, as amended by the Statutes of Ontario, 1972, chapter 61, section 9, is repealed and the following substituted therefor:
- (g) prescribing the manner of computing the cost to approved corporations, and prescribing classes of payments and a greater amount per bed in determining the amount of a payment or any class or classes of payment for the purposes of sections 5 and 6.
- s. 10 (h),
re-enacted
- (5) Clause *h* of the said section 10, as re-enacted by the Statutes of Ontario, 1972, chapter 61, section 9, is repealed and the following substituted therefor:

(h) for the purposes of section 7, prescribing the manner of computing the cost of care and maintenance in a charitable institution other than a hostel, and the cost of residential services provided in other than an approved charitable institution, prescribing classes of payments and a higher percentage in respect of the cost for the purpose of determining the amount of a payment or a class or classes of payment, and prescribing the maximum amounts of the cost to which Ontario may contribute.

(6) The said section 10, as amended by the Statutes of Ontario, ^{s. 10,} amended 1971, chapter 50, section 16 and 1972, chapter 61, section 9, is further amended by adding thereto the following clause:

(he) for the purposes of section 7, prescribing the terms and conditions upon which the Director may approve the provision of residential services by or on behalf of an approved corporation in other than an approved charitable institution, the classes or levels of such services, the services, items and amenities to be provided in connection therewith, and the maximum amounts that may be charged persons in receipt of the residential services.

- 11.** This Act comes into force on the day it receives Royal Assent. Commence-
ment
- 12.** This Act may be cited as *The Charitable Institutions Amendment Act, 1973*. Short title

An Act to amend
The Charitable Institutions Act

1st Reading

March 27th, 1973

2nd Reading

May 15th, 1973

3rd Reading

May 15th, 1973

THE HON. R. BRUNELLE
Minister of Community and
Social Services

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Highway Traffic Act

MR. BURR

EXPLANATORY NOTE

This amendment extends the definition of "highway" to include privately-owned parking lots where no fee is charged for parking, such as shopping centres.

BILL 63

1973

**An Act to amend
The Highway Traffic Act**

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

1. Paragraph 11 of subsection 1 of section 1 of *The Highway Traffic Act*, being chapter 202 of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor:

11. "highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles and a privately-owned parking lot upon which the public is invited to park vehicles without charge.

2. This Act comes into force on the day it receives Royal Assent.
3. This Act may be cited as *The Highway Traffic Amendment Act*.

An Act to amend
The Highway Traffic Act

1st Reading

March 28th, 1973

2nd Reading

3rd Reading

MR. BURR

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to relieve Persons from
Liability in respect of Voluntary
Emergency Medical and First Aid Services**

MR. HAGGERTY

EXPLANATORY NOTE

The purpose of this Bill is to relieve persons from liability in respect of voluntary emergency first aid assistance or medical services rendered at or near the scene of an accident or other sudden emergency.

BILL 64

1973

**An Act to relieve Persons from
Liability in respect of Voluntary
Emergency Medical and First Aid Services**

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,

Interpre-
tation

(a) "physician" means a legally qualified medical practitioner;

(b) "registered nurse" means a person who is registered as a nurse under *The Nurses Act*.

R.S.O. 1970,
c. 301

2. Where, in respect of a person who is ill, injured or unconscious as the result of an accident or other sudden emergency,

Relief from
liability for
damages

(a) a physician or registered nurse voluntarily and without expectation of compensation or reward renders emergency medical services or first aid assistance and such services or assistance are not rendered at a hospital or other place having adequate medical facilities and equipment; or

(b) a person other than a person mentioned in clause a voluntarily renders emergency first aid assistance and such assistance is rendered at the immediate scene of the accident or emergency,

the physician, registered nurse or other person shall not be liable for damages for injuries to or the death of such person alleged to have been caused by an act or omission on his part in rendering the medical services or first aid assistance, unless such acts constitute wilful or wanton misconduct on his part.

3. Nothing in section 2 shall be deemed to relieve a physician from liability for damages for injuries to or the death of any

Act does
not apply
to normal
medical
services

person caused by an act or omission on the part of the physician in respect of medical services rendered by him in the normal and ordinary course of his practice and not under the circumstances set forth in section 2.

Commence-
ment

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

Short title

5. This Act may be cited as *The Good Samaritan Act, 1973*.







An Act to relieve Persons from Liability in
respect of Voluntary Emergency Medical
and First Aid Services

1st Reading

March 28th, 1973

2nd Reading

3rd Reading

MR. HAGGERTY

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to provide for the Establishment
of Safety Committees**

MR. HAGGERTY

EXPLANATORY NOTE

Self-explanatory.

BILL 65

1973

An Act to provide for the Establishment of Safety Committees

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, "Minister" means the Minister of Labour. Interpre-
tation
2. Every industry shall establish a safety committee which shall have equal representation from both the employers and employees in the industry. Safety
committee
established
3. Every safety committee, upon the request of the Minister, shall advise him respecting the safety of workers in the industry which it represents and, without restricting the generality of the foregoing, inquire into and advise him upon any laws respecting the safety of workers in the industry with a view to the improvement, clarification or extension of the existing laws or the enactment of new laws or inquire into and advise him upon any matter designed to co-ordinate the functions of all bodies concerned with the safety of workers. Duties of
safety
committee
4. Where an accident or injury occurs on a job site, the foreman or person in charge of the job site shall forthwith notify the safety committee representing the particular industry that an accident or injury has occurred. Notification
where
accident
or injury
5. Where a safety committee receives a report concerning an accident or injury on a job site, the committee shall report in writing to the Minister that an accident or injury has occurred and outline any recommendations it may have as to the future prevention of a similar accident or injury. Idem
6. This Act comes into force on the day it receives Royal Assent. Commence-
ment
7. This Act may be cited as *The Safety Committees Act, 1973*. Short title

An Act to provide for the
Establishment of Safety Committees

1st Reading

March 28th, 1973

2nd Reading

3rd Reading

MR. HAGGERTY

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Forest Fires Prevention Act**

THE HON. L. BERNIER
Minister of Natural Resources

EXPLANATORY NOTES

SECTION 1. The amendment corrects an internal reference.

SECTION 2. The amendment brings section 19 of the Act into line with section 21 of the Act.

BILL 66

1973

**An Act to amend
The Forest Fires Prevention 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 5 of *The Forest Fires Prevention Act*, ^{s. 5 (2),} amended being chapter 179 of the Revised Statutes of Ontario, 1970, is amended by striking out "14" in the third line and inserting in lieu thereof "16".
2. Section 19 of the said Act is repealed and the following substituted ^{s. 19, re-} therefor: ^{enacted}
 19. The Minister and the Crown in right of Canada or any ^{Agreements} province of Canada, any agency of any of them or any ^{for fire} municipality may enter into an agreement with respect to the ^{prevention} prevention and control of grass, brush or forest fires. ^{and control}
- 3.—(1) This Act, except section 1, comes into force on the day it ^{Commence-} receives Royal Assent. ^{ment}
- (2) Section 1 shall be deemed to have come into force on the 1st ^{idem} day of September, 1971.
4. This Act may be cited as *The Forest Fires Prevention Amend-* ^{Short title} *ment Act, 1973.*

Bill 66
An Act to amend
The Forest Fires Prevention Act

1st Reading

March 28th, 1973

2nd Reading

3rd Reading

THE HON. L. BERNIER
Minister of Natural Resources

(Government Bill)

BILL 66

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Forest Fires Prevention Act**

THE HON. L. BERNIER
Minister of Natural Resources



BILL 66

1973

**An Act to amend
The Forest Fires Prevention 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 5 of *The Forest Fires Prevention Act*, ^{s. 5(2),} ^{amended} being chapter 179 of the Revised Statutes of Ontario, 1970, is amended by striking out "14" in the third line and inserting in lieu thereof "16".
2. Section 19 of the said Act is repealed and the following substituted ^{s. 19, re-} ^{enacted} therefor:
 19. The Minister and the Crown in right of Canada or any ^{Agreements} ^{for fire} ^{prevention} ^{and control} province of Canada, any agency of any of them or any municipality may enter into an agreement with respect to the prevention and control of grass, brush or forest fires.
- 3.—(1) This Act, except section 1, comes into force on the day it ^{Commence-} ^{ment} receives Royal Assent.
 - (2) Section 1 shall be deemed to have come into force on the 1st ^{Idem} day of September, 1971.
4. This Act may be cited as *The Forest Fires Prevention Amend-* ^{Short title} *ment Act, 1973.*

An Act to amend
The Forest Fires Prevention Act

1st Reading

March 28th, 1973

2nd Reading

April 3rd, 1973

3rd Reading

April 3rd, 1973

THE HON. L. BERNIER
Minister of Natural Resources

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to provide for Fair Practices
in the Sale of Motor Vehicle Fuel**

MR. DEACON

EXPLANATORY NOTE

The purpose of the Bill is to prevent the retailer of motor vehicle fuel from misleading the consumer as to the price and origin of the motor vehicle fuel sold by him, and to ensure that the cost of promotions and giveaways shall not be a burden on the retailer.

An Act to provide for Fair Practices in the Sale of Motor Vehicle Fuel

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, "motor vehicle fuel" means any gas or liquid produced, prepared or compounded for the purpose of generating power by means of internal combustion or that may be used for such purpose, but does not include aviation fuel or the products commonly known as fuel oil, coal oil or kerosene, except when any such product is mixed or combined with motor vehicle fuel. ^{Interpre-}
^{tation}

2. Every retail dealer in motor vehicle fuel shall display and maintain in a conspicuous place on each pump or other equipment for dispensing motor vehicle fuel and on all above ground containers, tanks or equipment for storing motor vehicle fuel, a conspicuous sign stating, ^{Signs}

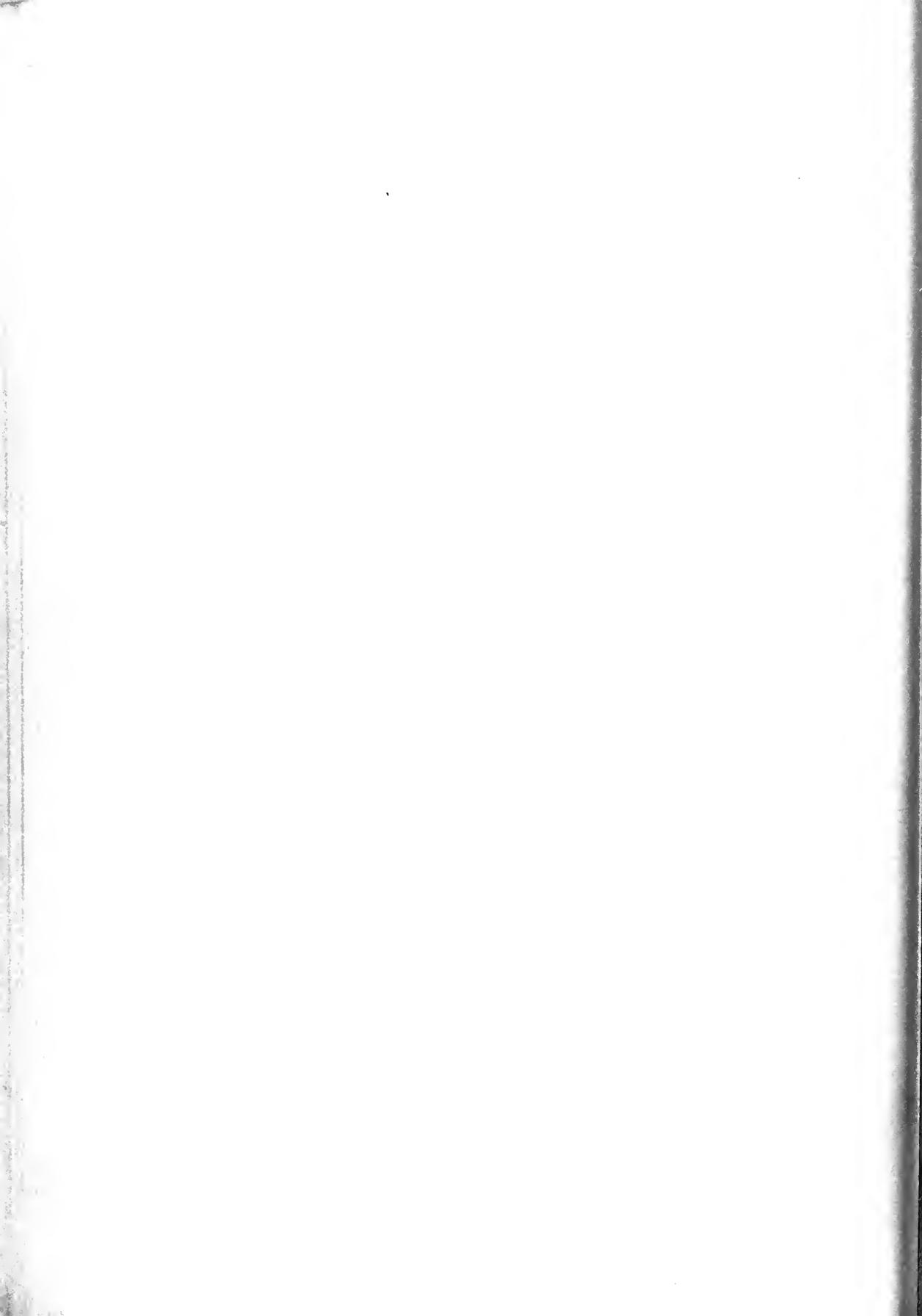
- (a) the price per gallon of the motor vehicle fuel, including tax; and
- (b) the refinery origin of the motor vehicle fuel.

3. No retailer of motor vehicle fuel shall permit delivery of motor vehicle fuel into any container, tank or equipment, other than motor vehicle fuel originating at the refinery stated on the sign appearing on such container, tank, equipment or on dispensing equipment attached to such container, tank or equipment. ^{Prohibition}

4. No retailer shall for the purpose of promoting the sale of motor vehicle fuel offer or provide directly or indirectly any service or any article other than motor vehicle fuel at less than cost or at a discount or rebate on the prevailing price of any service or any article other than motor vehicle fuel, where such service or article is normally sold by another retailer within his trading area. ^{Idem}

- Retailer to receive promotional items** **5.** A retailer shall receive from the oil company, or other supplier which advertises its brand name products to the public, at no cost to the retailer, any articles, tickets, chances, gifts, bonuses, premiums or other promotional items or services the retailer may require to enable the retailer to play his part as advertised in any brand or product promotion.
- Contracts** **6.** A provision of a contract entered into before or after this Act comes into force which is contrary to the provisions of this Act is void.
- Regulations** **7.** The Lieutenant Governor in Council may make regulations prescribing the size, type and method of attachment of signs.
- Offence** **8.** Every person who contravenes any provision of this Act is guilty of an offence and on summary conviction is liable to a fine of not more than \$25,000.
- Commencement** **9.** This Act comes into force on the day it receives Royal Assent.
- Short title** **10.** This Act may be cited as *The Motor Vehicle Fuel Fair Practices Act, 1973*.







An Act to provide for
Fair Practices in the Sale
of Motor Vehicle Fuel

1st Reading

March 28th, 1973

2nd Reading

3rd Reading

MR. DEACON

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to repeal
The Banting and Best Medical
Research Act, 1923**

THE HON. R. T. POTTER
Minister of Health

EXPLANATORY NOTE

The Act repealed provides for payment of \$10,000 annually out of the Consolidated Revenue Fund to The Banting and Best Research Fund. The repeal removes the grant as a statutory item for inclusion in the estimates in the normal manner.

BILL 68

1973

**An Act to repeal
The Banting and Best Medical
Research Act, 1923**

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

- 1.** *The Banting and Best Medical Research Act, 1923*, being ^{Repeal} chapter 56, is repealed.
- 2.** This Act comes into force on a day to be named by the ^{Commence-} Lieutenant Governor by his proclamation._{ment}
- 3.** This Act may be cited as *The Banting and Best Medical* ^{Short title} *Research Repeal Act, 1973*.

An Act to repeal
The Banting and Best Medical
Research Act, 1923

1st Reading

March 29th, 1973

2nd Reading

3rd Reading

THE HON. R. T. POTTER
Minister of Health

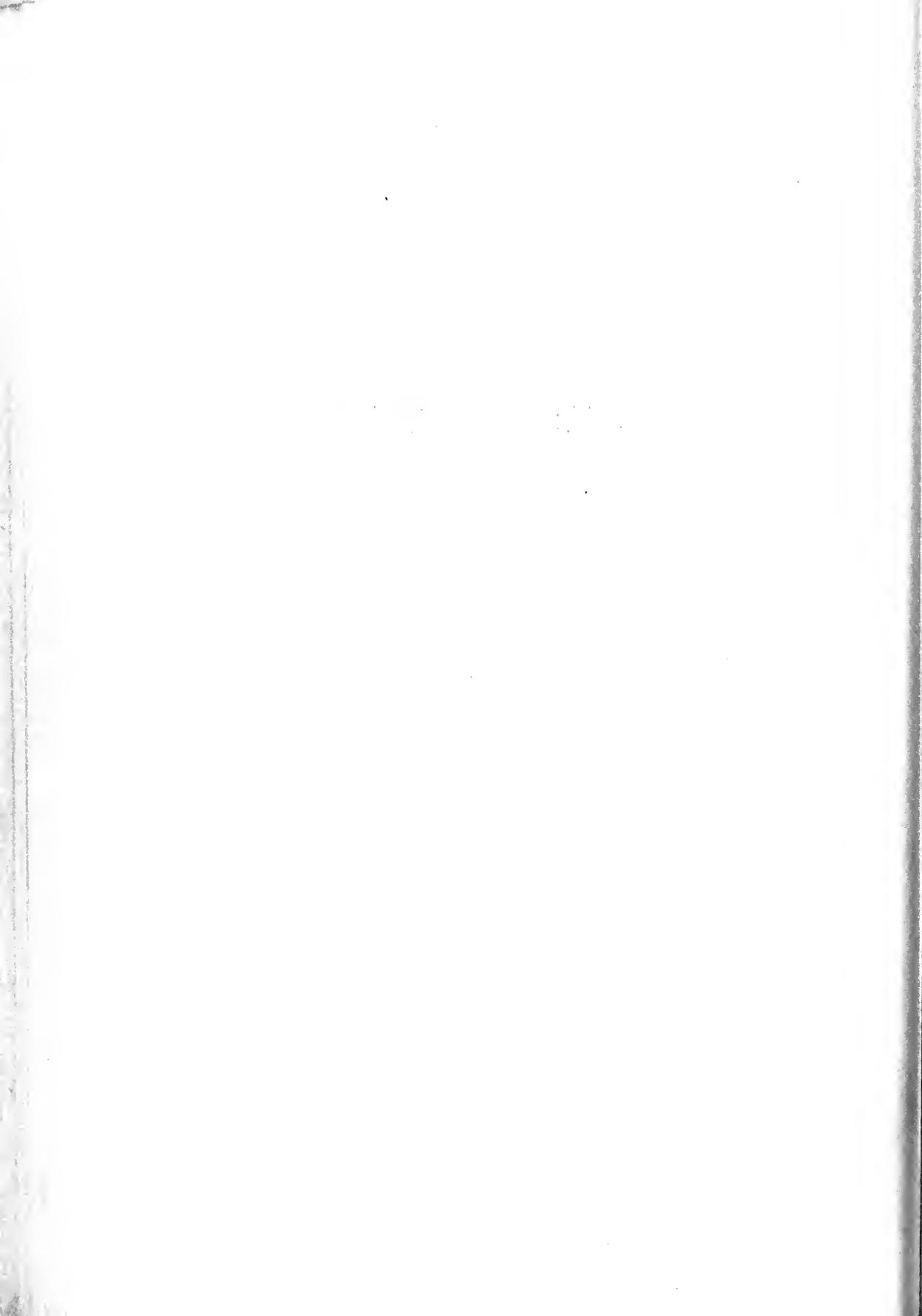
(Government Bill)

BILL 68

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to repeal
The Banting and Best Medical
Research Act, 1923**

THE HON. R. T. POTTER
Minister of Health



BILL 68

1973

**An Act to repeal
The Banting and Best Medical
Research Act, 1923**

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

1. *The Banting and Best Medical Research Act, 1923*, being ^{Repeal} chapter 56, is repealed.

2. This Act comes into force on a day to be named by the ^{Commence-} Lieutenant Governor by his proclamation. _{ment}

3. This Act may be cited as *The Banting and Best Medical* ^{Short title} *Research Repeal Act, 1973*.

An Act to repeal
The Banting and Best Medical
Research Act, 1923

1st Reading

March 29th, 1973

2nd Reading

May 22nd, 1973

3rd Reading

May 22nd, 1973

THE HON. R. T. POTTER
Minister of Health

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Nurses Act

THE HON. R. T. POTTER
Minister of Health

EXPLANATORY NOTES

SECTION 1. Membership in the College of Nurses of Ontario is widened to include persons registered as nursing assistants under the Act.

SECTION 2. The composition of the Council is changed to provide for the appointment of persons who are not registered nurses or registered nursing assistants and to provide for the election of members by the registered nursing assistants in Ontario.

SECTION 3. Subsection 1. The new clause *a* provides for the making of regulations governing the composition and election of the elected portion of the Council.

**An Act to amend
The Nurses 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 2 of *The Nurses Act*, being chapter 301 of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor: ^{s. 2 (2), re-enacted}

(2) Every registered nurse and every registered nursing assistant is a member of the College. ^{Members}

2. Section 3 of the said Act is repealed and the following substituted therefor: ^{s. 3, re-enacted}

3. The affairs of the College shall be administered by the Council, which shall be composed as follows: ^{Council}

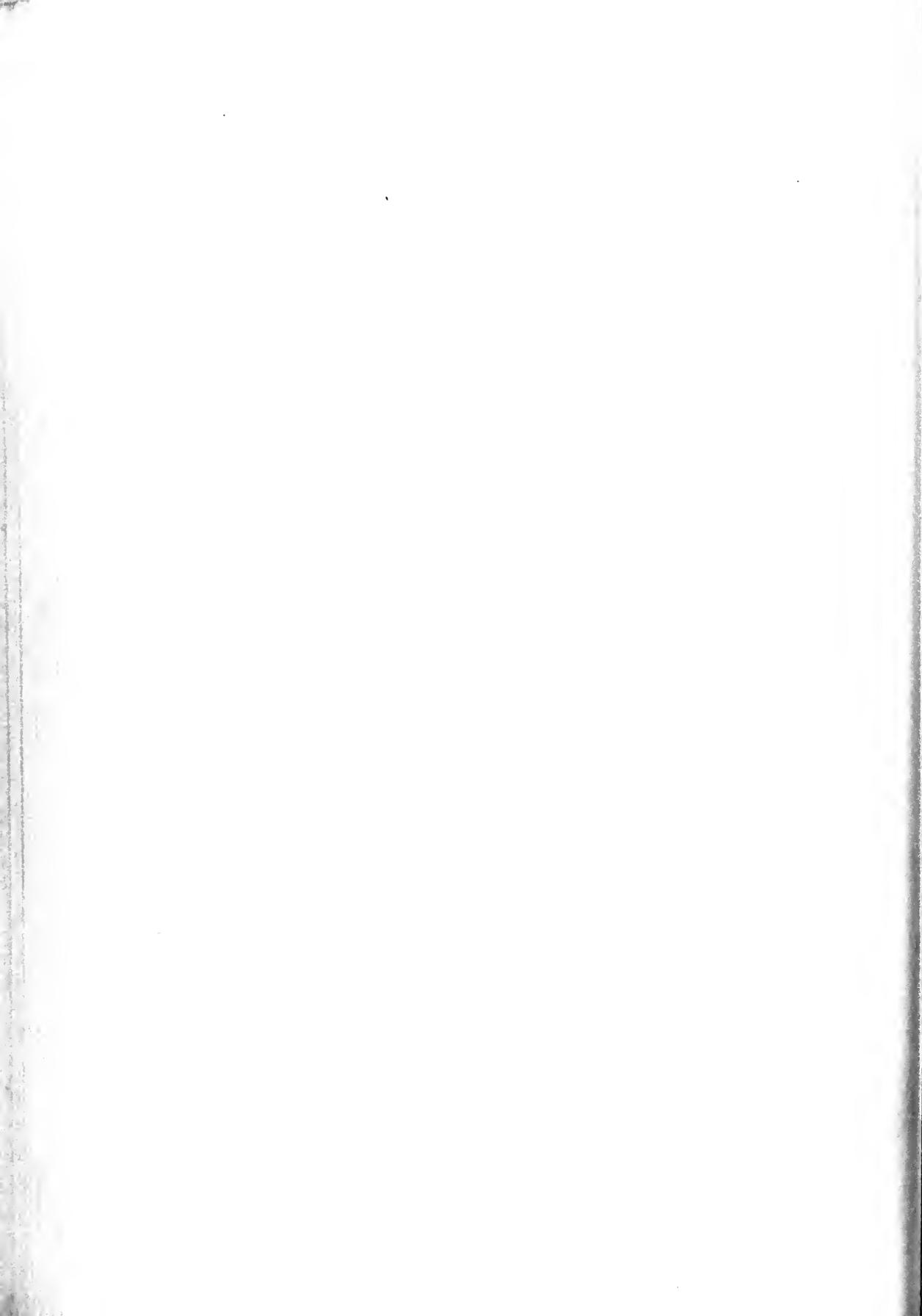
- (a) three persons who are not members of the College, and who are appointed by the Lieutenant Governor in Council;
- (b) registered nurses in Ontario elected by the registered nurses in Ontario in accordance with the regulations;
- (c) registered nursing assistants in Ontario elected by the registered nursing assistants in Ontario in accordance with the regulations.

- 3.—(1) Clause *a* of section 5 of the said Act is repealed and the following substituted therefor: ^{s. 5 (a), re-enacted}

- (a) subject to section 3, governing the composition of the Council, including the numbers, procedures for election and terms of office of the members to be elected.

s. 5. amended	(2) The said section 5 is amended by adding thereto the following subsection:
Regulations, effective date R.S.O. 1970, c. 410	(2) Any regulation made under clause <i>a</i> of subsection 1 and filed under <i>The Regulations Act</i> in the year 1973 may be retroactive in its application and may provide that it comes into force on a day not earlier than the 1st day of January, 1973.
Commence- ment	4.—(1) This Act, except section 2, shall be deemed to have come into force on the 1st day of January, 1973.
Idem	(2) Section 2 comes into force on a day to be named by the Lieutenant Governor by his proclamation.
Short title	5. This Act may be cited as <i>The Nurses Amendment Act, 1973</i> .

Subsection 2. Complementary to subsection 1.



An Act to amend
The Nurses Act

1st Reading

March 29th, 1973

2nd Reading

3rd Reading

THE HON. R. T. POTTER
Minister of Health

(Government Bill)

BILL 69

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Nurses Act

THE HON. R. T. POTTER
Minister of Health



**An Act to amend
The Nurses 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 2 of *The Nurses Act*, being chapter 301 ^{s. 2 (2),} _{re-enacted} of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor:

(2) Every registered nurse and every registered nursing ^{Members} assistant is a member of the College.

2. Section 3 of the said Act is repealed and the following sub- ^{s. 3,} _{re-enacted} stituted therefor:

3. The affairs of the College shall be administered by the ^{Council} Council, which shall be composed as follows:

- (a) three persons who are not members of the College, and who are appointed by the Lieutenant Governor in Council;
- (b) registered nurses in Ontario elected by the registered nurses in Ontario in accordance with the regulations;
- (c) registered nursing assistants in Ontario elected by the registered nursing assistants in Ontario in accordance with the regulations.

- 3.—(1) Clause *a* of section 5 of the said Act is repealed and the ^{s. 5 (a),} _{re-enacted} following substituted therefor:

- (a) subject to section 3, governing the composition of the Council, including the numbers, procedures for election and terms of office of the members to be elected.

s. 5. amended	(2) The said section 5 is amended by adding thereto the following subsection:
Regulations, effective date R.S.O. 1970, c. 410	(2) Any regulation made under clause <i>a</i> of subsection 1 and filed under <i>The Regulations Act</i> in the year 1973 may be retroactive in its application and may provide that it comes into force on a day not earlier than the 1st day of January, 1973.
Commence- ment	4.—(1) This Act, except section 2, shall be deemed to have come into force on the 1st day of January, 1973.
Idem	(2) Section 2 comes into force on a day to be named by the Lieutenant Governor by his proclamation.
Short title	5. This Act may be cited as <i>The Nurses Amendment Act, 1973</i> .







An Act to amend
The Nurses Act

1st Reading

March 29th, 1973

2nd Reading

May 22nd, 1973

3rd Reading

May 22nd, 1973

THE HON. R. T. POTTER
Minister of Health

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Nursing Homes Act, 1972

THE HON. R. T. POTTER
Minister of Health

EXPLANATORY NOTES

SECTION 1. The Bill provides for the refusal of a licence where it is not in the public interest to permit the establishment, operation or maintenance of a nursing home in a particular area.

The Bill also provides, upon an application for a licence, for the setting of a maximum limit on the total bed capacity of a nursing home where it is in the public interest to set such a maximum limit.

The Bill sets out the matters to be taken into account by the Minister in considering whether a refusal or limitation is in the public interest.

**An Act to amend
The Nursing Homes Act, 1972**

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 Nursing Homes Act, 1972*, being chapter ^{s. 4,} 11, is amended by adding thereto the following subsections: ^{amended}

(1a) Notwithstanding subsection 1, where an application is made for a licence under this Act and the Minister states in writing to the Director that it is not in the public interest to grant a licence to establish, operate or maintain the nursing home in the area where the applicant proposes to establish, operate or maintain the nursing home, section 7 shall not apply and the Director shall not issue a licence to the applicant and shall give written notice to the applicant of the refusal and of the Minister's statement. ^{Where proposal not in public interest}

(1b) Notwithstanding subsection 1, where an application is made for a licence under this Act and the Minister states in writing to the Director that it is not in the public interest to grant a licence to establish, operate or maintain the nursing home with a total bed capacity greater than the total bed capacity set out in the Minister's statement, section 7 shall not apply and where the Director issues a licence to the applicant upon such application the Director shall give written notice to the applicant of the Minister's statement and the licence shall be limited to a total bed capacity not greater than that set out in the Minister's statement. ^{Idem}

(1c) In considering under subsection 1a whether it is in the public interest to grant a licence to establish, operate or maintain a nursing home in an area and in considering under subsection 1b whether it is in the public interest to fix the maximum total bed capacity for which the Director may issue a licence to the applicant, the Minister shall take into account, ^{Matters to be considered by Minister}

- (a) the licensed nursing home bed capacity that exists,

- (i) in the area, or
- (ii) in the area and any other area ;
- (b) the health facilities other than facilities for nursing care that are available,
 - (i) in the area, or
 - (ii) in the area and any other area ;
- (c) the number of applicants for nursing care,
 - (i) in the area, or
 - (ii) in the area and any other area ;
- (d) the predictable continuing demand for nursing home facilities,
 - (i) in the area, or
 - (ii) in the area and any other area ; or
- (e) the funds available to provide continuing extended care in nursing homes in Ontario.

s. 4 (2) (b),
repealed

(2) Clause *b* of subsection 2 of the said section 4 is repealed.

s. 14,
re-enacted

2. Section 14 of the said Act is repealed and the following substituted therefor :

Excessive
charges
prohibited

14. No licensee shall demand or accept or cause or permit any person to demand or accept on his behalf payment in excess of,

1972, c. 91

- (a) for services that are insured services under *The Health Insurance Act, 1972*,
 - (i) the amount prescribed under that Act for the insured services, or
 - (ii) the amount prescribed by the regulations as co-payment for the insured services ;
- (b) for private accommodation in an extended care unit, the amount prescribed by the regulations ; or
- (c) for semi-private accommodation in an extended care unit, the amount prescribed by the regulations.

SECTION 2. The purpose of the section is to re-enact section 14 to provide a clear prohibition against the charging of amounts in excess of the amounts prescribed for services or accommodation in a nursing home and to provide for the recovery of any excess payment.



14a. The Minister may recover from a licensee any excess payment referred to in section 14 that is accepted by or on behalf of the licensee, with costs, by action in a court of competent jurisdiction and, upon such recovery, shall pay the amount of the excess payment recovered to the person from whom it was accepted by or on behalf of the licensee.

Recovery
of excess
payment

3. This Act comes into force on the day it receives Royal Assent. Commence-
ment
4. This Act may be cited as *The Nursing Homes Amendment Act, 1973*. Short title

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Nursing Homes Act, 1972

THE HON. R. T. POTTER
Minister of Health

(Reprinted as amended by the Committee of the Whole House)

EXPLANATORY NOTES

SECTION 1. The Bill provides for the refusal of a licence where it is not in the public interest to permit the establishment, operation or maintenance of a nursing home in a particular area.

The Bill also provides, upon an application for a licence, for the setting of a maximum limit on the total bed capacity of a nursing home where it is in the public interest to set such a maximum limit.

The Bill sets out the matters to be taken into account by the Minister in considering whether a refusal or limitation is in the public interest.

BILL 70

1973

**An Act to amend
The Nursing Homes Act, 1972**

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 Nursing Homes Act, 1972*, being chapter ^{s.4.} 11, is amended by adding thereto the following subsections: ^{amended}

(1a) Notwithstanding subsection 1, where an application is made for a licence under this Act and the Minister states in writing to the Director that it is not in the public interest to grant a licence to establish, operate or maintain the nursing home in the area where the applicant proposes to establish, operate or maintain the nursing home, section 7 shall not apply and the Director shall not issue a licence to the applicant and shall give written notice to the applicant of the refusal and of the Minister's statement. ^{Where proposal not in public interest}

(1b) Notwithstanding subsection 1, where an application is made for a licence under this Act and the Minister states in writing to the Director that it is not in the public interest to grant a licence to establish, operate or maintain the nursing home with a total bed capacity greater than the total bed capacity set out in the Minister's statement, section 7 shall not apply and where the Director issues a licence to the applicant upon such application the Director shall give written notice to the applicant of the Minister's statement and the licence shall be limited to a total bed capacity not greater than that set out in the Minister's statement. ^{Idem}

(1c) In considering under subsection 1a whether it is in the public interest to grant a licence to establish, operate or maintain a nursing home in an area and in considering under subsection 1b whether it is in the public interest to fix the maximum total bed capacity for which the Director may issue a licence to the applicant, the Minister shall take into account, ^{Matters to be considered by Minister}

- (a) the licensed nursing home bed capacity that exists,

- (i) in the area, or
 - (ii) in the area and any other area ;
- (b) the health facilities other than facilities for nursing care that are available,
- (i) in the area, or
 - (ii) in the area and any other area ;
- (c) the number of applicants for nursing care,
- (i) in the area, or
 - (ii) in the area and any other area ;
- (d) the predictable continuing demand for nursing home facilities,
- (i) in the area, or
 - (ii) in the area and any other area ; or
- (e) the funds available to provide continuing extended care in nursing homes in Ontario.

s. 4 (2) (b),
repealed

(2) Clause *b* of subsection 2 of the said section 4 is repealed.

s. 14,
re-enacted

2. Section 14 of the said Act is repealed and the following substituted therefor :

Excessive
charges
prohibited

14. No licensee shall demand or accept or cause or permit any person to demand or accept on his behalf payment in excess of,

1972, c. 91

- (a) for services that are insured services under *The Health Insurance Act, 1972*,
 - (i) the amount prescribed under that Act for the insured services, or
 - (ii) the amount prescribed by the regulations as co-payment for the insured services ;
- (b) for private accommodation in an extended care unit, the amount prescribed by the regulations ; or
- (c) for semi-private accommodation in an extended care unit, the amount prescribed by the regulations.

SECTION 2. The purpose of the section is to re-enact section 14 to provide a clear prohibition against the charging of amounts in excess of the amounts prescribed for services or accommodation in a nursing home and to provide for the recovery of any excess payment.



14a. The Minister shall bring action to recover from a licensee Recovery of excess payment any excess payment referred to in section 14 that is accepted by or on behalf of the licensee, with costs, by action in a court of competent jurisdiction and, upon such recovery, shall pay the amount of the excess payment recovered to the person from whom it was accepted by or on behalf of the licensee.

3. This Act comes into force on the day it receives Royal Assent. Commencement
4. This Act may be cited as *The Nursing Homes Amendment Act, 1973*. Short title

An Act to amend
The Nursing Homes Act, 1972

1st Reading

March 29th, 1973

2nd Reading

May 22nd, 1973

3rd Reading

THE HON. R. T. POTTER
Minister of Health

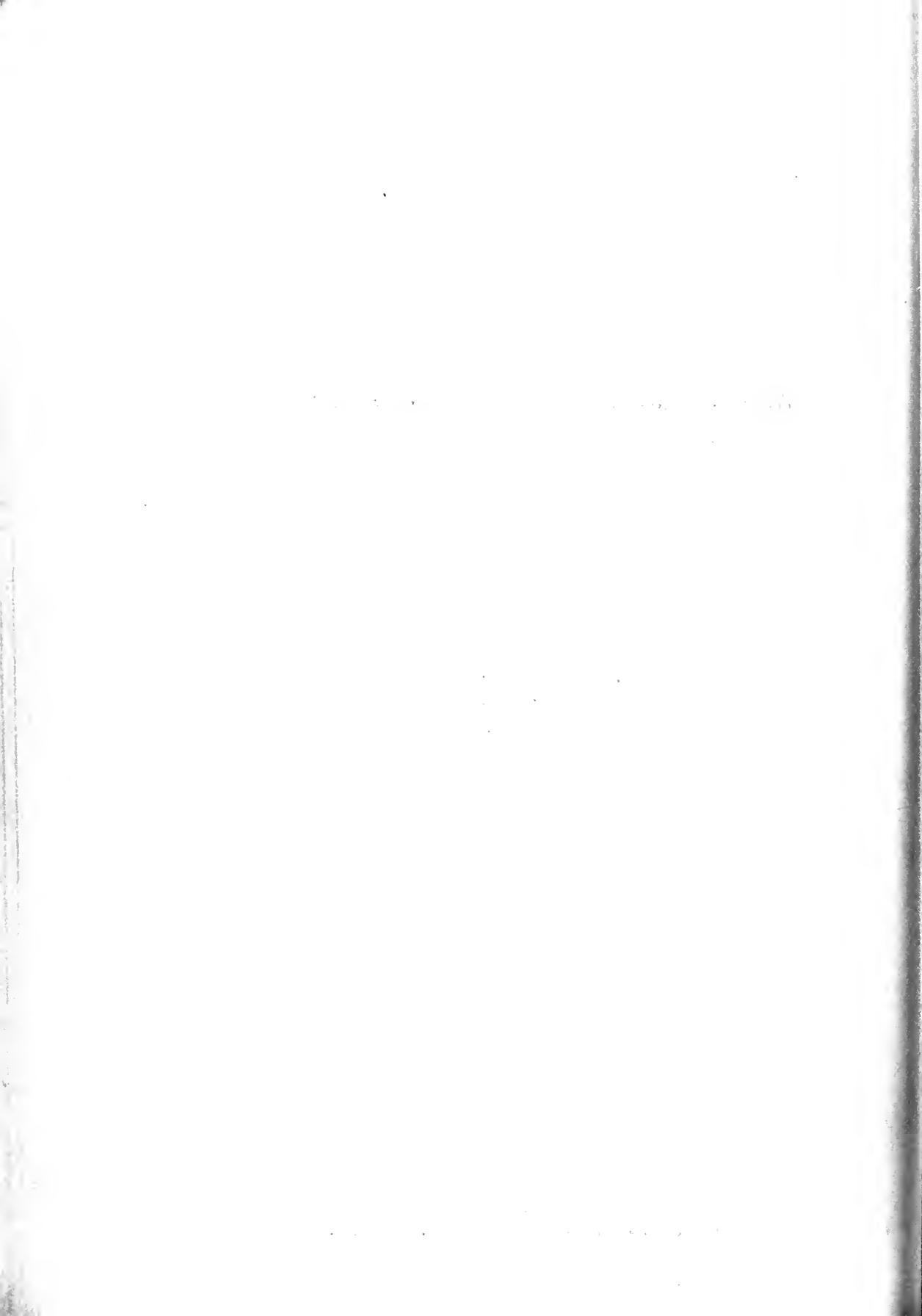
*(Reprinted as amended by the
Committee of the Whole House)*

BILL 70

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Nursing Homes Act, 1972

THE HON. R. T. POTTER
Minister of Health



BILL 70

1973

**An Act to amend
The Nursing Homes Act, 1972**

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 Nursing Homes Act, 1972*, being chapter ^{s. 4.} 11, is amended by adding thereto the following subsections: ^{amended}

(1a) Notwithstanding subsection 1, where an application is made for a licence under this Act and the Minister states in writing to the Director that it is not in the public interest to grant a licence to establish, operate or maintain the nursing home in the area where the applicant proposes to establish, operate or maintain the nursing home, section 7 shall not apply and the Director shall not issue a licence to the applicant and shall give written notice to the applicant of the refusal and of the Minister's statement. ^{Where proposal not in public interest}

(1b) Notwithstanding subsection 1, where an application is made for a licence under this Act and the Minister states in writing to the Director that it is not in the public interest to grant a licence to establish, operate or maintain the nursing home with a total bed capacity greater than the total bed capacity set out in the Minister's statement, section 7 shall not apply and where the Director issues a licence to the applicant upon such application the Director shall give written notice to the applicant of the Minister's statement and the licence shall be limited to a total bed capacity not greater than that set out in the Minister's statement. ^{Idem}

(1c) In considering under subsection 1a whether it is in the public interest to grant a licence to establish, operate or maintain a nursing home in an area and in considering under subsection 1b whether it is in the public interest to fix the maximum total bed capacity for which the Director may issue a licence to the applicant, the Minister shall take into account, ^{Matters to be considered by Minister}

- (a) the licensed nursing home bed capacity that exists,

- (i) in the area, or
 - (ii) in the area and any other area ;
- (b) the health facilities other than facilities for nursing care that are available,
- (i) in the area, or
 - (ii) in the area and any other area ;
- (c) the number of applicants for nursing care,
- (i) in the area, or
 - (ii) in the area and any other area ;
- (d) the predictable continuing demand for nursing home facilities,
- (i) in the area, or
 - (ii) in the area and any other area ; or
- (e) the funds available to provide continuing extended care in nursing homes in Ontario.

s. 4 (2) (b),
repealed

(2) Clause *b* of subsection 2 of the said section 4 is repealed.

s. 14,
re-enacted

2. Section 14 of the said Act is repealed and the following substituted therefor :

Excessive
charges
prohibited

14. No licensee shall demand or accept or cause or permit any person to demand or accept on his behalf payment in excess of,

1972, c. 91

- (a) for services that are insured services under *The Health Insurance Act, 1972*,
 - (i) the amount prescribed under that Act for the insured services, or
 - (ii) the amount prescribed by the regulations as co-payment for the insured services ;
- (b) for private accommodation in an extended care unit, the amount prescribed by the regulations ; or
- (c) for semi-private accommodation in an extended care unit, the amount prescribed by the regulations.

14a. The Minister shall bring action to recover from a licensee any excess payment referred to in section 14 that is accepted by or on behalf of the licensee, with costs, by action in a court of competent jurisdiction and, upon such recovery, shall pay the amount of the excess payment recovered to the person from whom it was accepted by or on behalf of the licensee.

3. This Act comes into force on the day it receives Royal Assent. Recovery of excess payment Commence-
ment
4. This Act may be cited as *The Nursing Homes Amendment Act, 1973*. Short title





An Act to amend
The Nursing Homes Act, 1972

1st Reading

March 29th, 1973

2nd Reading

May 22nd, 1973

3rd Reading

May 29th, 1973

THE HON. R. T. POTTER
Minister of Health

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to provide for the
Practice of Dental Prosthesis**

MR. NIXON (Brant)

EXPLANATORY NOTE

The purpose of this Bill is to allow denturists to take impressions, construct and fit complete upper, lower and partial dentures, dealing directly with the public.

BILL 71

1973

An Act to provide for the Practice of Dental Prosthesis

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,

Interpre-
tation

- (a) "Board" means the Denturist Licensing Board established under section 7;
- (b) "dental prosthesis" means,
 - (i) the repairing, relining or rebasing of any complete upper or complete lower denture or any removable partial denture, and
 - (ii) the taking of impressions, bite registrations, try-ins, or insertions for the making, producing, construction, furnishing, supplying or fitting of any complete upper or complete lower artificial denture or any upper or lower removable partial denture for the intended wearer thereof;
- (c) "denturist" means a person licensed under this Act to engage in the practice of dental prosthesis;
- (d) "incompetence" means the display of a lack of knowledge, skill or judgment in the professional care of a patient or disregard for the welfare of a patient of a nature or to an extent that demonstrates that the denturist is unfit to continue in the practice of dental prosthesis;
- (e) "Member" means a member of the Denturist Society of Ontario;
- (f) "Minister" means the Minister of Health;
- (g) "professional misconduct" means professional misconduct as defined in the regulations;

(h) "Registrar" means the Registrar of the Denturist Licensing Board appointed under section 3;

(i) "regulations" means the regulations made under this Act.

Administra-
tion of
Act

2. The Minister of Health is responsible for the administration of this Act.

Registrar of
Denturist
Licensing
Board

3. There shall be a Registrar of the Denturist Licensing Board who shall be appointed by the Board with the approval of the Lieutenant Governor in Council.

Practice of
dental
prosthesis

4. No person, other than a dental surgeon or a person licensed under this Act as a denturist, shall engage in or hold himself out as qualified or entitled to engage in the practice of dental prosthesis, or take or use any name, title, addition or description representing or implying that he is the holder of a licence to practise dental prosthesis.

Issuance
of licence

5.—(1) An applicant for a licence as a denturist is entitled to be issued a licence by the Registrar except where,

(a) the applicant does not have the educational qualifications or experience required by the regulations or fails to pass the examinations set by the Board;

(b) the past conduct of the applicant affords reasonable grounds for belief that he will not carry on his practice with integrity and honesty.

Conditions of
licence

(2) A licence is subject to such terms and conditions as are consented to by the applicant, imposed by the Board or prescribed by the regulations.

Expiry

(3) A licence expires one year after its issue or renewal.

Refusal to
issue, etc.

6.—(1) Subject to section 8, the Registrar may refuse to issue or renew a licence to an applicant where in the Registrar's opinion the applicant is not entitled to a licence under section 5.

Suspension
or
revocation

(2) Subject to section 8, the Registrar may suspend or revoke a licence,

(a) for any reason that would disentitle the licensee to be issued a licence under section 5 if he were an applicant;

(b) where the licensee is in breach of a term or condition of his licence;

- (c) where the licensee is in contravention of this Act or the regulations; or
- (d) where the licensee has been guilty of professional misconduct or incompetence.

7.—(1) There shall be a board to be known as the Denturist ^{Denturist Licensing Board} Licensing Board composed of persons appointed by the Lieutenant Governor in Council, one of whom shall be designated by the Lieutenant Governor in Council as chairman.

(2) The Board shall be composed of, Composition of Board

- (a) two persons representing the public interest;
- (b) one dental surgeon who is a member of The Royal College of Dental Surgeons of Ontario;
- (c) four Members who shall be nominated by the Denturist Society of Ontario.

(3) The appointment of a nominee of the Denturist Society ^{Idem} of Ontario shall terminate if such nominee fails to become licensed as a denturist at the earliest opportunity after such appointment, or if the licence of such nominee is suspended or revoked.

(4) Four members of the Board constitute a quorum, at ^{Quorum} least one of whom shall be a member appointed to represent the public interest.

(5) Such officers and employees as are considered necessary ^{Staff} for the carrying out of the duties of the Board may be appointed under *The Public Service Act*. R.S.O. 1970, c. 386

(6) The Board shall, Duties of Board

- (a) conduct the hearings and proceedings under section 8;
- (b) review the operation of this Act and the regulations and make recommendations to the Minister thereon;
- (c) establish, with the approval of the Lieutenant Governor in Council, a course or courses of study for the purpose of qualifying persons in dental prosthesis;
- (d) set or approve examinations for the qualification of applicants for licences;
- (e) perform such other duties as are assigned to it by this Act or the regulations or by any other Act.

Notice of
proposal to
refuse or
revoke

8.—(1) Where the Registrar proposes to refuse to issue a licence or renew a licence or proposes to suspend or revoke a licence, he shall serve notice of his proposal, together with written reasons therefor on the applicant or licensee.

Notice
requiring
hearing

(2) A notice under subsection 1 shall inform the applicant or licensee that he is entitled to a hearing by the Board if he mails or delivers, within fifteen days after the notice under subsection 1 is served on him, notice in writing requiring a hearing to the Registrar and the Board, and he may so require such a hearing.

Powers of
Registrar
where no
hearing

(3) Where an applicant or licensee does not require a hearing by the Board in accordance with subsection 2, the Registrar may carry out the proposal stated in his notice under subsection 1.

Powers of
Board

(4) Where an applicant or licensee requires a hearing by the Board in accordance with subsection 2, the Board shall appoint a time for and hold the hearing and, on the application of the Registrar at the hearing, may by order direct the Registrar to carry out his proposal or refrain from carrying out his proposal and to take such actions as the Board considers the Registrar ought to take in accordance with this Act and the regulations, and for such purposes the Board may substitute its opinion for that of the Registrar.

Conditions
of order

(5) The Board may attach such terms and conditions to its order or to the licence as it considers proper to give effect to the purposes of this Act.

Extension
of times

(6) The Board may extend the time for the giving of notice requiring a hearing by an applicant or licensee under this section either before or after the expiration of such time where it is satisfied that there are *prima facie* grounds for granting relief to the applicant or licensee pursuant to a hearing and that there are reasonable grounds for applying for the extension, and the Board may give such directions as it considers proper consequent upon the extension.

Continuation
of licence
pending
renewal

(7) Where before expiry of his licence, a licensee has applied for renewal of his licence and paid the prescribed fee, his licence shall be deemed to continue,

(a) until the renewal is granted; or

(b) where he is served with notice that the Registrar proposes to refuse to grant the renewal, until the time for giving notice requiring a hearing by the Board has expired and, where a hearing is required, until the Board has made its decision.

9.—(1) The Registrar, the applicant or licensee who has ^{Parties} required the hearing and such other persons as the Board may specify are parties to proceedings before the Board under this Act.

(2) Notice of hearing under section 8 shall afford the ^{Notice of hearing} applicant or licensee a reasonable opportunity to show or to achieve compliance before the hearing with all lawful requirements for the issue or retention of the licence.

(3) An applicant or licensee who is a party to proceedings ^{Examination of documentary evidence} under section 8 shall be afforded an opportunity to examine before the hearing any written or documentary evidence that will be produced or any report the contents of which will be given in evidence at the hearing.

(4) Members of the Board holding a hearing shall not have ^{Members holding hearing not to have taken part in investigation, etc.} taken part before the hearing in any investigation or consideration of the subject-matter of the hearing and shall not communicate directly or indirectly in relation to the subject-matter of the hearing with any person or with any party or his representative except upon notice to and opportunity for all parties to participate, but the Board may seek legal advice from an adviser independent from the parties and in such case the nature of the advice should be made known to the parties in order that they may make submissions as to the law.

(5) The oral evidence taken before the Board at a hearing ^{Recording of evidence} shall be recorded and, if so required, copies of a transcript thereof shall be furnished upon the same terms as in the Supreme Court.

(6) The findings of fact of the Board pursuant to a hearing ^{Findings of fact} shall be based exclusively on evidence admissible or matters that may be noticed under sections 15 and 16 of *The Statutory Powers Procedure Act, 1971*. ^{1971. c. 47}

(7) No member of the Board shall participate in a decision ^{Only members at hearings to participate in decision} of the Board pursuant to a hearing unless he was present throughout the hearing and heard the evidence and argument of the parties and, except with the consent of the parties, no decision of the Board shall be given unless all members so present participate in the decision.

(8) Documents and things put in evidence at the hearing ^{Release of documentary evidence} shall, upon the request of the person who produced them, be released to him by the Board within a reasonable time after the matter in issue has been finally determined.

Appeal to
Court

10.—(1) Any party to the hearing before the Board may appeal from the decision of the Board to the Supreme Court in accordance with the rules of court.

Minister
entitled to
be heard

(2) The Minister is entitled to be heard by counsel or otherwise upon the argument of an appeal under this section.

Record to
be filed
in court

(3) The Board shall certify to the Registrar of the Supreme Court the record of the proceedings before the Board which, together with a transcript of the evidence before the Board, if it is not part of the Board's record, shall constitute the record in the appeal.

Powers of
court on
appeal

(4) An appeal under this section may be made on questions of law or fact or both and the court may confirm or alter the decision of the Board or direct the Registrar to do any act he is authorized to do under this Act or may refer the matter back to the Board for reconsideration by the Board as the court considers proper and the court may substitute its opinion for that of the Registrar or the Board.

No stay
on appeal

(5) Notwithstanding that an applicant or licensee has appealed under this section from a decision of the Board, unless the Board otherwise directs, the decision of the Board is effective until the appeal is disposed of.

Service
of notice

11.—(1) Except where otherwise provided, any notice required by this Act to be served may be served personally or by registered mail addressed to the person to whom notice is to be given at his latest known address and, where notice is served by registered mail, the service shall be deemed to have been made on the third day after the day of mailing unless the person to whom notice is given establishes that he did not, acting in good faith, through absence, accident, illness or other cause beyond his control receive the notice until a later date.

Idem

(2) Notwithstanding subsection 1, the Board may order any other method of service in respect of any matter before the Board.

Immunity
from civil
liability

12. No action or other proceeding for damages shall be instituted against the Registrar, the Board or any member of the Board or anyone acting under the authority of such Registrar, Board or member, for any act done in good faith in the execution or intended execution of his duty or for any alleged neglect or default in the execution in good faith of his duty.

13. No dentist is liable to any action for negligence or malpractice, by reason of professional services requested or rendered, unless such action is commenced within six months from the date when, in the matter complained of, such professional services terminated. Limitation for commencement of actions

14.—(1) No dentist shall practise dental prosthesis except in, Place of practice

- (a) premises approved by the Board as premises within which the dentist may practise dental prosthesis;
- (b) the offices of a dental surgeon or dental clinic; or
- (c) such other place, such as a hospital, home for the aged or private residence in instances where the person requiring the services of such dentist is not reasonably able to attend at such approved premises or the offices of a dental surgeon or a dental clinic.

(2) No licensed dentist shall perform any act in the practice of dentistry except within the scope of the practice of dental prosthesis. Acts outside scope of practice

15. No dentist shall, Use of equipment

- (a) own or operate X-ray equipment; or
- (b) own or operate tools or equipment ordinarily used by a dentist for drilling or extracting teeth; or
- (c) treat or provide medication for the treatment of any disease of the oral cavity.

16.—(1) Every person who, Offences

- (a) knowingly, furnishes false information in any application under this Act or in any statement or return required to be furnished under this Act or the regulations; or
- (b) contravenes any provision of this Act or the regulations,

is guilty of an offence and on summary conviction is liable to a fine of not more than \$500.

(2) No proceedings under clause *a* of subsection 1 shall be commenced more than one year after the facts upon which the proceeding is based first came to the knowledge of the Registrar. Limitation

Idem (3) No proceedings under clause *b* of subsection 1 shall be commenced more than two years after the time when the subject-matter of the proceeding arose.

Restraining order (4) Where any person has been convicted of an offence under this Act on two or more occasions, the Board may apply to the Supreme Court for an order directing such person to comply with any provisions of this Act, and upon the application, the judge may make such order as the judge thinks fit and an appeal lies to the Court of Appeal from an order made under this subsection.

Certificate as evidence 17. A statement as to,

- (a) the licensing or non-licensing of any person;
- (b) the filing or non-filing of any document or material required or permitted to be filed with the Registrar;
- (c) the time when the facts upon which proceedings are based first came to the knowledge of the Registrar; or
- (d) any other matter pertaining to such licensing, non-licensing, filing or non-filing,

purporting to be certified by the Registrar is, without proof of the office or signature of the Registrar, receivable in evidence as *prima facie* proof of the facts stated therein for all purposes in any action, proceeding or prosecution.

Regulations 18. The Lieutenant Governor in Council may make regulations,

- (a) governing the manner in which denturists conduct their practice and business affairs;
- (b) requiring the certificate of a dental surgeon as to oral health as a condition to the performance of services in the practice of dental prosthesis;
- (c) defining professional misconduct;
- (d) prescribing the manner in which denturists may describe themselves and their practice;
- (e) prescribing fees to be charged by a denturist for services rendered in the practice of dental prosthesis and providing for a discount of the prescribed fee of

33 $\frac{1}{3}$ per cent when such services are rendered to a person who receives old age security payments or disability allowance;

- (f) governing applications for and issuing of licences to engage in the practice of denture therapy and renewals thereof and prescribing terms and conditions of licences;
- (g) requiring the payment of fees on applications for licences and renewals and for the taking of examinations and prescribing the amounts thereof;
- (h) prescribing the qualifications of applicants for licences and renewals and providing for the holding of oral and written examinations set or approved by the Board;
- (i) prescribing procedures that may be performed as incidental to the practice of dental prosthesis;
- (j) requiring licensed denturists to make returns and furnish information to the Registrar;
- (k) requiring any information required to be furnished or contained in any form or return to be verified by affidavit;
- (l) prescribing forms for the purposes of this Act and providing for their use;
- (m) prescribing further procedures respecting matters coming before the Board;
- (n) assigning additional duties to the Board;
- (o) defining the term commercial dental laboratory and prohibiting a denturist from having any proprietary interest therein.

19. *The Denture Therapists Act, 1972*, being chapter 163, ^{1972, c. 163,} ~~is repealed~~ is repealed.

20. This Act comes into force on a day to be named by ^{Commence-} the Lieutenant Governor by his proclamation. _{ment}

21. This Act may be cited as *The Denturist Act, 1973*. ^{Short title}

An Act to provide for the
Practice of Dental Prosthesis

1st Reading

March 29th, 1973

2nd Reading

3rd Reading

MR. NIXON (Brant)

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Labour Relations Act

MR. PATERSON

EXPLANATORY NOTE

The Bill prevents the ballots on a vote under subsection 4 of section 63 of the Act from going directly to union headquarters. The purpose of this amendment is to keep the decision-making process at the local union level.

BILL 72

1973

**An Act to amend
The Labour Relations Act**

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

1. Section 63 of *The Labour Relations Act*, being chapter 232 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following subsection:
 - (6) A vote under subsection 4 shall be tabulated by an in-plant count before the ballots are sent to central union headquarters.
2. This Act comes into force on the day it receives Royal Assent.
3. This Act may be cited as *The Labour Relations Amendment Act, 1973*.

An Act to amend
The Labour Relations Act

1st Reading

March 29th, 1973

2nd Reading

3rd Reading

MR. PATERSON

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Trustee Act

THE HON. D. A. BALES
Attorney General

EXPLANATORY NOTE

The amendments permit the court before which a claim against a deceased person is brought to appoint an administrator *ad litem* instead of requiring an application to the Supreme Court in all cases.

BILL 73

1973

An Act to amend The Trustee Act

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

- 1.—(1) Subsection 3 of section 38 of *The Trustee Act*, being chapter ^{s. 38 (3),} 470 of the Revised Statutes of Ontario, 1970, is amended ^{amended} by striking out “Supreme Court” in the fifth line and inserting in lieu thereof “court having jurisdiction to entertain the action”.
- (2) Subsection 4 of the said section 38 is repealed and the ^{s. 38 (4),} following substituted therefor: ^{re-enacted}
 - (4) A judge of the court having jurisdiction to entertain an ^{Exception} action under subsection 2 may make an appointment under subsection 3 before the period of six months referred to therein has expired if he is of the opinion that the right of action of the person wronged might otherwise be prejudiced.
2. This Act comes into force on the day it receives Royal Assent. Commence-
ment
3. This Act may be cited as *The Trustee Amendment Act, 1973*. Short title

An Act to amend
The Trustee Act

1st Reading

March 30th, 1973

2nd Reading

3rd Reading

THE HON. D. A. BALES
Attorney General

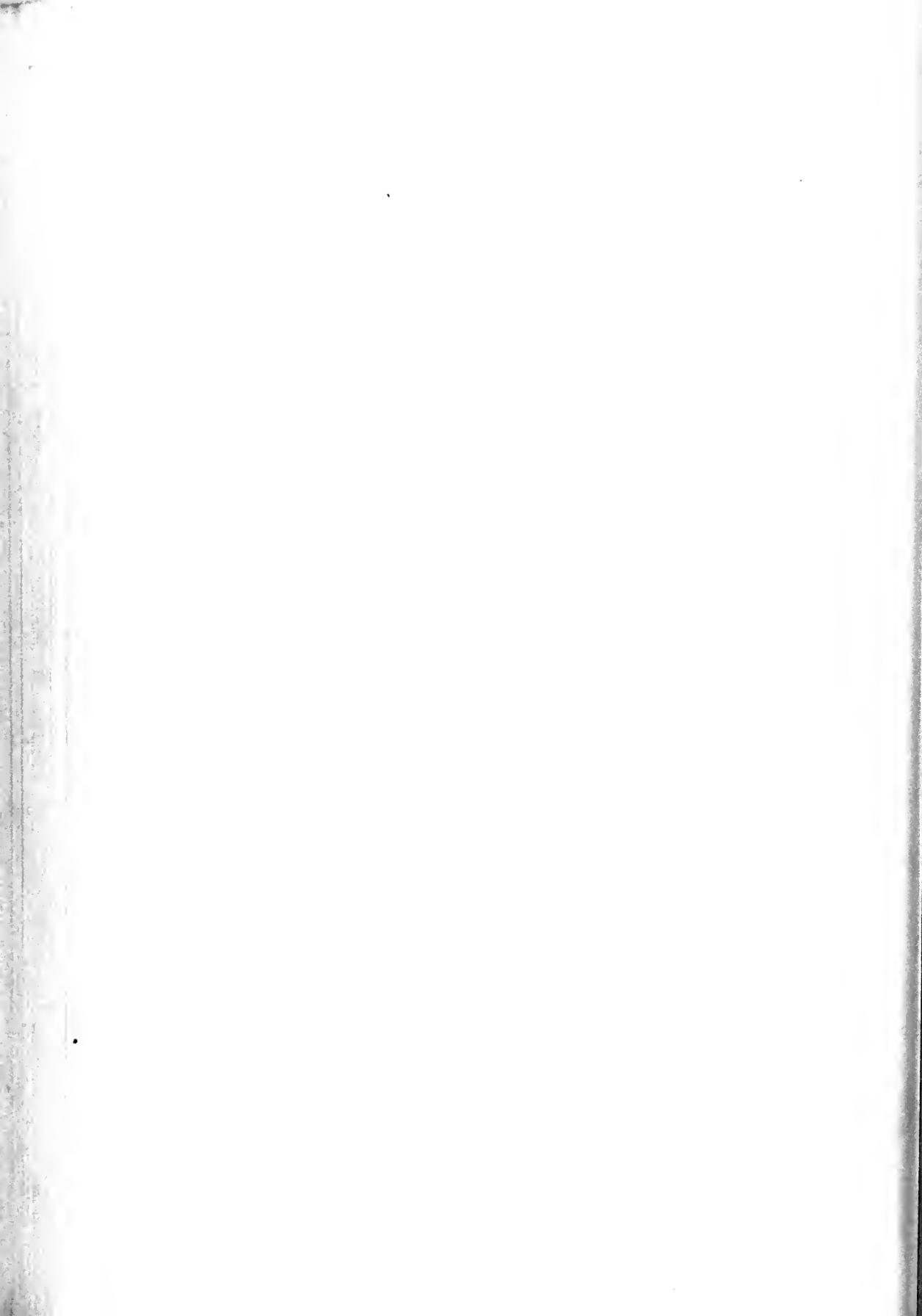
(Government Bill)

BILL 73

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Trustee Act

THE HON. D. A. BALES
Attorney General



BILL 73

1973

An Act to amend The Trustee Act

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

- 1.—(1) Subsection 3 of section 38 of *The Trustee Act*, being chapter 470 of the Revised Statutes of Ontario, 1970, is amended <sup>s. 38 (3),
amended</sup> by striking out "Supreme Court" in the fifth line and inserting in lieu thereof "court having jurisdiction to entertain the action".

- (2) Subsection 4 of the said section 38 is repealed and the <sup>s. 38 (4),
re-enacted</sup> following substituted therefor:
 - (4) A judge of the court having jurisdiction to entertain an ^{Exception} action under subsection 2 may make an appointment under subsection 3 before the period of six months referred to therein has expired if he is of the opinion that the right of action of the person wronged might otherwise be prejudiced.

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

3. This Act may be cited as *The Trustee Amendment Act, 1973*. Short title

An Act to amend
The Trustee Act

1st Reading

March 30th, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

THE HON. D. A. BALES
Attorney General

3ND SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Fatal Accidents Act

THE HON. D. A. BALES
Attorney General

EXPLANATORY NOTE

The amendment raises the maximum that may be claimed for funeral expenses in an action under the Act from \$300 to \$800. The present maximum has been unrevised since 1959.

BILL 74

1973

An Act to amend The Fatal Accidents 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 3 of *The Fatal Accidents Act*, being ^{s. 3 (2),} amended chapter 164 of the Revised Statutes of Ontario, 1970, is amended by striking out "\$300" in the third line and inserting in lieu thereof "\$800".
2. This Act does not apply to funeral expenses claimed in an action ^{Application} commenced before this Act comes into force. _{of Act}
3. This Act comes into force on the day it receives Royal Assent. ^{Commence-}ment
4. This Act may be cited as *The Fatal Accidents Amendment Act*, ^{Short title} 1973.

An Act to amend
The Fatal Accidents Act

1st Reading

April 2nd, 1973

2nd Reading

3rd Reading

THE HON. D. A. BALES
Attorney General

(Government Bill)

BILL 74

3ND SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Fatal Accidents Act

THE HON. D. A. BALES
Attorney General



BILL 74

1973

An Act to amend The Fatal Accidents 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 3 of *The Fatal Accidents Act*, being ^{s. 3 (2),} amended chapter 164 of the Revised Statutes of Ontario, 1970, is amended by striking out "\$300" in the third line and inserting in lieu thereof "\$800".
2. This Act does not apply to funeral expenses claimed in an action ^{Application} commenced before this Act comes into force. _{of Act}
3. This Act comes into force on the day it receives Royal Assent. ^{Commence-}ment
4. This Act may be cited as *The Fatal Accidents Amendment Act, 1973*. ^{Short title}

An Act to amend
The Fatal Accidents Act

1st Reading

April 2nd, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

THE HON. D. A. BALES
Attorney General

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Commissioners for taking
Affidavits Act**

THE HON. D. A. BALES
Attorney General

EXPLANATORY NOTES

SECTION 1. The amendment ensures that certain officials of metropolitan and regional municipalities are *ex officio* commissioners for taking affidavits in the same way as the same officials are in the older forms of municipalities.

SECTION 2. The amendment ensures that the mayor, controllers and aldermen of the boroughs of metropolitan Toronto may take affidavits in the metropolitan area in the same way as is provided for regional municipalities.

BILL 75

1973

**An Act to amend
The Commissioners for taking
Affidavits Act**

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

1.—(1) Subsection 3 of section 2 of *The Commissioners for taking Affidavits Act*, being chapter 72 of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor:

(3) The clerk, deputy clerk and treasurer of every municipality, including a metropolitan or regional municipality, are *ex officio* commissioners for taking affidavits, ^{Municipal clerks and treasurers}

(a) in the case of a county or a metropolitan or regional municipality, in the county or the metropolitan or regional municipality, respectively; or

(b) in the case of a municipality other than a county or a metropolitan or regional municipality, in the county or the metropolitan or regional municipality in which the municipality is situate.

(2) Subsection 5 of the said section 2 is amended by inserting ^{s. 2 (5), amended} after "district" in the fourth line "or metropolitan".

2. This Act comes into force on the day it receives Royal Assent. <sup>Commence-
ment</sup>

3. This Act may be cited as *The Commissioners for taking Affidavits Amendment Act, 1973*. ^{Short title}

RII 75
An Act to amend
The Commissioners for taking
Affdavits Act

1st Reading

April 2nd, 1973

2nd Reading

3rd Reading

THE HON. D. A. BAIES
Attorney General

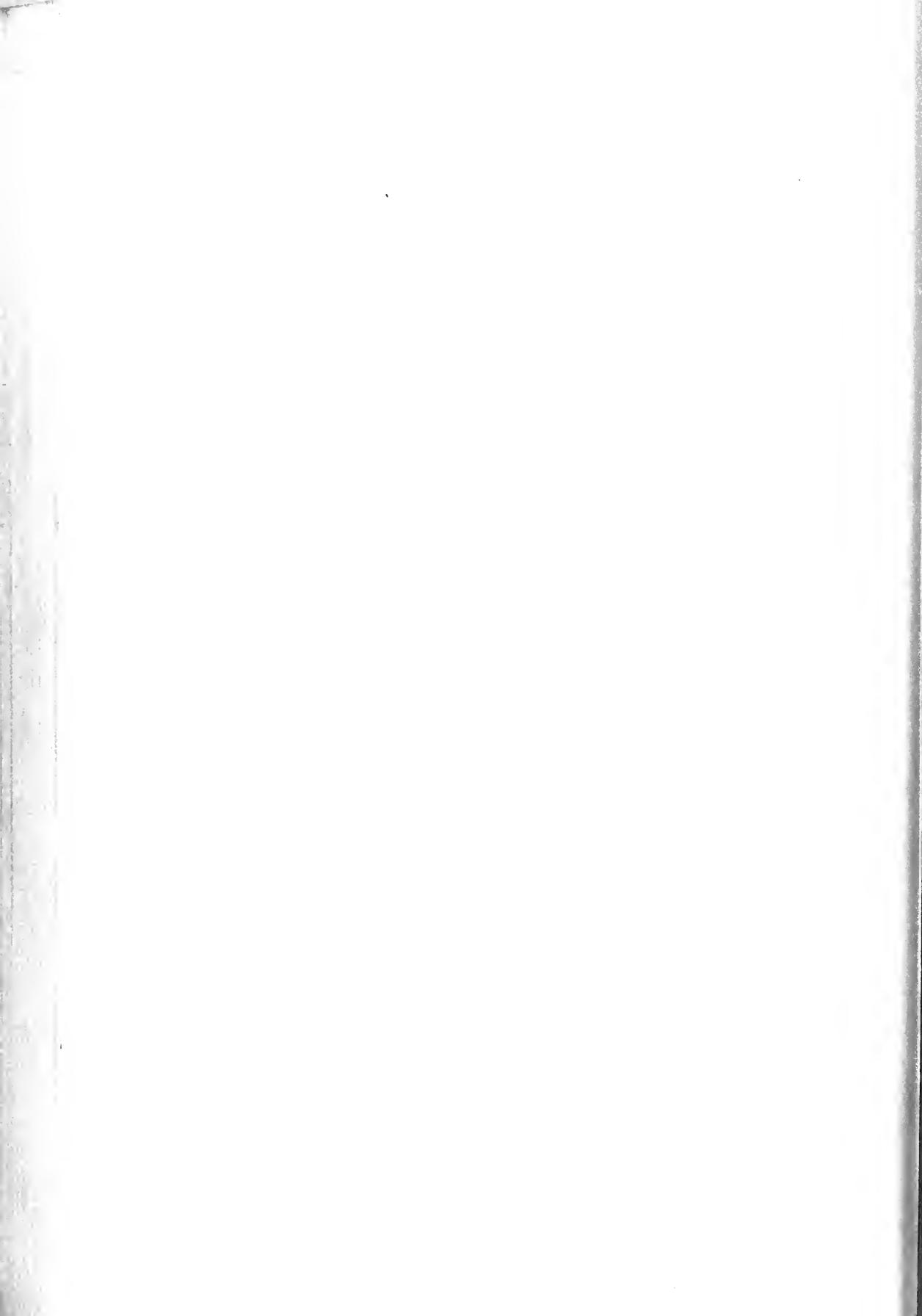
(Government Bill)

BILL 75

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Commissioners for taking
Affidavits Act**

THE HON. D. A. BALES
Attorney General



BILL 75

1973

**An Act to amend
The Commissioners for taking
Affidavits Act**

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

1.—(1) Subsection 3 of section 2 of *The Commissioners for taking Affidavits Act*, being chapter 72 of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor:

(3) The clerk, deputy clerk and treasurer of every municipality, including a metropolitan or regional municipality, are *ex officio* commissioners for taking affidavits, ^{Municipal clerks and treasurers}

(a) in the case of a county or a metropolitan or regional municipality, in the county or the metropolitan or regional municipality, respectively; or

(b) in the case of a municipality other than a county or a metropolitan or regional municipality, in the county or the metropolitan or regional municipality in which the municipality is situate.

(2) Subsection 5 of the said section 2 is amended by inserting ^{s. 2 (5), amended} after "district" in the fourth line "or metropolitan".

2. This Act comes into force on the day it receives Royal Assent. ^{Commence-ment}

3. This Act may be cited as *The Commissioners for taking Affidavits Amendment Act, 1973*. ^{Short title}

An Act to amend
The Commissioners for taking
Affidavits Act

1st Reading

April 2nd, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

THE HON. D. A. BALES
Attorney General

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to establish the Flood Control Commission

MR. BURR

EXPLANATORY NOTE

The Bill establishes a Flood Control Commission to protect the shoreline of the Great Lakes from flooding and erosion.

**An Act to establish the
Flood Control Commission**

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,

Interpre-
tation

(a) "Commission" means the Flood Control Commission;

(b) "Minister" means the Minister of Natural Resources.

2.—(1) A Commission to be known as the "Flood Control Commission" is hereby established.

Commission
established

(2) The Commission shall be composed of not fewer than seven members appointed by the Lieutenant Governor in Council.

Composition

3. The Lieutenant Governor in Council may designate one of the members to be chairman of the Commission.

Chairman

4. Five members of the Commission constitute a quorum.

Quorum

5. The Lieutenant Governor in Council may fill any vacancy among the members of the Commission.

Vacancies

6.—(1) The objects of the Commission are and it has power,

Objects
and powers

(a) to study and evaluate water currents in the Great Lakes and its connecting waters to determine how to protect the shoreline from erosion;

(b) to study methods of protecting lands adjacent to the tributaries of the Great Lakes and its connecting waters from back-up flooding during times of high water levels;

- (c) to determine methods of protecting the lands and property of shoreline residents during times of flooding, however caused;
- (d) to study and develop engineering plans for offshore breakwaters in order to provide public works projects;
- (e) to identify operative units of endangered shoreline properties and to develop methods of protecting these units from flooding and erosion;
- (f) to compile and, in addition to those methods set out in clause c, present to the owners of property identified under clause e, plans for effective protection against flooding and erosion together with the estimated cost of such protection;
- (g) to compile and present to the owners of property identified under clause e, detailed recommendations in the form of a manual or emergency handbook for the protection of properties where flooding itself cannot be prevented, including suggestions for,
 - (i) relocating electrical circuits,
 - (ii) protecting furnaces and other machinery or equipment which may not be feasible to move or relocate;
- (h) to consider the merits of providing flood insurance for lakeside dwellers; and
- (i) to consult with and make recommendations to conservation authorities established under *The Conservation Authorities Act* regarding,
 - (i) flooding and erosion and the erection of buildings in areas susceptible to flooding or erosion, and
 - (ii) the acquisition of lakeshore properties to provide recreational facilities for the public.

R.S.O. 1970,
c. 78

Further
powers

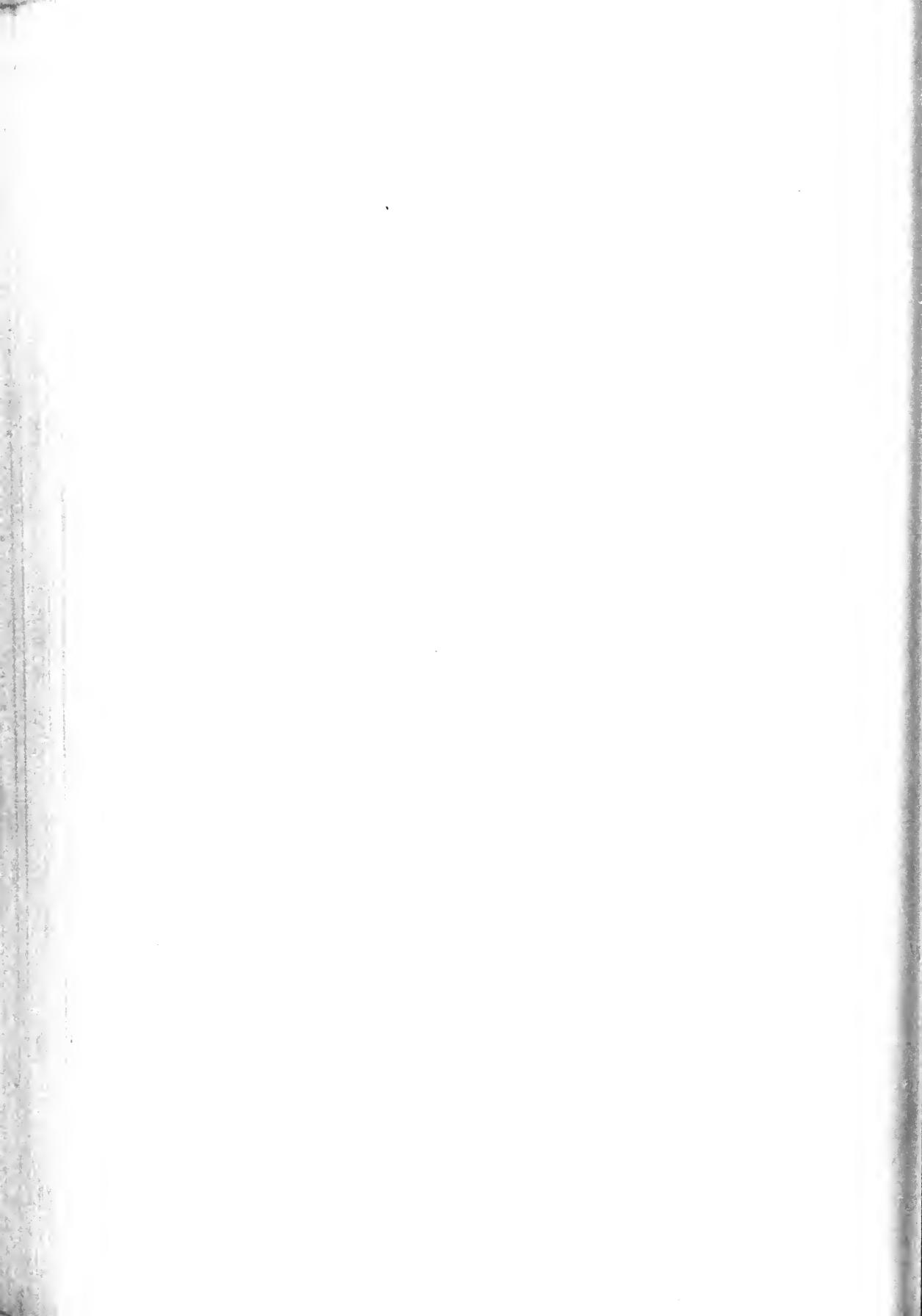
(2) Subject to the approval of the Lieutenant Governor in Council, for the furtherance of its objects, the Commission may enter into agreements with universities, corporations or persons for the experimentation in methods of evaluating and reducing flooding.

7. The Commission may make such by-laws as are considered expedient for its constitution and the administration of its affairs, and may do such other things as are considered necessary or advisable to carry out its objects. ^{By-laws}

8. The Commission shall make a report annually to the Minister who shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session. ^{Annual report}

9. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

10. This Act may be cited as *The Flood Control Commission Act, 1973*. ^{Short title}



An Act to establish
the Flood Control Commission

1st Reading

April 2nd, 1973

2nd Reading

3rd Reading

Mr. BURR

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Beds of Navigable Waters Act

MR. HAGGERTY

EXPLANATORY NOTE

The purpose of this Bill is to provide a uniform interpretation of deeds of property bounded by navigable water so that the high water mark shall be deemed to be the boundary of such property.

**An Act to amend
The Beds of Navigable Waters Act**

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

1.—(1) *The Beds of Navigable Waters Act*, being chapter 41 of the Revised Statutes of Ontario, 1970, is amended by renumbering section 1 as section 1*a* and by adding thereto the following section:

1. In this Act,

Interpre-
tation

(a) “bed” used in relation to a navigable body of water shall include all land and land under water lying below the high water mark; and

(b) “high water mark” shall mean the level at which the water in a navigable body of water has been held for a period sufficient to leave a watermark along the bank of such navigable body of water.

(2) Section 1*a* of the said Act, as renumbered by subsection 1, is amended by adding thereto the following subsections:

(2) Where in any patent, conveyance or deed from the Crown made either heretofore or hereafter, the boundary of any land is described as a navigable body of water or the edge, bank, beach, shore, shoreline or high water mark thereof or in any other manner with relation thereto, such boundary shall be deemed always to have been the high water mark of such navigable body of water.

(3) The Minister of Natural Resources may, upon the recommendation of the Surveyor General for Ontario, fix the high water mark of any navigable body of water or any part thereof, and his decision shall be final and conclusive.

s. 2.
amended

2. Section 2 of the said Act is amended by striking out "Section 1" in the first line and inserting in lieu thereof "Section 1a".

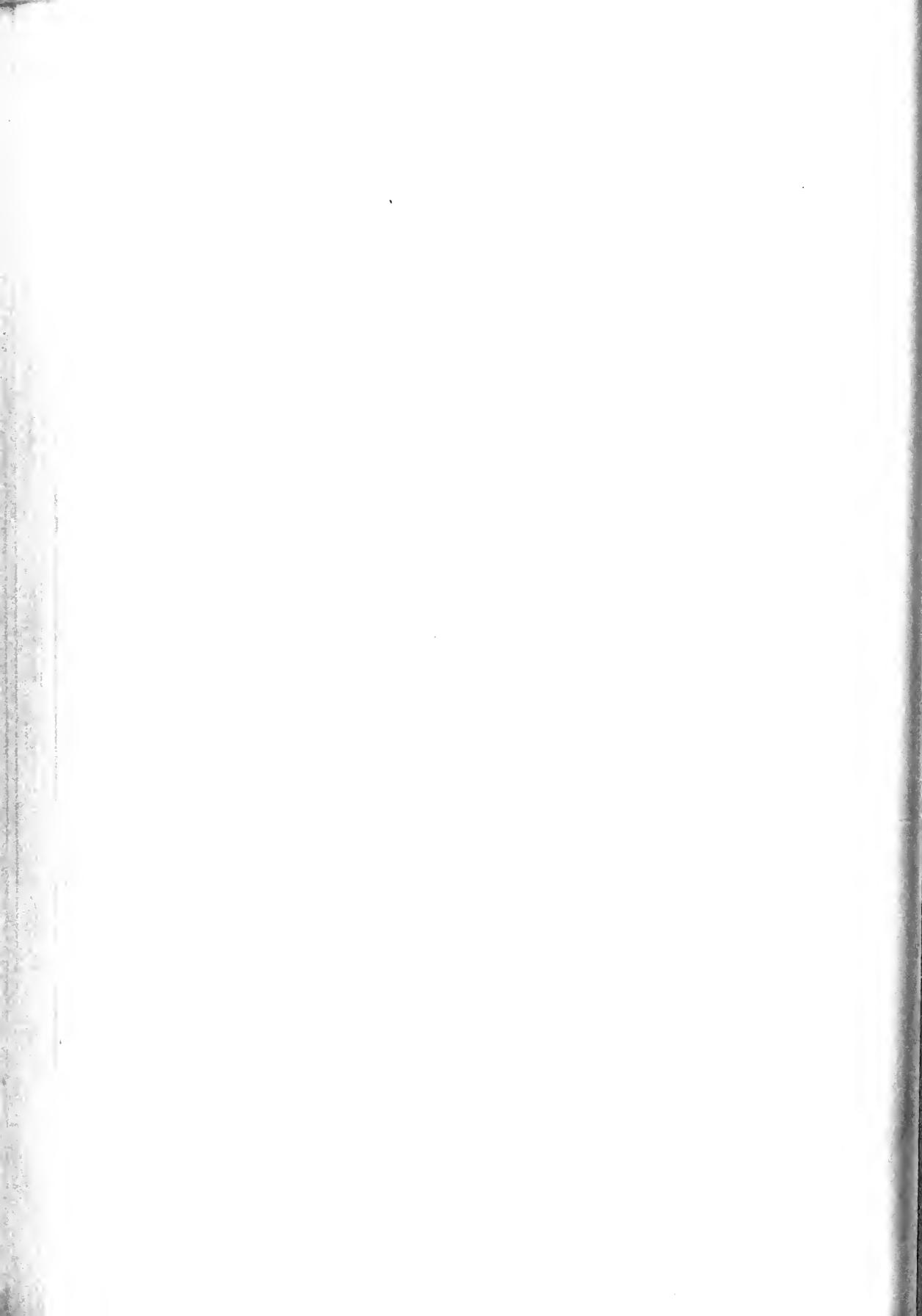
Commence-
ment

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

Short title

4. This Act may be cited as *The Beds of Navigable Waters Amendment Act, 1973*.







An Act to amend
The Beds of Navigable Waters Act

1st Reading

April 3rd, 1973

2nd Reading

3rd Reading

MR. HAGGERTY

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend The Apprenticeship and
Tradesmen's Qualification Act**

MR. DREA

EXPLANATORY NOTE

The Bill provides for the revocation of a motor mechanic's certificate where the person holding the certificate is found guilty of falsifying a certificate of mechanical fitness under section 58 of *The Highway Traffic Act*.

BILL 78

1973

An Act to amend The Apprenticeship and Tradesmen's Qualification Act

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

1. Section 17 of *The Apprenticeship and Tradesmen's Qualification Act*, being chapter 24 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following subsection:

(3) Where a person who is guilty of an offence under sub-section 10 of section 58 of *The Highway Traffic Act* is the holder of a subsisting certificate of qualification as a motor mechanic under this Act, the Minister shall revoke his certificate.

2. This Act comes into force on the day it receives Royal Assent.
3. This Act may be cited as *The Apprenticeship and Tradesmen's Qualification Amendment Act, 1973*.

An Act to amend
The Apprenticeship and Tradesmen's
Qualification Act

1st Reading

April 3rd, 1973

2nd Reading

3rd Reading

MR. DREA

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to repeal The Northern Development Act

THE HON. J. WHITE
Treasurer of Ontario and Minister of Economics
and Intergovernmental Affairs

EXPLANATORY NOTE

The maximum loan permitted by *The Northern Development Act* was \$500. The loans were made during the period 1917 to 1930. There are numerous liens outstanding representing loans that have either been paid in full or are uncollectable. The provisions contained in this Bill will discharge all of these liens.

BILL 79

1973

**An Act to repeal
The Northern Development Act**

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

1. *The Northern Development Act*, being chapter 34 of the Revised Statutes of Ontario, 1937, and the Statutes of Ontario, 1939, chapter 47, section 24; 1941, chapter 38; 1946, chapter 89, section 32, and 1948, chapter 62 are repealed. ^{Repeals}
2. Any lien or charge of which notice has been registered under the said Act or any predecessor thereof is discharged on the 1st day of January, 1974, and the lands described in such notice shall be free therefrom. ^{Discharge of liens}
3. This Act comes into force on the day it receives Royal Assent. ^{Commencement}
4. This Act may be cited as *The Northern Development Repeal Act, 1973*. ^{Short title}

An Act to repeal
The Northern Development Act

1st Reading

April 5th, 1973

2nd Reading

3rd Reading

THE HON. J. WHITE
Treasurer of Ontario and
Minister of Economics and
Intergovernmental Affairs

(Government Bill)

BILL 79

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to repeal The Northern Development Act

THE HON. J. WHITE
Treasurer of Ontario and Minister of Economics
and Intergovernmental Affairs



BILL 79

1973

**An Act to repeal
The Northern Development Act**

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

1. *The Northern Development Act*, being chapter 34 of the Revised Statutes of Ontario, 1937, and the Statutes of Ontario, 1939, chapter 47, section 24; 1941, chapter 38; 1946, chapter 89, section 32, and 1948, chapter 62 are repealed. ^{Repeals}

2. Any lien or charge of which notice has been registered under the said Act or any predecessor thereof is discharged on the 1st day of January, 1974, and the lands described in such notice shall be free therefrom. ^{Discharge of liens}

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

4. This Act may be cited as *The Northern Development Repeal Act, 1973*. ^{Short title}

An Act to repeal
The Northern Development Act

1st Reading

April 5th, 1973

2nd Reading

May 22nd, 1973

3rd Reading

May 22nd, 1973

THE HON. J. WHITE
Treasurer of Ontario and
Minister of Economics and
Intergovernmental Affairs

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to repeal The Agricultural Development Act

THE HON. J. WHITE
Treasurer of Ontario and Minister
of Economics and Intergovernmental Affairs

EXPLANATORY NOTE

No loans have been made under *The Agricultural Development Act* for some time. At present, there are only eleven mortgages outstanding. The assets are vested in the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs who assumes the administrative duties for the purposes of the retirement of the outstanding loans.

BILL 80

1973

An Act to repeal The Agricultural Development Act

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

1.—(1) *The Agricultural Development Act*, being chapter ^{Repeals} 10 of the Revised Statutes of Ontario, 1970, and the Statutes of Ontario, 1971, chapter 98, Schedule, paragraph 1, are repealed.

(2) Notwithstanding subsection 1, sections 9, 12, 13, 15, ^{Application to outstanding loans} 16, 17, 18, 20 and 23 of the said Act and the regulations made thereunder continue to apply in respect of loans made before this Act comes into force.

2. On the day this Act comes into force, all of the assets ^{Vesting of assets and duties of Commissioner} and rights of the Commissioner of Agricultural Loans under the said Act vest in the Treasurer of Ontario and Minister of ^{Treasurer} Economics and Intergovernmental Affairs and the powers, duties and obligations of the Commissioner of Agricultural Loans shall, for the purposes of subsection 2 of section 1, be performed by the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs.

3. This Act comes into force on the 1st day of July, 1973. ^{Commencement}

4. This Act may be cited as *The Agricultural Development* ^{Short title} *Repeal Act, 1973*.

An Act to repeal
The Agricultural Development Act

1st Reading

April 5th, 1973

2nd Reading

3rd Reading

THE HON. J. WHITE
Treasurer of Ontario and Minister
of Economics and Intergovernmental
Affairs

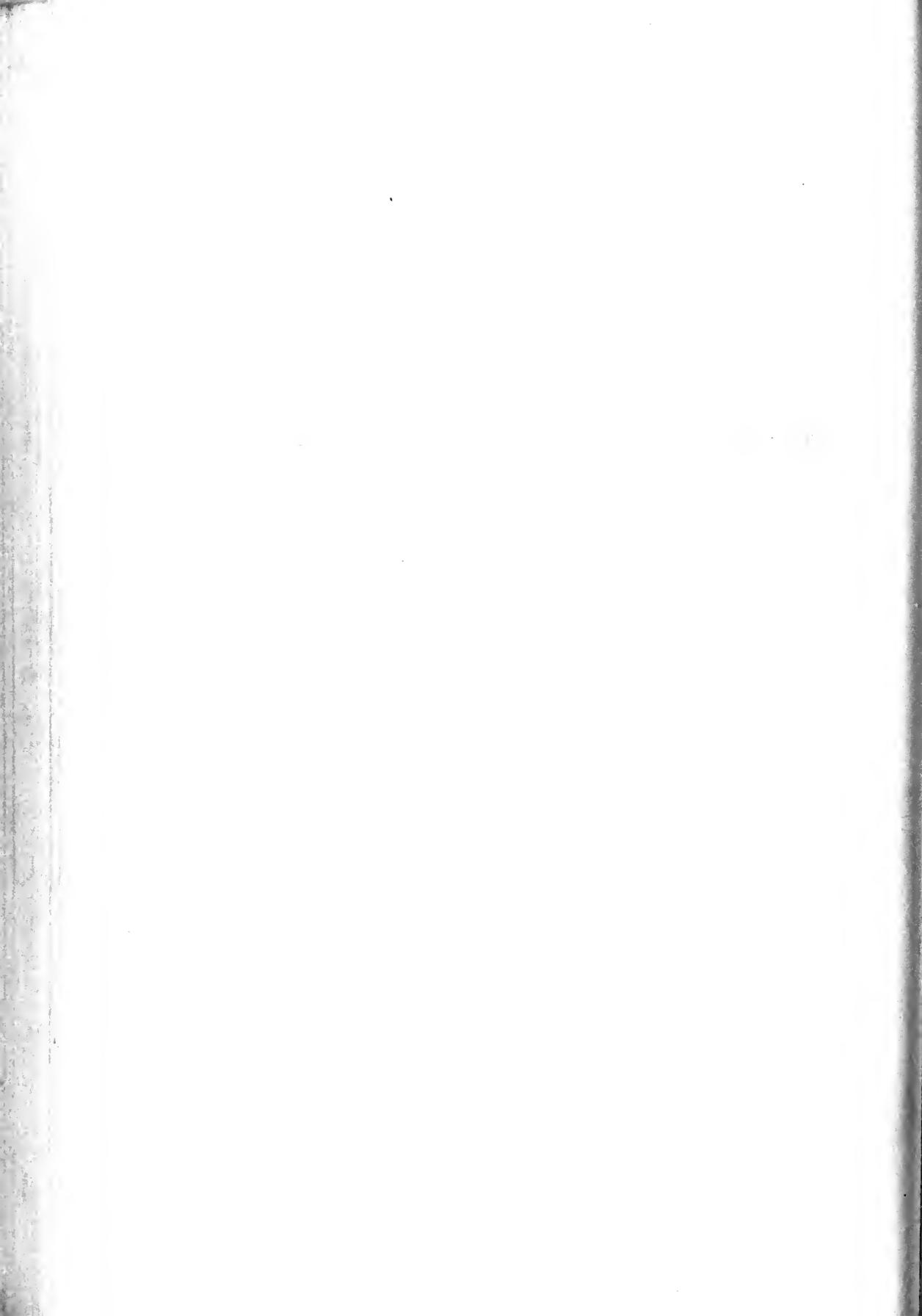
(Government Bill)

BILL 80

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to repeal The Agricultural Development Act

THE HON. J. WHITE
Treasurer of Ontario and Minister
of Economics and Intergovernmental Affairs



BILL 80

1973

An Act to repeal The Agricultural Development Act

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

1.—(1) *The Agricultural Development Act*, being chapter ^{Repeals} 10 of the Revised Statutes of Ontario, 1970, and the Statutes of Ontario, 1971, chapter 98, Schedule, paragraph 1, are repealed.

(2) Notwithstanding subsection 1, sections 9, 12, 13, 15, ^{Application to outstand-} 16, 17, 18, 20 and 23 of the said Act and the regulations made ^{ing loans} thereunder continue to apply in respect of loans made before this Act comes into force.

2. On the day this Act comes into force, all of the assets ^{Vesting of} and rights of the Commissioner of Agricultural Loans under ^{assets and} the said Act vest in the Treasurer of Ontario and Minister of ^{duties of} Economics and Intergovernmental Affairs and the powers, ^{Commissioner} duties and obligations of the Commissioner of Agricultural ^{in Treasurer} Loans shall, for the purposes of subsection 2 of section 1, be performed by the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs.

3. This Act comes into force on the 1st day of July, 1973. ^{Commence-} ^{ment}

4. This Act may be cited as *The Agricultural Development* ^{Short title} *Repeal Act, 1973.*

An Act to repeal
The Agricultural Development Act

1st Reading

April 5th, 1973

2nd Reading

May 22nd, 1973

3rd Reading

May 22nd, 1973

THE HON. J. WHITE
Treasurer of Ontario and Minister
of Economics and Intergovernmental
Affairs

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend The Ministry of Treasury,
Economics and Intergovernmental Affairs Act, 1972**

THE HON. J. WHITE
Treasurer of Ontario and Minister of Economics
and Intergovernmental Affairs

EXPLANATORY NOTES

SECTION 1. The new section authorizes a seal to be prescribed and used by the Treasurer. The section was previously contained in *The Financial Administration Act*.

SECTION 2. The amendment corrects references to sections of *The Audit Act*.

BILL 81

1973

**An Act to amend
The Ministry of Treasury, Economics
and Intergovernmental Affairs Act, 1972**

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

1. The Ministry of *Treasury, Economics and Intergovernmental Affairs Act, 1972*, being chapter 3, is amended by adding thereto the following section: ^{s. 3a. enacted}

3a.—(1) The Lieutenant Governor in Council may au-^{Seal}thorize a seal for the Treasurer and prescribe its use on documents.

(2) The seal may be reproduced by engraving, litho-^{Mechanical reproduction of seal}graphing, printing or any other method of mechanical reproduction, and when so reproduced has the same force and effect as if manually affixed.

2. Section 8 of the said Act is amended by striking out "6, 7, 8, ^{s. 8. amended} 10, 15" in the fourth line and inserting in lieu thereof "9, 11, 12, 14, 17".

- 3.—(1) This Act, except section 2, comes into force on the day ^{Commence-ment} it receives Royal Assent.

(2) Section 2 shall be deemed to have come into force on the ^{Idem} 1st day of April, 1972.

4. This Act may be cited as *The Ministry of Treasury, Economics and Intergovernmental Affairs Amendment Act, 1973*. ^{Short title}

An Act to amend
The Ministry of Treasury, Economics
and Intergovernmental Affairs Act, 1972

1st Reading

April 5th, 1973

2nd Reading

3rd Reading

THE HON. J. WHITE
Treasurer of Ontario and
Minister of Economics and
Intergovernmental Affairs

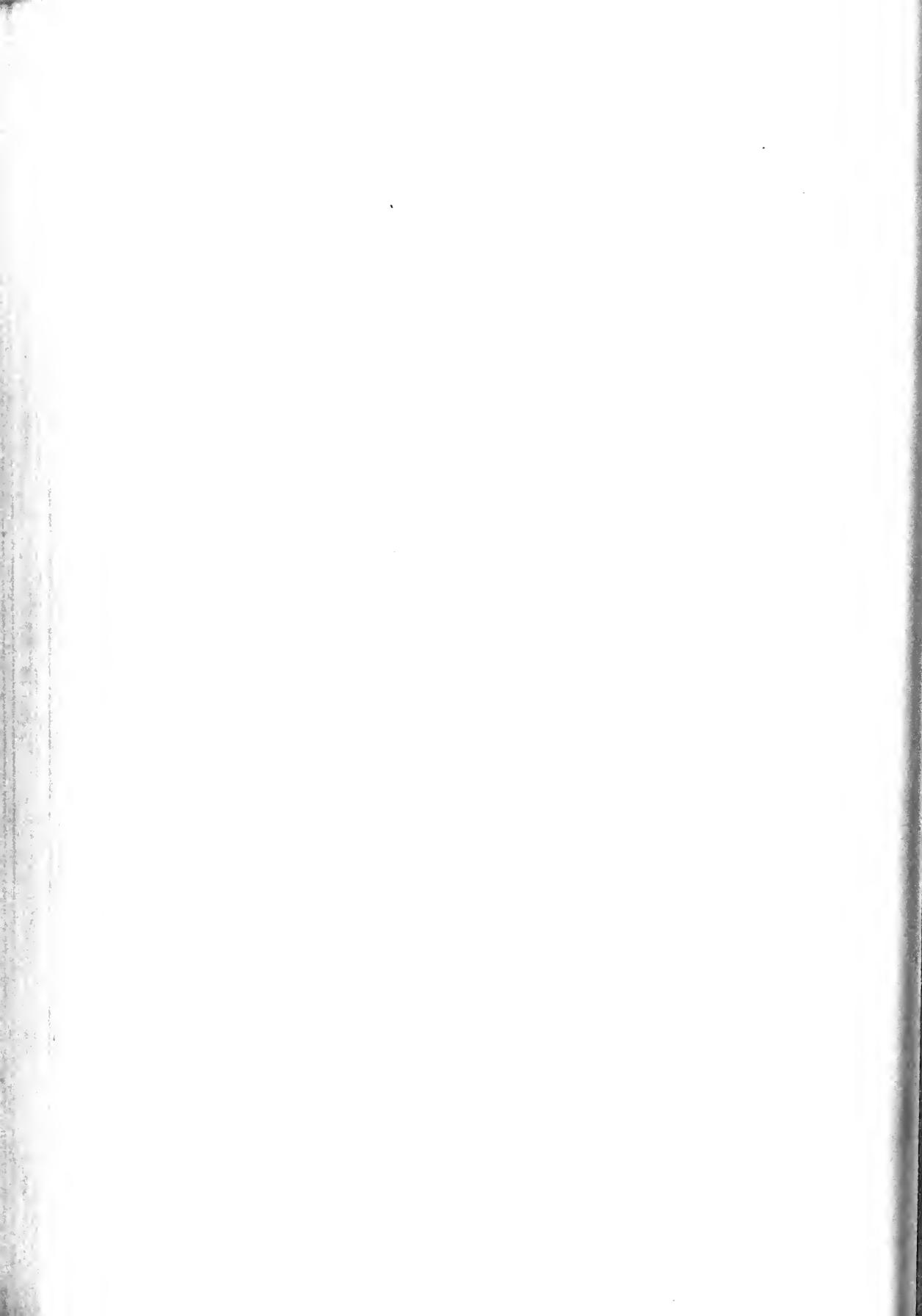
(Government Bill)

BILL 81

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend The Ministry of Treasury,
Economics and Intergovernmental Affairs Act, 1972**

THE HON. J. WHITE
Treasurer of Ontario and Minister of Economics
and Intergovernmental Affairs



BILL 81

1973

**An Act to amend
The Ministry of Treasury, Economics
and Intergovernmental Affairs Act, 1972**

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

1. The Ministry of *Treasury, Economics and Intergovernmental Affairs Act, 1972*, being chapter 3, is amended by adding thereto the following section: ^{s. 3a, enacted}

3a.—(1) The Lieutenant Governor in Council may au-^{Seal}thorize a seal for the Treasurer and prescribe its use on documents.

(2) The seal may be reproduced by engraving, litho-^{Mechanical reproduction of seal}graphing, printing or any other method of mechanical reproduction, and when so reproduced has the same force and effect as if manually affixed.

2. Section 8 of the said Act is amended by striking out "6, 7, 8, 10, 15" in the fourth line and inserting in lieu thereof "9, 11, 12, 14, 17". ^{s. 8, amended}
- 3.—(1) This Act, except section 2, comes into force on the day ^{Commence-}it receives Royal Assent. ^{ment}
- (2) Section 2 shall be deemed to have come into force on the ^{Idem}1st day of April, 1972.
4. This Act may be cited as *The Ministry of Treasury, Economics and Intergovernmental Affairs Amendment Act, 1973*. ^{Short title}

An Act to amend
The Ministry of Treasury, Economics
and Intergovernmental Affairs Act, 1972

1st Reading

April 5th, 1973

2nd Reading

May 22nd, 1973

3rd Reading

May 22nd, 1973

THE HON. J. WHITE
Treasurer of Ontario and
Minister of Economics and
Intergovernmental Affairs

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Devolution of Estates Act

THE HON. D. A. BALES
Attorney General

EXPLANATORY NOTES

SECTIONS 1 AND 2. The amendments increase the preferential share of a spouse in an intestacy from \$20,000 to \$50,000.

SECTION 3. The amendment prevents escheat to the Crown of the remainder of an intestate estate where the spouse is the only lawful heir.

An Act to amend The Devolution of Estates Act

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 11 of *The Devolution of Estates Act*, being chapter 129 of the Revised Statutes of Ontario, 1970, is amended by striking out “\$20,000” in the fourth line and inserting in lieu thereof “\$50,000”. ^{s. 11 (1), amended}

(2) Subsection 2 of the said section 11 is amended by striking out “\$20,000” in the first line and in the second line and inserting in lieu thereof in each instance “\$50,000”. ^{s. 11 (2), amended}

(3) Subsection 3 of the said section 11 is amended by striking out “\$20,000” in the fourth line and inserting in lieu thereof “\$50,000”. ^{s. 11 (3), amended}

2.—(1) Subsection 1 of section 12 of the said Act is amended by striking out “\$20,000” in the fourth line and inserting in lieu thereof “\$50,000”. ^{s. 12 (1), amended}

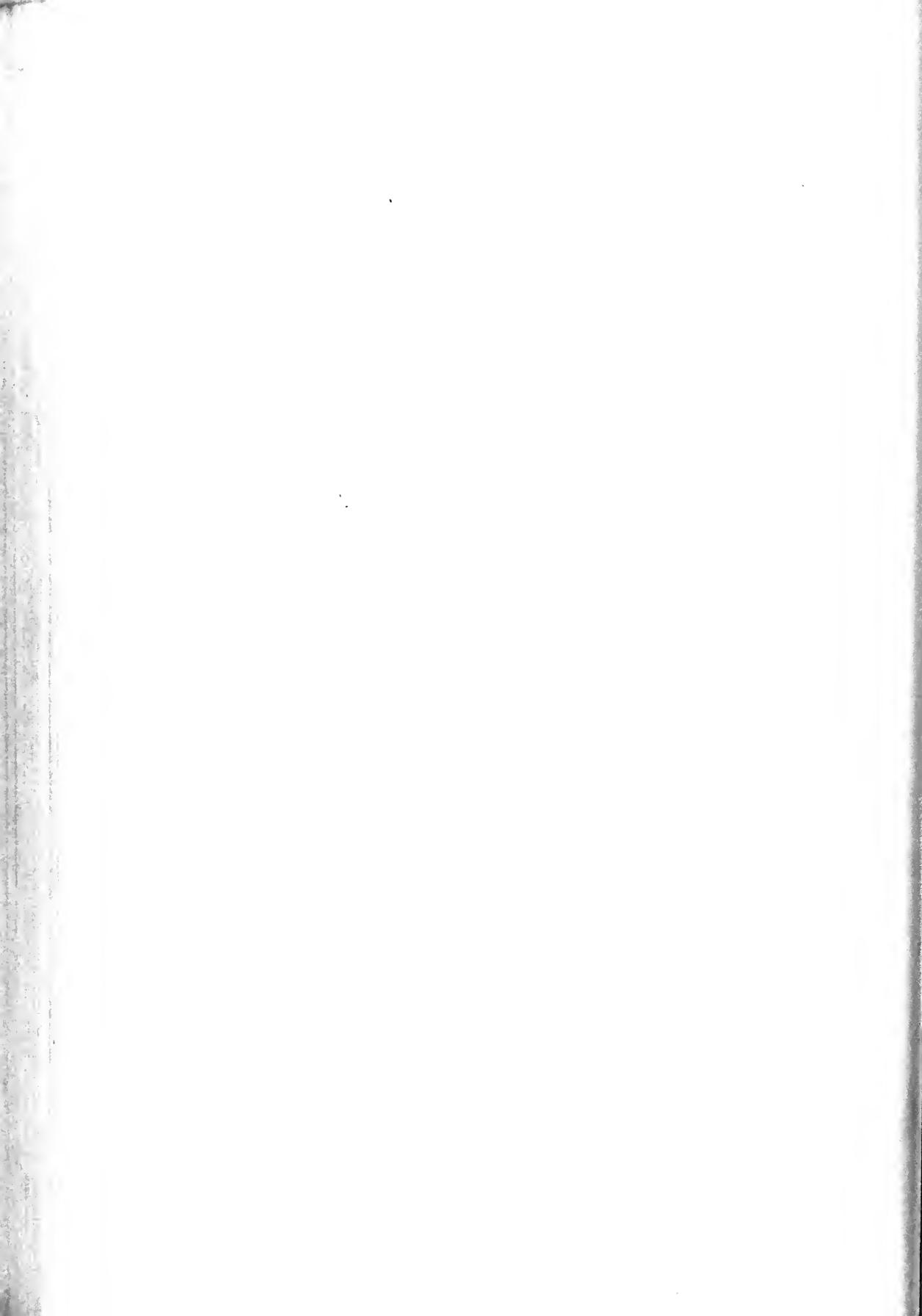
(2) Subsection 2 of the said section 12 is amended by striking out “\$20,000” in the first line and in the second line and inserting in lieu thereof in each instance “\$50,000”. ^{s. 12 (2), amended}

(3) Subsection 3 of the said section 12 is amended by striking out “\$20,000” in the fourth line and inserting in lieu thereof “\$50,000”. ^{s. 12 (3), amended}

3.—(1) The said Act is amended by adding thereto the following section: ^{s. 31a, enacted}

31a. Where a person dies intestate in respect of all or any part of his property and is survived by a spouse, the spouse is entitled to any of such property to which, but for this section, the Crown would become entitled by escheat for lack of lawful heirs. ^{Disposition to spouse for lack of heirs}

Application of subs. 1	(2) Subsection 1 applies in respect of property to which the Crown became entitled before this section comes into force but which was not taken into possession before that date by the Public Trustee under <i>The Escheats Act</i> .
R.S.O. 1970, c. 149	
Commence- ment	4.—(1) This Act, except sections 1 and 2, comes into force on the day it receives Royal Assent.
Idem	(2) Sections 1 and 2 come into force on the 1st day of July, 1973.
Short title	5. This Act may be cited as <i>The Devolution of Estates Amendment Act, 1973</i> .





An Act to amend
The Devolution of Estates Act

1st Reading

April 5th, 1973

2nd Reading

3rd Reading

THE HON. D. A. BALES
Attorney General

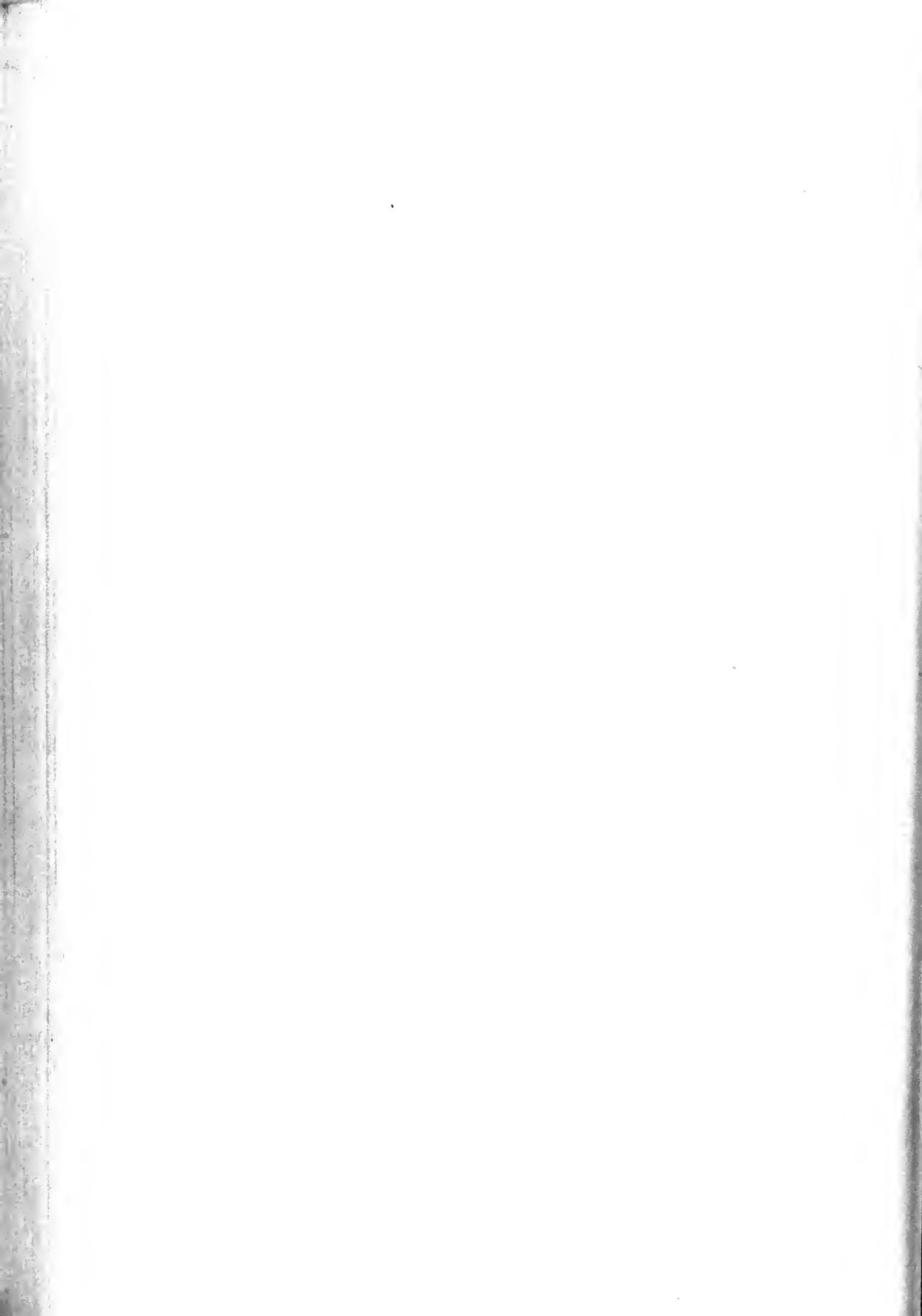
(Government Bill)

BILL 82

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Devolution of Estates Act

THE HON. D. A. BALES
Attorney General



An Act to amend The Devolution of Estates Act

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 11 of *The Devolution of Estates* <sup>s. 11 (1),
amended</sup> Act, being chapter 129 of the Revised Statutes of Ontario, 1970, is amended by striking out “\$20,000” in the fourth line and inserting in lieu thereof “\$50,000”.
- (2) Subsection 2 of the said section 11 is amended by striking <sup>s. 11 (2),
amended</sup> out “\$20,000” in the first line and in the second line and inserting in lieu thereof in each instance “\$50,000”.
- (3) Subsection 3 of the said section 11 is amended by striking <sup>s. 11 (3),
amended</sup> out “\$20,000” in the fourth line and inserting in lieu thereof “\$50,000”.
- 2.—(1) Subsection 1 of section 12 of the said Act is amended by <sup>s. 12 (1),
amended</sup> striking out “\$20,000” in the fourth line and inserting in lieu thereof “\$50,000”.
- (2) Subsection 2 of the said section 12 is amended by striking <sup>s. 12 (2),
amended</sup> out “\$20,000” in the first line and in the second line and inserting in lieu thereof in each instance “\$50,000”.
- (3) Subsection 3 of the said section 12 is amended by striking <sup>s. 12 (3),
amended</sup> out “\$20,000” in the fourth line and inserting in lieu thereof “\$50,000”.
- 3.—(1) The said Act is amended by adding thereto the following <sup>s. 31a,
enacted</sup> section:

31a. Where a person dies intestate in respect of all or any <sup>Disposition
to spouse
for lack of
heirs</sup> part of his property and is survived by a spouse, the spouse is entitled to any of such property to which, but for this section, the Crown would become entitled by escheat for lack of lawful heirs.

Application
of subs. 1

(2) Subsection 1 applies in respect of property to which the Crown became entitled before this section comes into force but which was not taken into possession before that date by the Public Trustee under *The Escheats Act*.

R.S.O. 1970,
c. 149

Commence-
ment

4.—(1) This Act, except sections 1 and 2, comes into force on the day it receives Royal Assent.

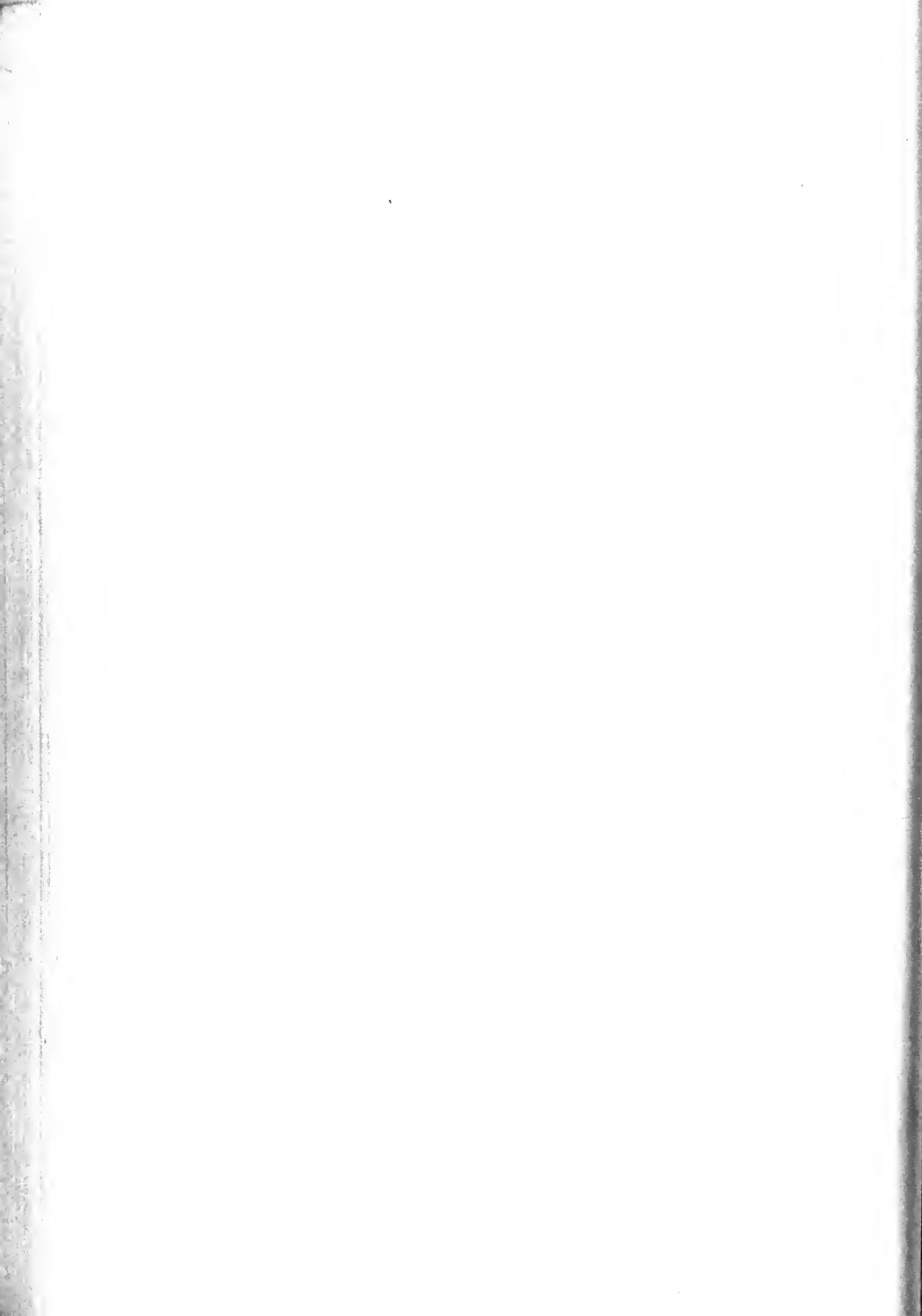
Idem

(2) Sections 1 and 2 come into force on the 1st day of July, 1973.

Short title

5. This Act may be cited as *The Devolution of Estates Amendment Act, 1973*.







BILL 82

An Act to amend
The Devolution of Estates Act

1st Reading

April 5th, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

THE HON. D. A. BALES
Attorney General

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Surrogate Courts Act

THE HON. D. A. BALES
Attorney General

EXPLANATORY NOTE

The amendment dispenses with a bond where the administrator is the surviving spouse of the deceased and the estate is not in excess of the spouse's preferential share (as amended by a Bill to amend *The Devolution of Estates Act*).

BILL 83

1973

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 60 of *The Surrogate Courts Act*, being chapter 451 of ^{s. 60,} the Revised Statutes of Ontario, 1970, is amended by adding thereto the following subsection:
 - (2) A bond shall not be required where the administration ^{Idem} on an intestacy is granted to the surviving spouse of the deceased and where,
 - (a) the net value of the estate as computed for the purposes of section 11 or 12 of *The Devolution of* ^{R.S.O. 1970,} *Estates Act* does not exceed \$50,000; and ^{c. 129}
 - (b) there is filed with the application for administration an affidavit setting forth the debts of the estate.
2. This Act comes into force on the 1st day of July, 1973. Commence-
ment
3. This Act may be cited as *The Surrogate Courts Amendment* ^{Short title} *Act, 1973*.

An Act to amend
The Surrogate Courts Act

1st Reading

April 5th, 1973

2nd Reading

3rd Reading

THE HON. D. A. BALES
Attorney General

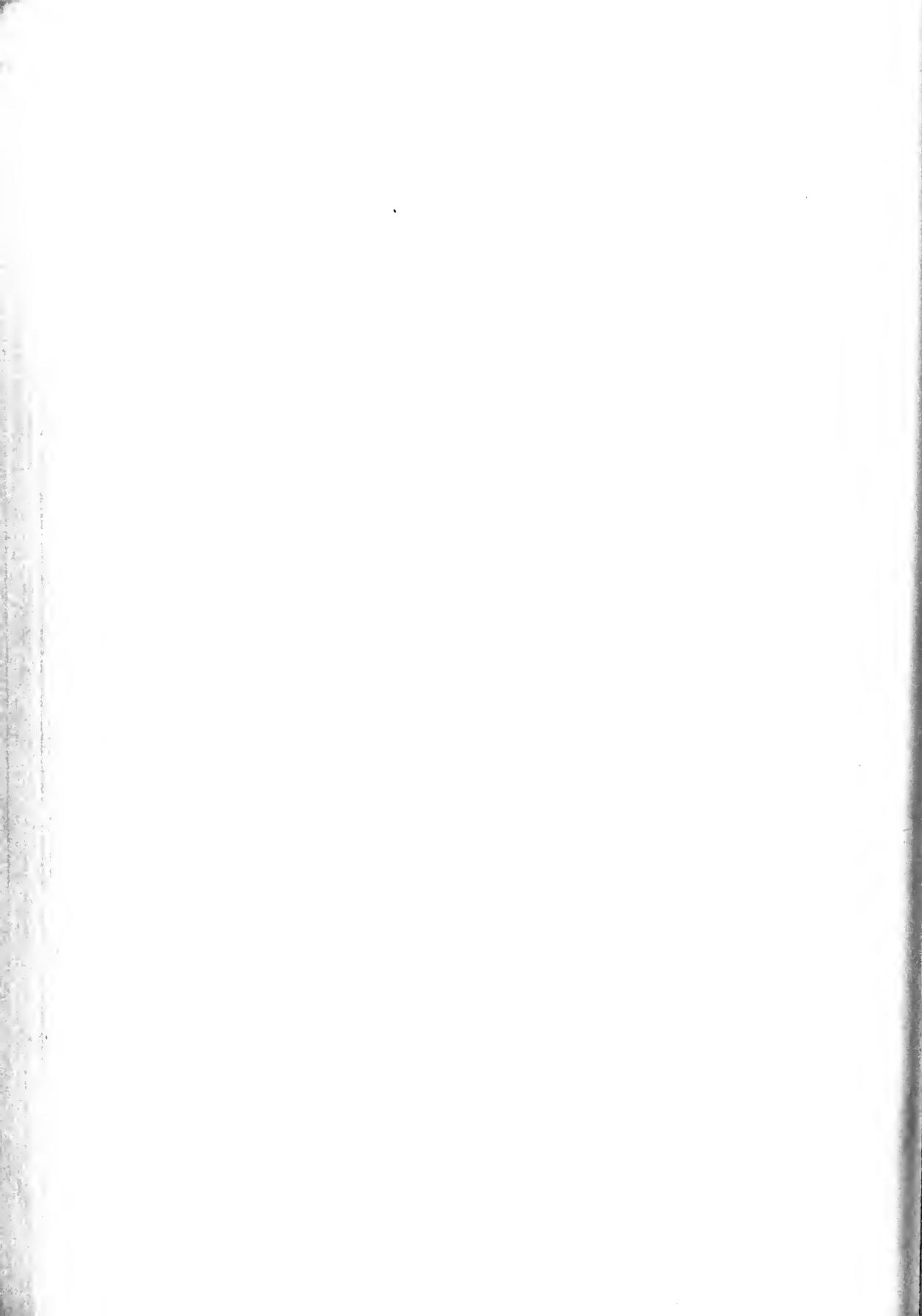
(Government Bill)

BILL 83

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Surrogate Courts Act

THE HON. D. A. BALES
Attorney General



BILL 83

1973

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 60 of *The Surrogate Courts Act*, being chapter 451 of ^{s. 60,} the Revised Statutes of Ontario, 1970, is amended by adding ^{amended} thereto the following subsection:
 - (2) A bond shall not be required where the administration ^{Idem} on an intestacy is granted to the surviving spouse of the deceased and where,
 - (a) the net value of the estate as computed for the purposes of section 11 or 12 of *The Devolution of* ^{R.S.O. 1970,} *Estates Act* ^{c. 129} does not exceed \$50,000; and
 - (b) there is filed with the application for administration an affidavit setting forth the debts of the estate.
2. This Act comes into force on the 1st day of July, 1973. Commence-
ment
3. This Act may be cited as *The Surrogate Courts Amendment* ^{Short title} *Act, 1973*.

An Act to amend
The Surrogate Courts Act

1st Reading

April 5th, 1973

2nd Reading

April 12th, 1973

3rd Reading

April 12th, 1973

THE HON. D. A. BALES
Attorney General

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Land Titles Act

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations

EXPLANATORY NOTE

SECTION 160a(1) of *The Land Titles Act* requires all new plans registered after the 1st day of April, 1973 in a land titles division to be registered under the land titles system, with certain exceptions. The amendment re-enacts the exceptions to relieve against the absolute nature of the requirement by postponing the operative date and authorizing the Director of Titles to permit registration under *The Registry Act* where registration under *The Land Titles Act* could not be completed without unreasonable delay.

BILL 84

1973

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. Subsection 2 of section 160a of *The Land Titles Act*, being ^{s. 160a(2),} ~~re-enacted~~ chapter 234 of the Revised Statutes of Ontario, 1970, as enacted by the Statutes of Ontario, 1972, chapter 132, section 30, is repealed and the following substituted therefor:
 - (2) Notwithstanding subsection 1, a plan of subdivision ^{Exceptions} may be registered under *The Registry Act* where, ^{R.S.O. 1970,} ^{c. 409}
 - (a) the plan is presented and accepted for registration before the 1st day of January, 1974;
 - (b) the plan is presented and accepted for registration within six months after the operation of this Act was extended to the area in which the land is situate;
 - (c) the land included in the plan is the whole or part of the land included in a plan of subdivision registered for not more than ten years under *The Registry Act*, if the changes to be effected by the resubdivision are, in the opinion of the director of titles, of a minor nature; or
 - (d) the registration under this Act of the land included in the plan would, in the opinion of the director of titles, result in an unreasonable delay in the registration of the plan.
2. This Act shall be deemed to have come into force on the 1st day ^{Commence-} of April, 1973. ^{ment}
3. This Act may be cited as *The Land Titles Amendment Act, 1973*. ^{Short title}

An Act to amend
The Land Titles Act

1st Reading

April 5th, 1973

2nd Reading

3rd Reading

THE HON. J. T. CLEMENT
Minister of Consumer and
Commercial Relations

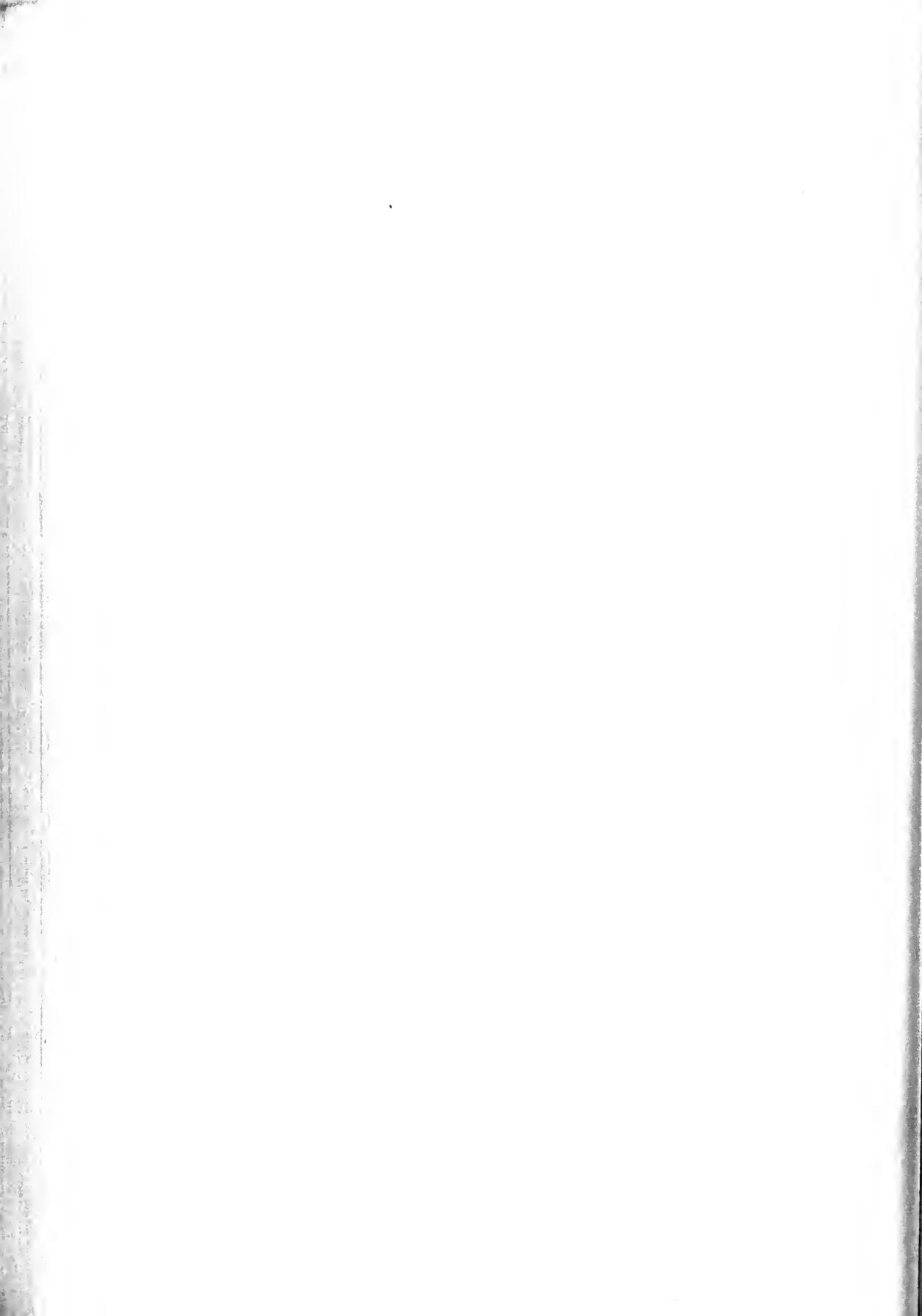
(Government Bill)

BILL 84

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Land Titles Act

THE HON. J. T. CLEMENT
Minister of Consumer and Commercial Relations



BILL 84

1973

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. Subsection 2 of section 160a of *The Land Titles Act*, being ^{s. 160a(2), re-enacted} chapter 234 of the Revised Statutes of Ontario, 1970, as enacted by the Statutes of Ontario, 1972, chapter 132, section 30, is repealed and the following substituted therefor:

(2) Notwithstanding subsection 1, a plan of subdivision ^{Exceptions} may be registered under *The Registry Act* where, ^{R.S.O. 1970, c. 409}

- (a) the plan is presented and accepted for registration before the 1st day of January, 1974;
 - (b) the plan is presented and accepted for registration within six months after the operation of this Act was extended to the area in which the land is situate;
 - (c) the land included in the plan is the whole or part of the land included in a plan of subdivision registered for not more than ten years under *The Registry Act*, if the changes to be effected by the resubdivision are, in the opinion of the director of titles, of a minor nature; or
 - (d) the registration under this Act of the land included in the plan would, in the opinion of the director of titles, result in an unreasonable delay in the registration of the plan.
2. This Act shall be deemed to have come into force on the 1st day ^{Commence-} of April, 1973. ^{ment}
3. This Act may be cited as *The Land Titles Amendment Act, 1973*. ^{Short title}

An Act to amend
The Land Titles Act

1st Reading

April 5th, 1973

2nd Reading

May 29th, 1973

3rd Reading

May 29th, 1973

THE HON. J. T. CLEMENT
Minister of Consumer and
Commercial Relations

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to establish The Noise Research Bureau

MRS. SCRIVENER

EXPLANATORY NOTE

The purpose of this Bill is to establish a bureau which will co-ordinate studies and research on noise measurement and control.

BILL 85

1973

**An Act to establish
The Noise Research Bureau**

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,

Interpre-
tation

(a) "Bureau" means the Noise Research Bureau;

(b) "Minister" means the Minister of the Environment.

2.—(1) A bureau to be known as the "Noise Research Bureau" is hereby established.

Bureau
established

(2) The Bureau shall be composed of not fewer than seven members appointed by the Lieutenant Governor in Council.

Composition

3. The Lieutenant Governor in Council may designate one of the members to be chairman of the Bureau.

Chairman

4. Five members of the Bureau constitute a quorum.

Quorum

5. The Lieutenant Governor in Council may fill any vacancy among the members of the Bureau.

Vacancies

6.—(1) The objects of the Bureau are and it has power,

Objects
and powers

(a) to study the public attitude towards noise in the environment;

(b) to establish noise indicator charts which will set out the maximum safe or desirable sound pressure levels for certain sources in the environment;

(c) to study and evaluate the weighting of the decibel scale so as to best reflect the effects of noise on man;

(d) to establish methods of accurately identifying individual sources of noise;

- (e) to study and develop criteria for evaluating vibration in the environment;
- (f) to co-ordinate future noise research studies and studies now being carried out under government research grants;
- (g) to inform the Minister as to the results of any study made by the Bureau; and
- (h) to compile, evaluate and disseminate information respecting the recognition and prevention of noise pollution in the environment.

Further powers

(2) Subject to the approval of the Lieutenant Governor in Council, for the furtherance of its objects, the Bureau may enter into agreements with universities, corporations or persons for the experimentation in methods of evaluating and reducing noise.

By-laws

7. The Bureau may make such by-laws as are considered expedient for its constitution and the administration of its affairs, and may do such other things as are considered necessary or advisable to carry out its objects.

Annual report

8. The Bureau shall make a report annually to the Minister who shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

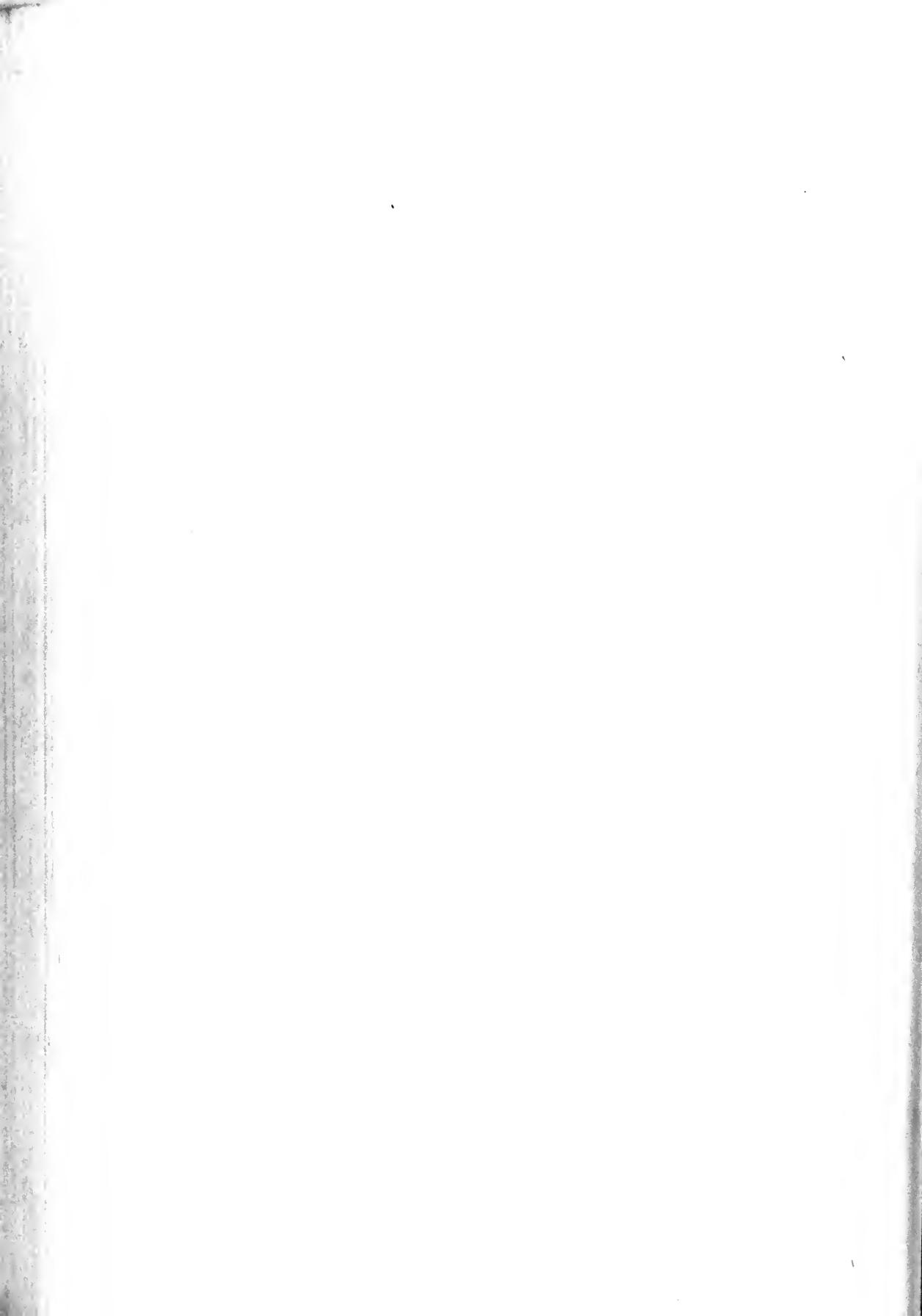
Commencement

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

Short title

10. This Act may be cited as *The Noise Research Bureau Act, 1973*.







An Act to establish
The Noise Research Bureau

1st Reading

April 9th, 1973

2nd Reading

3rd Reading

MRS. SCRIVENER

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Compensation for Victims of Crime Act, 1971**

THE HON. D. A. BALES
Attorney General

EXPLANATORY NOTES

SECTION 1. Self-explanatory.

SECTION 2. The new provision is similar to that contained in corresponding legislation in New Zealand and in the uniform Act recommended by the Conference of Commissioners on Uniformity of Legislation in Canada.

SECTION 3. The new provision permits awards in favour of minors or persons of unsound mind to be paid to and administered by the Public Trustee or other responsible person. It is similar to section 50 of *The Workmen's Compensation Act* which applies to similar payments by the Workmen's Compensation Board.

An Act to amend The Compensation for Victims of Crime Act, 1971

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

1. Section 17 of *The Compensation for Victims of Crime Act, 1971*, ^{s. 17,} amended being chapter 51, is amended by adding thereto the following subsection:

(1a) The Board may, in its discretion, refuse to make an ^{idem} order for compensation where it is satisfied that the applicant has refused reasonable co-operation with, or failed to report promptly the offence to, a law enforcement agency.

2. The said Act is amended by adding thereto the following section: ^{s. 19a,} enacted

19a. Any money paid or payable by way of compensation ^{Award not} under this Act or held by the Public Trustee or other person ^{subject to} under an order made by the Board under subsection 3 of ^{garnish-} section 20 is not subject to garnishment, attachment, execution, ^{ment,} set-off or any other legal process and the right thereto is not ^{etc.} assignable.

3. Section 20 of the said Act is amended by adding thereto the ^{s. 20,} following subsection: ^{amended}

(3) If a person entitled to an award under this Act is under ^{Payments} the age of eighteen years or is of unsound mind or in the opinion ^{in case of} of the Board is incapable of managing his own affairs, any ^{minor, etc.} amount payable to him may be paid on his behalf to his parent, spouse or committee or to the Public Trustee or may be paid to such other person or applied in such manner as the Board considers in the best interest of such person, and amounts so paid shall be received and administered by the payee for the benefit of the person.

4. This Act comes into force on the day it receives Royal Assent. ^{Commence-} ment

5. This Act may be cited as *The Compensation for Victims of Crime* ^{Short title} *Amendment Act, 1973.*

BILL 86

An Act to amend
The Compensation for Victims
of Crime Act, 1971

1st Reading

April 9th, 1973

2nd Reading

3rd Reading

THE HON. D. A. BALES
Attorney General

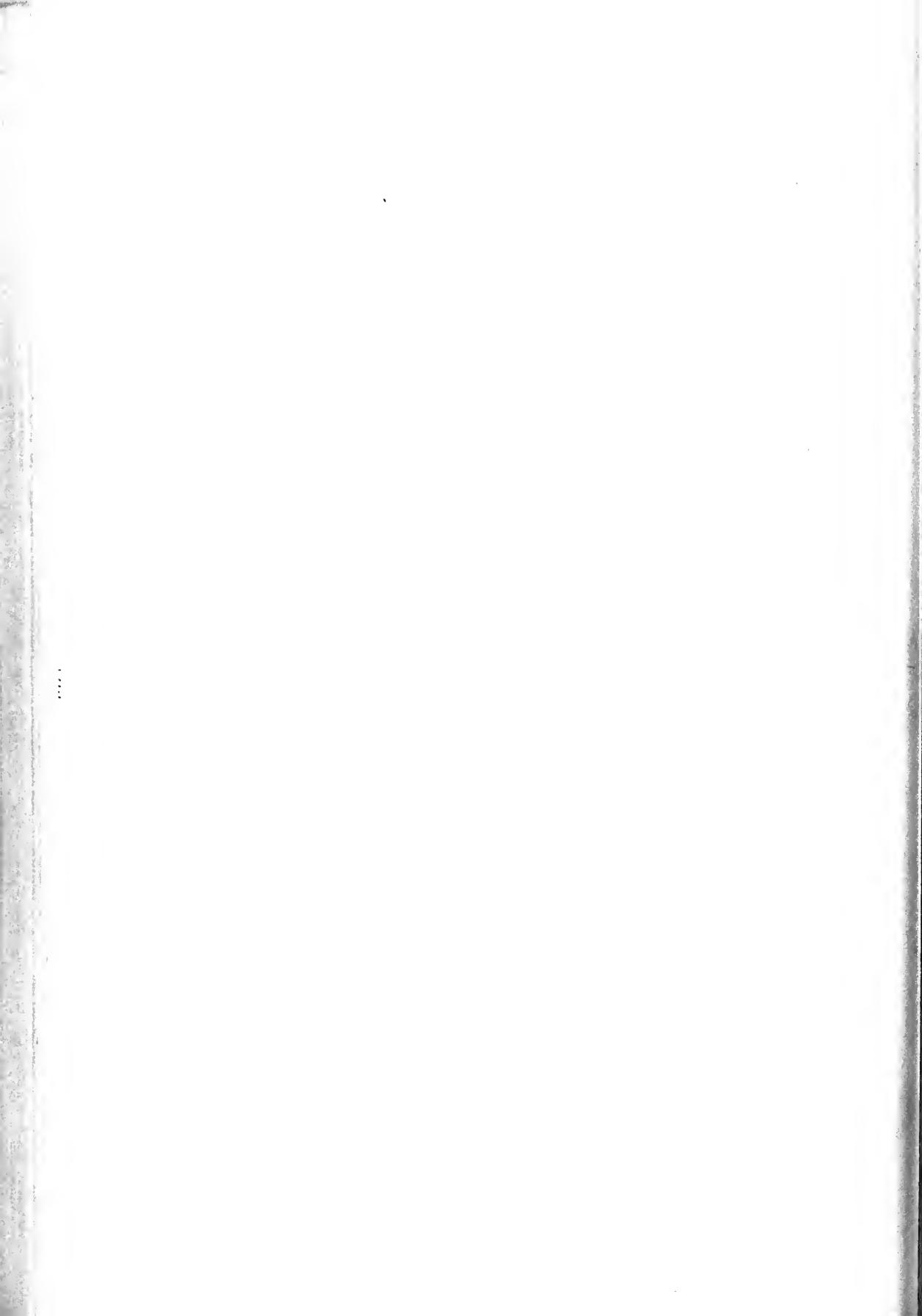
(Government Bill)

BILL 86

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to amend
The Compensation for Victims of Crime Act, 1971**

THE HON. D. A. BALES
Attorney General



BILL 86

1973

An Act to amend The Compensation for Victims of Crime Act, 1971

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

1. Section 17 of *The Compensation for Victims of Crime Act, 1971*, ^{s. 17, amended} being chapter 51, is amended by adding thereto the following subsection:

(1a) The Board may, in its discretion, refuse to make an ^{Idem} order for compensation where it is satisfied that the applicant has refused reasonable co-operation with, or failed to report promptly the offence to, a law enforcement agency.

2. The said Act is amended by adding thereto the following section: ^{s. 19a, enacted}

19a. Any money paid or payable by way of compensation ^{Award not subject to garnishment, etc.} under this Act or held by the Public Trustee or other person under an order made by the Board under subsection 3 of section 20 is not subject to garnishment, attachment, execution, set-off or any other legal process and the right thereto is not assignable.

3. Section 20 of the said Act is amended by adding thereto the ^{s. 20, amended} following subsection:

(3) If a person entitled to an award under this Act is under ^{Payments in case of minor, etc.} the age of eighteen years or is of unsound mind or in the opinion of the Board is incapable of managing his own affairs, any amount payable to him may be paid on his behalf to his parent, spouse or committee or to the Public Trustee or may be paid to such other person or applied in such manner as the Board considers in the best interest of such person, and amounts so paid shall be received and administered by the payee for the benefit of the person.

4. This Act comes into force on the day it receives Royal Assent. ^{Commencement}
5. This Act may be cited as *The Compensation for Victims of Crime* ^{Short title} *Amendment Act, 1973*.

An Act to amend
The Compensation for Victims
of Crime Act, 1971

1st Reading

April 9th, 1973

2nd Reading

April 12th, 1973

3rd Reading

May 22nd, 1973

THE HON. D. A. BALES
Attorney General

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to proclaim Arbour Day

MR. WARDLE

EXPLANATORY NOTE

The Bill creates Arbour Day and sets out the objects of its observation.

BILL 87

1973

An Act to proclaim Arbour Day

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

1. The last Friday in April of each year shall be observed ^{Arbour Day proclaimed} under the name of Arbour Day for the purpose of encouraging,

- (a) the beautification of Ontario by the use of trees;
- (b) the landscaping, painting and cleaning of industrial plants, public institutions and private homes;
- (c) the appreciation of the beauty and use of trees;
- (d) the stimulation of interest in and knowledge of trees;
and
- (e) the planting, preservation and conservation of trees.

2. This Act comes into force on the day it receives Royal ^{Commence-} Assent. _{ment}

3. This Act may be cited as *The Arbour Day Act, 1973*. Short title

An Act to proclaim Arbour Day

1st Reading

April 9th, 1973

2nd Reading

3rd Reading

MR. WARDLE

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Highway Traffic Act

MR. DREA

EXPLANATORY NOTE

The Bill makes it an offence to alter the reading on an odometer installed in a motor vehicle.

BILL 88

1973

An Act to amend The Highway Traffic Act

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

1. Section 41 of *The Highway Traffic Act*, being chapter 202 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following subsections:
 - (5) No person shall alter the reading on an odometer where the odometer is installed on a motor vehicle. s. 41, amended
Altering of odometer
 - (6) Every person who contravenes the provisions of subsection 5 is guilty of an offence and on summary conviction is liable to a fine of not less than \$500 and not more than \$1,000. Penalty
2. This Act comes into force on the day it receives Royal Assent. Commencement
3. This Act may be cited as *The Highway Traffic Amendment Act, 1973*. Short title

An Act to amend
The Highway Traffic Act

1st Reading

April 10th, 1973

2nd Reading

3rd Reading

MR. DREA

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

**An Act to establish the Ontario Waste Disposal
and Reclamation Commission**

MR. NEWMAN (Windsor-Walkerville)

EXPLANATORY NOTE

The Bill establishes the Ontario Waste Disposal and Reclamation Commission.

BILL 89

1973

An Act to establish the Ontario Waste Disposal and Reclamation Commission

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,

Interpre-
tation

- (a) "Commission" means the Ontario Waste Disposal and Reclamation Commission;
- (b) "Minister" means the Minister of the Environment.

2.—(1) A Commission to be known as the "Ontario Waste Disposal and Reclamation Commission" is hereby established.

Commission
established

(2) The Commission shall be composed of not fewer than seven members appointed by the Lieutenant Governor in Council.

Composition

3. The Lieutenant Governor in Council may designate one of the members to be chairman of the Commission.

Chairman

4. Five members of the Commission constitute a quorum.

Quorum

5. The Lieutenant Governor in Council may fill any vacancy among the members of the Commission.

Vacancies

6.—(1) The objects of the Commission are and it has power,

Objects
and powers

- (a) to provide solid waste disposal and reclamation services throughout the province, including incineration and landfill;
- (b) to develop procedures and establish plants for the reclamation and recycling of paper, metal, glass and other materials;

(c) to study methods of marketing reclaimed materials;
and

(d) to provide waste collection services in areas where it
would be uneconomical for local authorities to do so.

Further
powers

(2) Subject to the approval of the Lieutenant Governor in Council, for the furtherance of its objects, the Commission may enter into agreements with universities, corporations or persons for the experimentation in methods of evaluating and reducing noise.

By-laws

7. The Commission may make such by-laws as are considered expedient for its constitution and the administration of its affairs, and may do such other things as are considered necessary or advisable to carry out its objects.

Annual
report

8. The Commission shall make a report annually to the Minister who shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

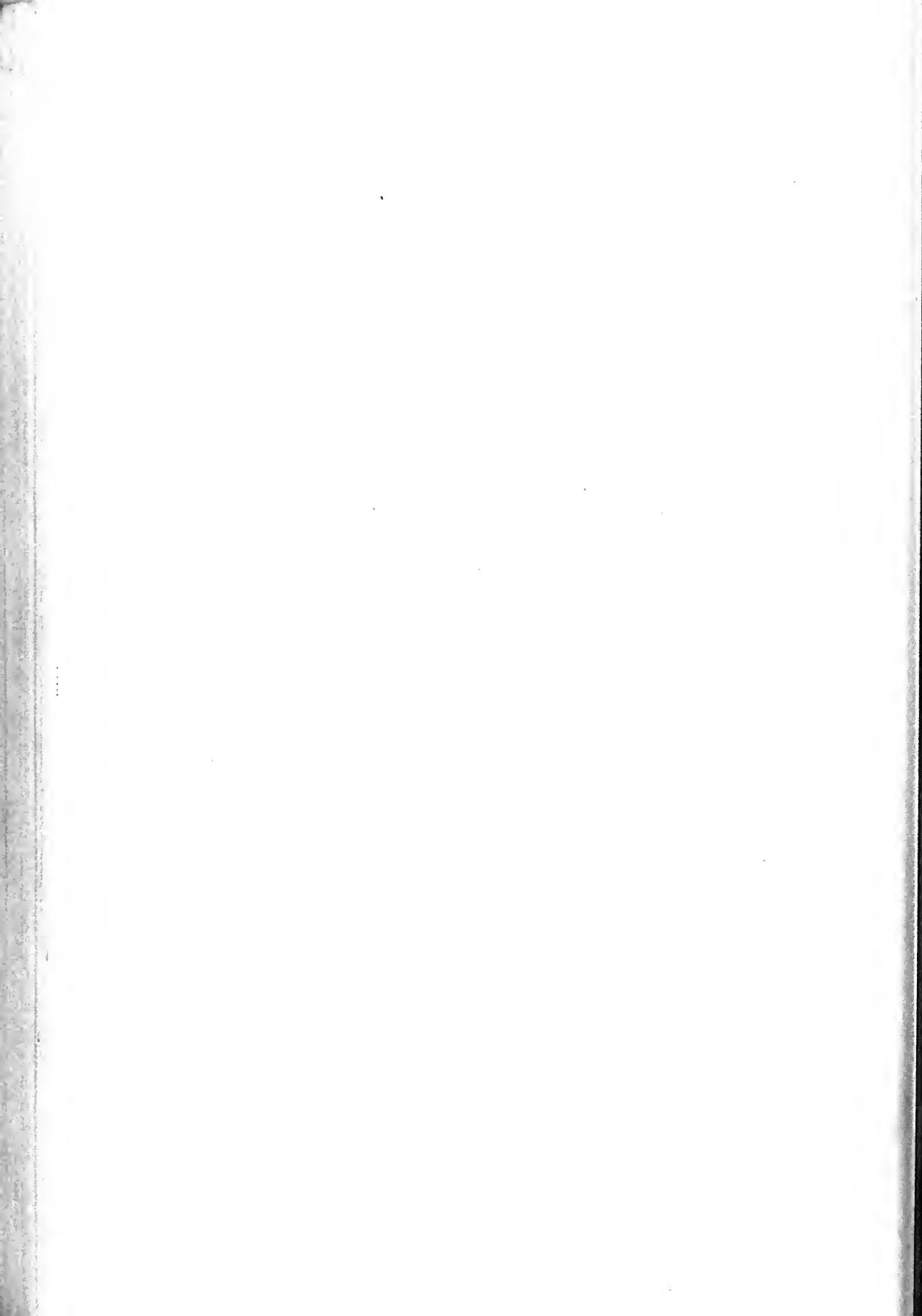
Commence-
ment

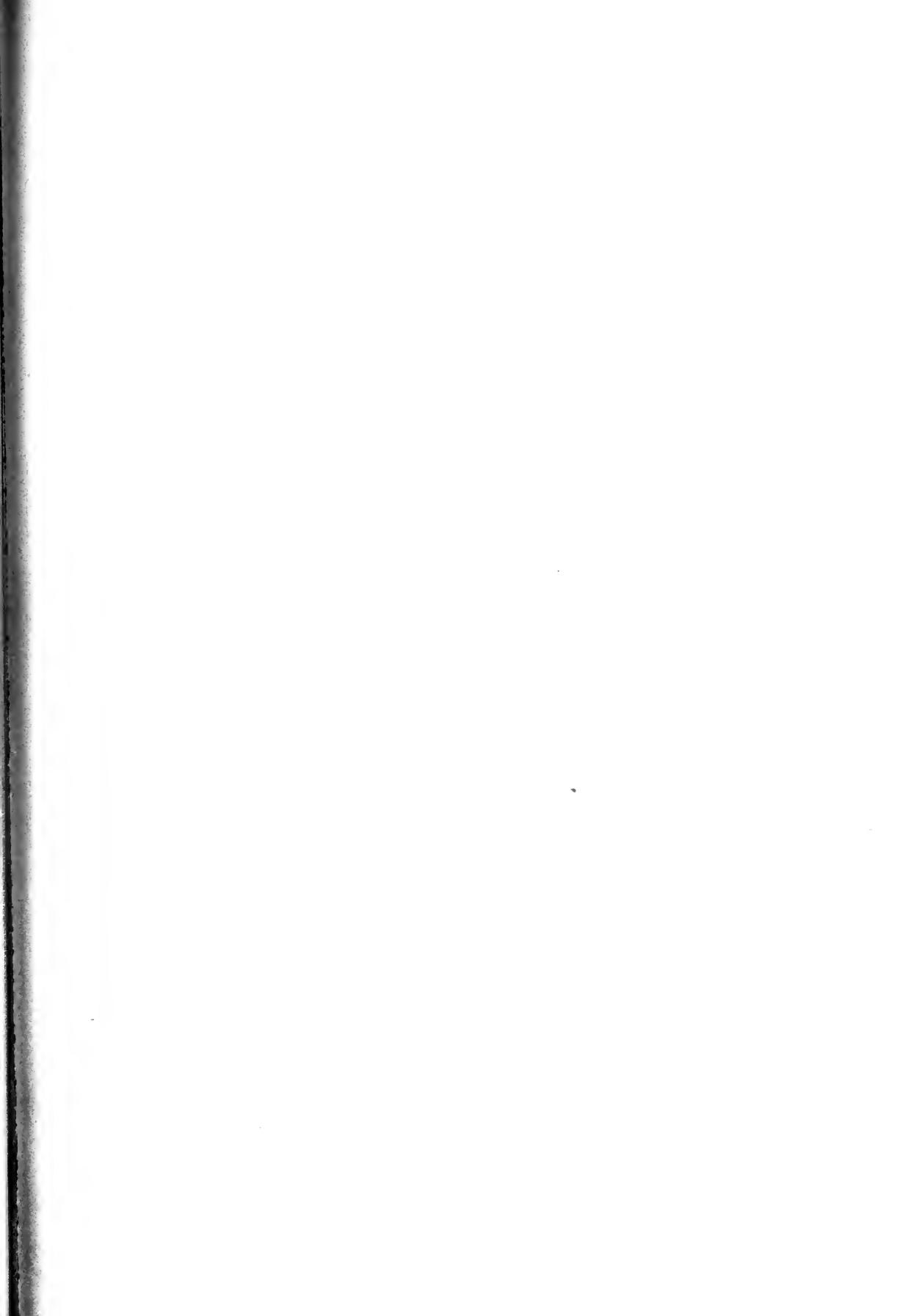
9. This Act comes into force on the day it receives Royal Assent.

Short title

10. This Act may be cited as *The Ontario Waste Disposal and Reclamation Commission Act, 1973*.







An Act to establish the Ontario Waste
Disposal and Reclamation Commission

1st Reading

April 10th, 1973

2nd Reading

3rd Reading

MR. NEWMAN (Windsor-Walkerville)

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to amend The Judicature Act

MR. ROY

EXPLANATORY NOTE

The Bill authorizes the use of the French language in writs, pleadings and proceedings in court in certain instances.

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. Section 127 of *The Judicature Act*, being chapter 228 of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor: ^{s. 127, re-enacted}

PLEADINGS TO BE IN ENGLISH OR FRENCH

127.—(1) Subject to subsection 2, writs, pleadings and proceedings in all courts shall be in the English language only, but the proper or known names of writs or other process, or technical words, may be in the same language as has been commonly used. ^{Writs, pleadings and proceedings in English}

(2) Writs, pleadings and proceedings may be in the French language in all courts where, ^{Writs, pleadings and proceedings in French}

(a) a consent in writing signed by all parties to the action is filed with the court, authorizing the use of the French language; and

(b) the court is located in a geographic area in Ontario which is designated as a bilingual region by the Government of Canada or where at least 10 per cent of the residents in the area have indicated French as their first language according to the most recent population census of the Government of Canada under the *Statistics Act*. ^{R.S.C. 1970, c. S-16}

2. This Act comes into force on the day it receives Royal Assent. ^{Commencement}
3. This Act may be cited as *The Judicature Amendment Act, 1973*. ^{Short title}

An Act to amend The Judicature Act

1st Reading

April 10th, 1973

2nd Reading

3rd Reading

MR. ROY

(Private Member's Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to control the Use of Pesticides

THE HON. J. A. C. AULD
Minister of the Environment

EXPLANATORY NOTES

The Bill is a revision of *The Pesticides Act*. Among the new provisions are the following:

1. The discharge into the environment of a pesticide or a substance or thing containing a pesticide is prohibited where harm would result.
2. The Pesticides Licence Review Board is replaced by the Pesticides Appeal Board. This Board will hear all appeals under the Act from the Director's decisions regarding licences, permits, control orders and stop orders. The Pesticides Licence Review Board hears appeals only in regard to licences.
3. The grounds upon which a licence may be refused, suspended or revoked are extended and a similar provision is made for refusing to issue or cancelling a permit or for imposing or altering terms in a permit.
4. A permit is required for a water extermination and for a land or structural extermination involving a prescribed pesticide or prescribed conditions of use.
5. The authority to make a stop order in an emergency is extended to the handling, storage, use, disposal, transportation or display of a pesticide or a substance or thing containing a pesticide.
6. Provision is made for a control order where the handling, storage, use, disposal, transportation or display of a pesticide or a substance or thing containing a pesticide is likely to cause specified harmful effects.
7. A requirement is added for notice to the Director where a pesticide or a substance or thing containing a pesticide is discharged into the environment out of the normal course of events.
8. The Minister may order remedial action where the discharge of a pesticide or a substance or thing containing a pesticide causes or is likely to cause harm.
9. The authority to make regulations is extended to,
 - (a) regulating or prohibiting the display or disposal of pesticides;
 - (b) regulating the transportation of designated pesticides;
 - (c) prescribing the records to be kept by persons responsible for the transportation of designated pesticides;
 - (d) prescribing decontaminating procedures for any land, water or property unlawfully contaminated by a pesticide;
 - (e) requiring, regulating or prohibiting the removal or disposal of any substance or thing unlawfully contaminated by a pesticide.
10. Every person responsible for a pesticide or a substance containing a pesticide is required to do whatever is prescribed for decontaminating the environment or any plant or animal life or thing unlawfully contaminated by the pesticide and is prohibited from using them unless these procedures have been complied with or the Director approves other procedures. The term "person responsible" is defined in the Bill.
11. The Bill also provides for investigations by provincial officers, substantial fines upon conviction for offences and additional enforcement procedures.
12. The Act will bind the Crown and will prevail over any conflicting provisions contained in other Acts.

An Act to control the Use of Pesticides

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,

Interpre-
tation

1. "air" means open air not enclosed in a building, structure, machine, chimney, stack, flue or vehicle;
2. "Board" means the Pesticides Appeal Board;
3. "Committee" means the Pesticides Advisory Committee;
4. "Director" means the officer of the Ministry designated by the Minister to perform the functions of the Director under this Act;
5. "environment" means the natural environment, a building, structure, machine and vehicle, or any of them;
6. "extermination" means a land extermination, structural extermination or a water extermination;
7. "extermination business" means an activity or enterprise carried on for the purpose of causing an extermination or exterminations to be performed for fee or payment;
8. "exterminator" means a person who, by himself or by his employees, assistants or agents, performs or enters into a contract to perform an extermination;
9. "land" means surface land not enclosed in a building or structure, land covered by water and all subsoil, or any combination or part thereof;

10. "land extermination" means the destruction, prevention or control in, on or over land of a pest or pests by the use of a pesticide but does not include a structural extermination, a water extermination or the destruction, prevention or control of termites;
11. "licence" means a licence issued under this Act and the regulations;
12. "licensee" means a person who is the holder of a licence under this Act;
13. "Minister" means the Minister of the Environment;
14. "Ministry" means the Ministry of the Environment;
15. "natural environment" means the air, land and water, or any combination or part thereof, of the Province of Ontario;
16. "operator" means a person who has the control and management of an extermination business, and "operate" has a corresponding meaning;
17. "permittee" means a person who is the holder of a permit under this Act;
18. "person" includes a municipality, a corporation on behalf of Her Majesty in right of Ontario, and an agent of any of them;
19. "person responsible", when used with reference to a pesticide, substance or thing, means,
 - (i) the owner,
 - (ii) the person having the charge, management or control of the handling, storage, use, disposal, transportation or display, or
 - (iii) the person having the charge, management or control,

of the pesticide, substance or thing;
20. "pest" means any injurious, noxious or troublesome plant or animal life other than man or plant or animal life on or in man and includes any injurious, noxious or troublesome organic function of a plant or animal;

21. "pesticide" means any organism, substance or thing that is manufactured, represented, sold or used as a means of directly or indirectly controlling, preventing, destroying, mitigating, attracting or repelling any pest or of altering the growth, development or characteristics of any plant life that is not a pest and includes any organism, substance or thing registered under the *Pest Control Products Act* ^{R.S.C. 1970, c. P-10} (Canada);
22. "prescribed" means prescribed by the regulations;
23. "provincial officer" means a person who is designated under section 17;
24. "regulations" means the regulations made under this Act;
25. "structural extermination" means the destruction, prevention or control of a pest that may adversely affect a building, structure, machine, vehicle or their contents or the use or enjoyment thereof by any person by the use of a pesticide in, on or in the vicinity of the building, structure, machine or vehicle and includes the destruction, prevention or control of termites;
26. "water" means surface water and ground water, or either of them;
27. "water extermination" means the destruction, prevention or control in, on or over surface water of a pest by the use of a pesticide. R.S.O. 1970, c. 346, s. 1, *amended*.

2. The Minister, for the purpose of the administration ^{Powers and duties of Minister} of this Act and the regulations, may,

- (a) investigate problems relating to pesticides and the control of pests;
- (b) conduct research relating to pesticides and the control of pests;
- (c) conduct studies of the effect of pesticides and the control of pests on the quality of the environment;
- (d) convene conferences and conduct seminars and educational programs relating to pesticides and the control of pests;

- (e) gather, publish and disseminate information relating to pesticides and the control of pests;
- (f) make grants and loans for research related to pesticides and the control of pests in such amounts and upon such terms and conditions as the regulations may prescribe;
- (g) appoint committees to perform such advisory functions as the Minister considers requisite;
- (h) with the approval of the Lieutenant Governor in Council, enter into an agreement with any government or person relating to pesticides or the control of pests. *New.*

Prohibition

3. No person, whether acting or not acting under the authority of a licence or permit under this Act or an exemption under the regulations, shall deposit, add, emit or discharge or cause or permit the deposit, addition, emission or discharge of a pesticide or of any substance or thing containing a pesticide into the environment that,

- (a) causes or is likely to cause impairment of the quality of the environment for any use that can be made of it greater than the impairment, if any, for such use that would necessarily result from the proper use of the pesticide;
- (b) causes or is likely to cause injury or damage to property or to plant or animal life greater than the injury or damage, if any, that would necessarily result from the proper use of the pesticide;
- (c) causes or is likely to cause harm or material discomfort to any person greater than the harm or material discomfort, if any, that would necessarily result from the proper use of the pesticide;
- (d) adversely affects or is likely to affect adversely the health of any person to a greater degree than the adverse effect, if any, that would necessarily result from the proper use of the pesticide;
- (e) impairs or is likely to impair the safety of any person to a greater degree than the impairment, if any, of the safety of any person that would necessarily result from the proper use of the pesticide; or

(f) renders or is likely to render, directly or indirectly, any property or plant or animal life unfit for use by man to a degree greater than the unfitness, if any, that would necessarily result from the proper use of the pesticide. *New.*

4.—(1) No person shall engage in, perform or offer to perform an extermination except under and in accordance with a licence of a prescribed class and except by the use of a pesticide of a class and under the conditions for use prescribed for that class of licence or unless exempt under the regulations. Prohibition as to exterminations

(2) No person shall operate an extermination business except under and in accordance with a licence of a prescribed class or unless exempt under the regulations. Licence required to operate extermination business

(3) No person shall serve for a period of more than six months as an assistant to the holder of a licence to perform structural exterminations unless the person is licensed as an assistant exterminator or is exempt under the regulations. Idem, assistant structural exterminator

(4) No person shall serve for a period of more than seven days as an assistant to the holder of a licence to perform land exterminations or water exterminations unless the holder of the licence to perform the exterminations notifies the Director in writing or the person is exempt under the regulations. R.S.O. 1970, c. 346, s. 2, *amended.* Notice as to assistants to land exterminators or water exterminators

5. Unless exempt by the regulations, no person shall sell, offer to sell or transfer any pesticide unless the pesticide is classified by the regulations and except under and in accordance with a licence that shall be for such class and in respect of each premises on, in or from which the pesticide is or will be sold, offered for sale or transferred. *New.* Licence to sell, offer to sell or transfer

6.—(1) No person shall perform a land extermination or a structural extermination, Where permit required

(a) by means of a pesticide;

(b) by means of a pesticide of a class; or

(c) under the conditions of use,

prescribed for the purpose of this section unless he is the holder of a permit for the land extermination or the structural extermination issued by the Director or he is exempt under the regulations.

- Idem** (2) No person shall perform a water extermination unless he is the holder of a permit issued by the Director for the water extermination or is exempt under the regulations. *New.*
- Responsibility for acts or omissions** 7. For the purpose of this Act and the regulations, every person is, with respect to any matter under this Act and the regulations, responsible for the acts or omissions of his employees and agents within the scope of their actual or apparent authority. R.S.O. 1970, c. 346, s. 3, *amended.*
- Liability insurance** 8. An operator shall insure against liability or furnish a bond as provided for by the regulations. R.S.O. 1970, c. 346, s. 4.
- Advisory Committee** 9.—(1) The Committee known as the Pesticides Advisory Committee established under *The Pesticides Act*, being chapter 346 of the Revised Statutes of Ontario, 1970, and consisting of not fewer than ten members appointed by the Lieutenant Governor in Council one of whom may be designated by the Lieutenant Governor in Council as chairman and for whom the Lieutenant Governor in Council may appoint a person who is not a member as secretary, is continued.
- Quorum** (2) Six members of the Committee constitute a quorum.
- Functions** (3) The Committee shall,
- (a) review annually the content and operation of this Act and the regulations and recommend changes or amendments therein to the Minister;
 - (b) inquire into and consider any matter the Committee considers advisable concerning pesticides and the control of pests, and any matter concerning pesticides and the control of pests referred to it by the Minister, and report thereon to the Minister;
 - (c) review publications of the Government of Ontario respecting pesticides and the control of pests, and report thereon to the Minister; and
 - (d) perform such other functions as the regulations prescribe. R.S.O. 1970, c. 346, s. 5, *amended.*
- Issuance of licence or permit** 10.—(1) Subject to subsection 2, the Director shall issue or renew a licence under section 4 or 5, and subject to subsection 3, the Director shall issue a permit under section 6 to any person who applies for the licence or permit, as the case may be, in accordance with the regulations and who meets

the requirements of this Act and the regulations for the particular class of licence or for the permit applied for and who pays the fee prescribed for the licence or permit.

(2) Subject to section 13, the Director may refuse to issue ^{Revocation and refusal of licence} or renew a licence or may suspend or revoke a licence where, in the opinion of the Director,

- (a) the applicant or licensee is in contravention of this Act or the regulations;
- (b) the licensee is in breach of any term or condition of the licence;
- (c) the applicant or licensee or, where the applicant or licensee is a corporation, its officers or directors, is or are not competent to carry on the activity that would be or is authorized by the licence;
- (d) the past conduct of the applicant or licensee or, where the applicant or licensee is a corporation, of any of its officers or directors, affords reasonable grounds for belief that the activity that would be or is authorized by the licence will not be carried on with honesty and integrity;
- (e) the applicant or licensee does not possess or will not have available all premises, facilities and equipment necessary to carry on the activity authorized by the licence in accordance with this Act, the regulations and the licence;
- (f) the applicant or licensee is not in a position to observe or carry out the provisions of this Act, the regulations and the licence;
- (g) the licensee has been grossly negligent in carrying on the activity that is authorized by the licence; or
- (h) the licensee has fraudulently misrepresented his services in performing an extermination or in carrying on an extermination business. 1971, c. 50, s. 66 (2), *part, amended.*

(3) The Director may refuse to issue or may cancel a permit, ^{Revocation and refusal of permit} may impose terms and conditions in issuing or after issuing a permit and may alter the terms and conditions of a permit that has been issued where the Director is of the opinion, upon reasonable and probable grounds that,

- (a) the applicant or permittee is not competent to perform the extermination for which the permit is required;
- (b) the applicant or permittee does not possess or will not have available all facilities and equipment necessary to perform the extermination in accordance with this Act, the regulations and the permit;
- (c) there is or is likely to be danger to the health or safety of any person;
- (d) there is or is likely to be harm or material discomfort to any person;
- (e) there is or is likely to be impairment of the quality of the environment for any use that is being or is likely to be made of it;
- (f) there is or is likely to be injury or damage to any property or to plant or animal life;
- (g) any property or plant or animal life is or is likely to be rendered, directly or indirectly, unfit for use by man;
- (h) a different method of control or extermination will or will likely be substantially as effective as the proposed extermination for which a permit is required under section 6 and will or will likely cause less impairment of the environment, if any, for any use that is being or is likely to be made of it or less harm to or adverse effect, if any, on any plant or animal life, man or property; or
- (i) the use of the pesticide will not be or will not likely be effective or necessary to carry out the extermination. *New.*

Term of
licence

11. A licence expires on the 15th day of February in the year next following the year in which it was issued. 1971, c. 50, s. 66 (2), *part, amended.*

Pesticides
Appeal
Board

12.—(1) The Lieutenant Governor in Council shall appoint a board, consisting of not more than five members, to be known as the Pesticides Appeal Board who shall hold office during pleasure and none of whom shall be members of the public service in the employ of the Ministry.

(2) The Lieutenant Governor in Council may appoint one of ^{Chairman} the members of the Board as chairman.

(3) Three members of the Board constitute a quorum. ^{Quorum}

(4) Such employees as are required for the purposes of the ^{Appointment of staff} Board may be appointed under *The Public Service Act.* ^{New. R.S.O. 1970, c. 386}

13.—(1) Where the Director proposes,

^{Proposal to refuse to issue licence, etc.}

(a) to refuse to issue or renew a licence;

(b) to suspend or revoke a licence; or

(c) to make, amend or vary a control order,

he shall serve notice of his proposal, together with written reasons therefor, on the applicant, licensee or person to whom the Director intends to direct the control order.

(2) A notice under subsection 1 shall inform the applicant, ^{Notice} licensee or person to whom the Director intends to direct the control order that he is entitled to a hearing by the Board if he mails or delivers to the Director and the Board, within fifteen days after the notice under subsection 1 is served on him, notice in writing requiring a hearing, and he may so require such a hearing.

(3) Where an applicant, licensee or person to whom the ^{Powers of Director where no hearing} Director intends to direct the control order does not require a hearing by the Board in accordance with subsection 2, the Director may carry out the proposal stated in his notice under subsection 1.

(4) Where an applicant, licensee or person to whom the ^{Powers of Board where hearing} Director intends to direct the control order requires a hearing by the Board in accordance with subsection 2, the Board shall appoint a time and place for and hold the hearing and may by order direct the Director to carry out his proposal or refrain from carrying out his proposal and to take such action as the Board considers the Director ought to take in accordance with this Act and the regulations, and for such purposes the Board may substitute its opinion for that of the Director.

(5) The Board may extend the time for the giving of notice ^{Extension of time for requiring hearing} requiring a hearing by an applicant, licensee or person to whom the Director intends to direct a control order referred to in subsection 1, either before or after the expiration of such time, where it is satisfied that there are reasonable grounds

for applying for the extension and that there are *prima facie* grounds for granting relief to the applicant, licensee or person to whom the Director intends to direct the control order referred to in subsection 1, and the Board may give such directions as it considers proper consequent upon the extension.'

Continuation
of licence
pending
renewal

(6) Where, within the time prescribed therefor or, if no time is prescribed, before expiry of his licence, a licensee has applied for a renewal of his licence and paid the prescribed fee, his licence shall be deemed to continue,

(a) until the renewal is granted; or

(b) where he is served with notice that the Director proposes to refuse to grant the renewal, until the time for giving notice requiring a hearing by the Board has expired and, where a hearing is required, until the Board has made its decision. 1971, c. 50, s. 66 (3), *part.*

Emergency
notice

(7) Notwithstanding subsection 6, where the Director is of the opinion that an emergency exists by reason of,

(a) danger to the safety or health of any person;

(b) impairment or immediate risk of impairment of the environment for any use that is being or is likely to be made of it;

(c) injury or damage or immediate risk of injury or damage to property, or to plant or animal life;

(d) the rendering or immediate risk of rendering, directly or indirectly, of any property or plant or animal life unfit for use by man; or

(e) a failure by a licensee to have in force insurance against liability or to furnish or have in force a bond as required by section 8,

the Director, by a notice to a licensee or to a person to whom the Director intends to direct a control order, together with written reasons therefor, may refuse to renew, suspend or revoke a licence or make, amend or vary a control order and, notwithstanding that the licensee or person to whom the control order is directed requires a hearing by the Board, the licence shall not be deemed to continue or the suspension, revocation or the making, amendment or variation of the control order is effective upon the service of the notice, as the case requires.

(8) Where the Director refuses to issue or cancels a permit or imposes or alters a term or condition in a permit that has been issued, he shall forthwith thereafter serve or cause to be served notice of his decision, upon the applicant or permittee, together with written reasons therefor. ^{Where permit cancelled or terms or conditions imposed or altered}

(9) Where the Director issues a permit subject to a term or condition, refuses to issue or cancels a permit or imposes or alters a term or condition in a permit that has been issued and the applicant or permittee makes submissions to the Director, the Director, within three days after receiving the submissions, shall reconsider and vary, rescind or confirm his decision and shall serve or cause to be served notice of such variance, rescission or confirmation upon the applicant or permittee together with written reasons therefor and where the Director varies or rescinds his decision, he shall take such action as may be necessary to make the variation or rescission effective. ^{Reconsideration}

(10) A permit issued by the Director subject to a term or condition and a notice under subsection 8 shall inform the applicant or permittee that he is entitled to make submissions to the Director, in person or by an agent and by telephone or otherwise and that he is entitled to a hearing by the Board if he mails or delivers to the Director and the Board, within fifteen days after the notice under subsection 9 is served on him, notice in writing requiring a hearing and he may so make such submissions and so require such a hearing. ^{Notice}

(11) Notwithstanding the making of submissions by an applicant or a permittee pursuant to subsection 10, the issuance of a permit subject to a term or condition or the cancellation of a permit or the imposition or alteration of a term or condition in a permit that has been issued by the Director is effective upon the issuance of the permit or upon the service of the notice under subsection 8. ^{Effect of service of notice}

(12) Subsections 4 and 5 apply *mutatis mutandis* to a hearing by the Board required under subsection 10. 1971, c. 50, s. 66 (3), *part, amended*. ^{Subss. 4, 5, to apply}

14.—(1) The Director, the applicant, licensee, permittee or person to whom the Director intends to direct a control order who has required a hearing and such other persons as the Board may specify are parties to proceedings before the Board under section 13. ^{Parties}

(2) Notice of a hearing under section 13 shall afford to the applicant, licensee, permittee or person to whom the Director intends to direct a control order a reasonable ^{Notice of hearing}

opportunity to show or to achieve compliance before the hearing with all lawful requirements for the issue or retention of the licence or permit or to take such action as will preclude the necessity for making, amending or varying the control order.

Examination
of docu-
mentary
evidence

(3) An applicant, licensee, permittee or person to whom the Director intends to direct a control order who is a party to proceedings under section 13 shall be afforded an opportunity to examine before the hearing any written or documentary evidence that will be produced or any report the contents of which will be given in evidence at the hearing.

Members
holding
hearing
not to
have taken
part in
investigation,
etc.

(4) Members of the Board holding a hearing shall not have taken part before the hearing in any investigation or consideration of the subject-matter of the hearing and shall not communicate directly or indirectly in relation to the subject-matter of the hearing with any person or with any party or his representative except upon notice to and opportunity for all parties to participate, but the Board may seek legal advice from an adviser independent from the parties and in such case the nature of the advice should be made known to the parties in order that they may make submissions as to the law.

Recording of
evidence

(5) The oral evidence taken before the Board at a hearing shall be recorded and, if so required, copies or a transcript thereof shall be furnished upon the same terms as in the Supreme Court.

Findings
of fact

1971, c. 47

(6) The findings of fact of the Board pursuant to a hearing shall be based exclusively on evidence admissible or matters that may be noticed under sections 15 and 16 of *The Statutory Powers Procedure Act, 1971*.

Only
members
at hearing
to participate
in decision

(7) No member of the Board shall participate in a decision of the Board pursuant to a hearing unless he was present throughout the hearing and heard the evidence and argument of the parties and, except with the consent of the parties, no decision of the Board shall be given unless all members so present participate in the decision.

Release of
documentary
evidence

(8) Documents and things put in evidence at the hearing shall, upon the request of the person who produced them, be released to him by the Board within a reasonable time after the matter in issue has been finally determined. 1971, c. 50, s. 66 (3), *part, amended*.

Appeal
to court

15.—(1) Any party to proceedings before the Board may appeal from its decision or order on a question of law to the Supreme Court in accordance with the rules of court.

(2) Where any party appeals from a decision or order of the Board, the Board shall forthwith file in the Supreme Court the record of the proceedings before it in which the decision was made, which, together with the transcript of the evidence if it is not part of the Board's record, shall constitute the record in the appeal. Record to be filed in court

(3) The Minister is entitled to be heard by counsel or otherwise upon the argument of an appeal under subsection 1. Minister entitled to be heard

(4) Any party to a hearing before the Board, within thirty days after receipt of the decision of the Board or within thirty days after final disposition of an appeal, if any, under subsection 1, may appeal in writing to the Minister on any matter other than a question of law and the Minister shall confirm, alter or revoke the decision of the Board as to the matter in appeal as he considers in the public interest. 1971, c. 50, s. 66 (3), *part, amended*. Appeal to Minister

16.—(1) No action or other proceeding for damages shall be instituted against the Director, any member of the Board or of the Committee or anyone acting under the direction of such Director or member for any act done in good faith in the execution or intended execution of his duty or for any alleged neglect or default in the execution in good faith of his duty. R.S.O. 1970, c. 346, s. 15. Protection from personal liability

(2) Subsection 1 does not, by reason of subsections 2 and 4 of section 5 of *The Proceedings Against the Crown Act*, relieve the Crown of liability in respect of a tort committed by an agent or servant of the Crown to which it would otherwise be subject and the Crown is liable under that Act for any such tort in a like manner as if subsection 1 had not been enacted. 1971, c. 50, s. 66 (4). Crown not relieved of liability R.S.O. 1970, c. 365

17.—(1) The Minister may designate in writing one or more officers or employees of the Ministry or other persons as provincial officers for the purposes of this Act and the regulations. Provincial officers

(2) For the purpose of the administration of this Act and the regulations, a provincial officer may, from time to time and upon production of his designation, enter at any reasonable time any building, structure, machine, vehicle, land, water or air and make or require to be made such surveys, examinations, investigations, tests and inquiries, including examinations of books, records and documents, as he considers necessary, and may make, take and remove or may require to be made, taken or removed samples, copies or extracts, and the Crown is liable for any damage or actual costs occasioned thereby. Powers of provincial officer

Order
authorizing
entry

(3) Where a provincial judge is satisfied, upon an *ex parte* application by a provincial officer, that there is reasonable ground for believing that it is necessary to enter any building, structure, machine, vehicle, land, water or air for the administration of this Act or the regulations, the provincial judge may issue an order authorizing a provincial officer to enter therein or thereon and to make or require to be made such surveys, examinations, investigations, tests and inquiries and to take the other actions as are mentioned in subsection 2, but every such entry, survey, examination, investigation, test, inquiry and other such action shall be made or taken between sunrise and sunset unless the provincial judge authorizes the provincial officer, by the order, to so act at another time.

Information

(4) Every person responsible for a pesticide or for a substance or thing containing a pesticide that is the subject of an investigation by a provincial officer, and every person who assists such a person, shall furnish such information as the provincial officer requires for the purpose of the investigation.

Obstruction
of provincial
officer

(5) No person who is responsible for a pesticide or for a substance or thing containing a pesticide or who assists such a person shall hinder or obstruct a provincial officer in the lawful performance of his duties or furnish a provincial officer with false information. *New.*

Calling for
assistance of
member of
police force

18. Whenever a provincial officer is required or empowered by this Act or the regulations to do or direct the doing of anything, such provincial officer may take such steps and employ such assistance as is necessary to accomplish what is required, and may, when obstructed in so doing, call for the assistance of any member of the Ontario Provincial Police Force or the police force in the area where the assistance is required and it is the duty of every member of a police force to render such assistance. *New.*

Matters
confidential

19. Except as to information in respect of,

(a) impairment or potential impairment of the quality of the environment for any use that can be made of it; or

(b) harm or potential harm to or an adverse effect on any person, living thing or any property,

arising from or likely to arise from the handling, storage, use, disposal, transportation or display of a pesticide or a substance or thing containing a pesticide, every provincial officer shall preserve secrecy in respect of all matters that

come to his knowledge in the course of an examination, test or inquiry of or into any matter under this Act or the regulations and shall not communicate any such matter to any person except,

- (c) as may be required in connection with the administration of this Act and the regulations or any proceedings under this Act or the regulations;
- (d) to his counsel; or
- (e) with the consent of the person who is responsible for the handling, storage, use, disposal, transportation or display of the pesticide, substance or thing. *New.*

20.—(1) Where the Director or a provincial officer is of the ^{Stop order} opinion, upon reasonable and probable grounds, that an emergency exists by reason of,

- (a) danger to the health or safety of any person;
- (b) impairment or immediate risk of impairment of the quality of the environment for any use that is being or is likely to be made of it;
- (c) injury or damage or immediate risk of injury or damage to any property or to any plant or animal life; or
- (d) the rendering or the immediate risk of rendering, directly or indirectly, any property or plant or animal life unfit for use by man,

consequent upon the handling, storage, use, disposal, transportation or display of a pesticide or a substance or thing containing a pesticide, the Director or provincial officer, as the case may be, may make an oral or written stop order directed to the person responsible for the pesticide or the substance or thing containing the pesticide ordering such person to stop immediately the handling, storage, use, disposal, transportation or display of the pesticide or the substance or thing containing the pesticide either permanently or for a specific period of time. 1971, c. 50, s. 66 (7), *amended.*

(2) A person who is affected by a stop order made by a provincial officer under subsection 1 may appeal therefrom in person or by an agent and by telephone or otherwise to the Director and the Director, after receiving the submissions of the person and of the provincial officer, shall vary, rescind or confirm the stop order of the provincial officer. ^{Immediate appeal} R.S.O. 1970, c. 346, s. 20, *amended.*

Written
reasons
for order

(3) Where the Director makes a stop order or varies or confirms a stop order pursuant to subsection 2, the Director shall forthwith thereafter serve or cause to be served a written copy of the stop order or a written copy of the stop order as varied or confirmed, as the case requires, together with written reasons therefor, upon the person to whom the stop order or the stop order as varied or confirmed is directed.

Notice

(4) A stop order, or a stop order as varied or confirmed, under subsection 3 shall inform the person to whom it is directed that he is entitled to a hearing by the Board if he mails or delivers to the Director and the Board, within fifteen days after a copy of the stop order, or the stop order as varied or confirmed, under subsection 3, is served on him, notice in writing requiring a hearing and he may so require such a hearing. *New.*

Effect of
stop order

(5) Notwithstanding that an appeal is taken against a stop order, the stop order is effective at and from the time it is communicated to the person to whom it is directed until confirmed, varied or rescinded on appeal and such person shall comply with the stop order immediately. 1971, c. 50, s. 66 (8), *amended.*

Appeal to
Board

(6) Where the Director has made a stop order or has varied or confirmed upon appeal to the Director a stop order made by a provincial officer, any person to whom the order is directed may, by written notice mailed to or served upon the Director and the Board within fifteen days after service upon him of a copy of the stop order or of the stop order as varied or confirmed, as the case requires, require a hearing by the Board.

Powers of
Board where
hearing

(7) Where a person to whom a stop order is directed requires a hearing by the Board in accordance with subsection 6, the Board shall appoint a time and place for and hold the hearing and the Board may by order confirm, alter or rescind the order of the Director and for such purposes the Board may substitute its opinion for that of the Director.

Parties

(8) The Director, the person who has required the hearing and such other persons as the Board may specify are parties to proceedings before the Board under this section.

Application
of ss. 13 (5),
14 (2-8) and 15

(9) Subsection 5 of section 13, subsections 2, 3, 4, 5, 6, 7 and 8 of section 14 and section 15 apply *mutatis mutandis* to proceedings under this section.

Revocation of
stop order

(10) The Director, by an order, may rescind a stop order and in such case shall serve or cause to be served a copy of the rescinding order upon the person to whom the stop order was directed. *New.*

21.—(1) Where the handling, storage, use, disposal, trans-^{Control}portation or display of a pesticide or a substance or thing ^{order} containing a pesticide,

- (a) causes or is likely to cause impairment of the quality of the environment for any use that is being or is likely to be made of it;
- (b) causes or is likely to cause injury or damage to property or to plant or animal life;
- (c) causes or is likely to cause harm or material discomfort to any person;
- (d) adversely affects or is likely to affect adversely the health of any person;
- (e) impairs or is likely to impair the safety of any person;
- (f) renders or is likely to render, directly or indirectly, any property or plant or animal life unfit for use by man,

the Director, subject to section 13, may make a control order directed to the person responsible for the pesticide or the substance or thing containing the pesticide.

(2) The Director, in a control order, may order the person ^{Content} to whom the order is directed to, ^{of control} ^{order}

- (a) limit or control the rate of deposit, addition, emission or discharge of a pesticide or a substance or thing containing a pesticide into the environment in accordance with the directions set out in the order;
- (b) stop the deposit, addition, emission or discharge of a pesticide or a substance or thing containing a pesticide into the environment,
 - (i) permanently,
 - (ii) for a specified period of time, or
 - (iii) in the circumstances set out in the order; and
- (c) comply with any directions set out in the order relating to the manner in which a pesticide or a substance or thing containing a pesticide or the container of either of them may be handled, stored, used, disposed of, transported or displayed.

Amendment
of control
order

(3) The Director, under any of the circumstances set out in subsection 1 and in accordance with subsection 2, by a further order, may amend or vary a control order and sections 13, 14 and 15 apply *mutatis mutandis*.

Revocation of
control order

(4) The Director, by an order, may rescind a control order and in such case shall serve or cause to be served a copy of the rescinding order upon the person to whom the control order was directed. *New.*

When
Director to
be notified

22. Every person who deposits, adds, emits or discharges a pesticide or a substance or thing containing a pesticide in or into the environment out of the normal course of events that,

- (a) causes or is likely to cause impairment of the quality of the environment for any use that can be made of it;
- (b) causes or is likely to cause injury or damage to property or to plant or animal life;
- (c) causes or is likely to cause harm or material discomfort to any person;
- (d) adversely affects or is likely to adversely affect the health of any person;
- (e) impairs or is likely to impair the safety of any person; or
- (f) renders or is likely to render, directly or indirectly, any property or plant or animal life unfit for use by man,

shall forthwith notify the Director. *New.*

Minister
may order
repair of
damage

23.—(1) Where any person deposits, adds, emits or discharges or causes or permits the deposit, addition, emission or discharge of a pesticide or a substance or thing containing a pesticide that causes or is likely to cause injury or damage to or impairment of,

- (a) the quality of the environment for any use that is being or is likely to be made of it;
- (b) any property or water;
- (c) plant or animal life; or
- (d) a person,

the Minister, where he is of the opinion that it is in the public interest to do so, may order the person responsible for the pesticide or the substance or thing containing the pesticide to do all things and take all steps within such time or times as may be specified in the order for the purpose of preventing or repairing, as the case requires, such injury or damage or impairment or to restore such quality.

(2) Every person responsible for a pesticide or a substance or thing containing a pesticide shall take such measures and do such things within such time or times with respect to the cleaning and decontamination of the environment, or any plant or animal life, substance or thing that has come into contact with a pesticide by any means other than in accordance with this Act and the regulations or a licence, permit or order thereunder as may be prescribed. Cleaning and decontamination

(3) No person shall use the environment or any plant or animal life, substance or thing that has come into contact with a pesticide by any means other than in accordance with this Act and the regulations or a licence, permit or order thereunder unless the cleaning and decontamination thereof has been completed in the prescribed manner or has been approved by the Director in writing. *New.* Idem

24.—(1) An order of the Minister, the Director or a provincial officer under this Act is binding upon the successor or assignee of the person to whom it is directed. Order binds successor or assignee

(2) The Ministry shall maintain an alphabetical index record of the names of all persons to whom orders are directed under this Act. Index record

(3) When an order has expired or is rescinded, the Ministry shall remove from the index record the name of the person to whom the order is directed. Removal of name from index record

(4) The Ministry shall, upon the request of any person, make a search of the index record and inform the person making the request as to whether or not the name of a particular person appears in the index record and shall permit inspection of any order relating to that person. *New.* Search of index record

25. This Act binds the Crown. *New.* The Crown

26. A licence or a permit under this Act is not transferable. *New.* Licences or permits not transferable

27. Where, in the opinion of the Director, it is in the public interest to do so, the Director may exempt an applicant for a licence issued by the Director pursuant to section 5 or the holder Exemption

of such a licence from any provision of the regulations and issue a licence to the applicant or modify the licence of the licensee, as the case may be, upon such terms and conditions, or alter or revoke the terms and conditions, as the Director considers necessary. *New.*

Regulations

28. The Lieutenant Governor in Council may make regulations,

1. prescribing classes of licences and the requirements for licences and renewals;
2. exempting any person or class of persons from this Act or the regulations or any provision thereof and prescribing terms and conditions attaching to any such exemption;
3. providing for the issue and renewal of licences and prescribing fees therefor;
4. providing for the issue of permits, prescribing fees therefor and the requirements therefor;
5. prescribing terms and conditions with respect to sales, offers to sell, transfers or premises in, on or from which sales, offers to sell or transfers of a pesticide are or will be made that shall attach to any class of licence;
6. providing for the examination of applicants for permits and licences and renewals of licences, and prescribing fees for such examinations;
7. providing for the appointment of examiners for applicants for licences and permits, the period for which such appointments may be made and the remuneration of examiners;
8. requiring applicants for licences to undergo medical examinations;
9. prescribing the procedures, conditions and notices for exterminations and for the airing out of buildings, structures and vehicles;
10. fixing the amount and type of insurance or bond that shall be carried or furnished by operators and prescribing the form, requirements and terms thereof;
11. prescribing pesticides, classes of pesticides and conditions of use for the purpose of section 6;

12. prescribing that a type or class of structural extermination may be deemed a land extermination and prescribing that a type or class of land extermination may be deemed a structural extermination for the purpose of this Act and the regulations;
13. permitting any class of operator or exterminator to perform or to undertake to perform any extermination for which the members of the class are not licensed and prescribing the conditions that shall attach to the permission;
14. exempting any machine, apparatus, equipment, or class thereof, from this Act or the regulations, or any provision thereof;
15. exempting any type or class of building, vehicle or structure from this Act or the regulations or any provision thereof;
16. excluding any land or water from the operation of this Act or the regulations or any provision thereof;
17. regulating or prohibiting the installation, operation, maintenance and use of any machine, apparatus or equipment used for extermination;
18. governing the signs, marking or other identification of vehicles or machines used in exterminations;
19. regulating the construction of any enclosed space or vault in which movable property may be placed during the periods of extermination and airing out;
20. prescribing functions, practices and procedures, tenure of office and remuneration of the Committee;
21. providing for the remuneration and expenses of members of the Pesticides Appeal Board;
22. prescribing forms and providing for their use for the purposes of this Act;
23. governing, regulating or prohibiting the use, handling, storage, display or disposal of pesticides;
24. classifying pesticides and prohibiting or regulating the sale, offering for sale or transfer of any pesticide or class of pesticides;

25. prohibiting the holders of any class of licence from using any designated pesticide or class of pesticides;
26. regulating the type of containers and the labelling of containers for pesticides, other than the containers in which pesticides are sold or offered for sale;
27. regulating the disposal of containers of pesticides;
28. prescribing the records to be kept and returns to be made by licensees;
29. exempting any plant or animal life, organism, substance or thing or any class of any of them or any quantity or concentration of any organism or substance from this Act or the regulations or any provision thereof;
30. respecting premises on, in or from which any pesticide or class of pesticide is sold, offered for sale or transferred;
31. regulating and controlling, for the purpose of preventing or reducing the contamination by pesticides of the environment, property, plant or animal life, or of any person, the transportation of any designated pesticide or class of pesticides by any vehicle operated on any highway or road or the transportation of any designated pesticide or class of pesticides together with any commodity or class of commodities by a vehicle operated on any highway or road;
32. prohibiting the transportation of any designated pesticide or class of pesticides together with any commodity or class of commodity by a vehicle operated on any highway or road;
33. prescribing the records to be kept by persons responsible for the transportation of any designated pesticide or class of pesticides by a vehicle operated on a highway or road;
34. requiring, regulating or prohibiting the removal or disposal of any substance or thing that has come into contact with any pesticide by any means other than in accordance with this Act and the regulations or a licence, permit or order thereunder;
35. requiring and prescribing measures to be taken and things to be done with respect to the cleaning and decontamination of the environment or any plant

or animal life, substance or thing that has come into contact with a pesticide by any means other than in accordance with this Act and the regulations or a licence, permit or order thereunder and the time or times within which such measures shall be taken and things done. R.S.O. 1970, c. 346, s. 21; 1971, c. 50, s. 66 (9, 10), *amended*.

29.—(1) Any regulation may be general or particular in its application and may be limited as to time or place or both. Scope of regulations

(2) Any regulation may adopt by reference, in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any code, formula, standard or procedure, and may require compliance with any code, formula, standard or procedure so adopted. *New*. Adoption of codes in regulations

30. The Minister may charge and collect such fees as he considers proper for all copies of pamphlets, brochures, documents, maps, plans or drawings supplied by the Ministry. *New*. Fees for copies

31.—(1) Any notice, order, decision or other document required to be given, served or delivered under this Act or the regulations is sufficiently given, served or delivered if delivered personally or sent by registered mail addressed to the person to whom it is required to be given, served or delivered at the latest address for service appearing on the records of the Ministry or, where there is no address for service so appearing, at the address, if any, last known to the Director. Service

(2) Where service is made by registered mail pursuant to subsection 1, the service shall be deemed to be made on the fifth day after the day of mailing unless the person on whom service is being made establishes that he did not, acting in good faith, through absence, accident, illness or other cause beyond his control, receive the notice, order, decision or other document until a later date. 1971, c. 50, s. 66 (3), *part, amended*. When service deemed made

32. Where the Minister or the Director has authority to order or require that any matter or thing be done, the Minister may order that, in default of its being done by the person ordered or required to do it, such matter or thing shall be done at the expense of such person, and the Minister may recover the cost of doing it, with costs, by action in a court of competent jurisdiction as a debt due to the Crown by such person. *New*. Enforcement of performance of things required to be done

False
information

33. No person shall give false information in any application, return or statement made to the Minister, the Director or any other officer of the Ministry in respect of any matter under this Act or the regulations. *New.*

Offence

34. Every person, whether as principal or employer or as agent or employee of either of them, who contravenes any provision of this Act or the regulations or fails to comply with an order or a term or condition of a licence or permit made or issued under this Act is guilty of an offence and on summary conviction is liable on a first conviction to a fine of not more than \$5,000 for every day or part thereof upon which the offence occurs or continues and upon a second or subsequent conviction to a fine of not more than \$10,000 for every day or part thereof upon which the offence occurs or continues. R.S.O. 1970, c. 346, s. 22, *amended.*

Multiple
information

35. An information in respect of any matter under this Act may be for one or more offences and no information, summons, warrant, conviction or other proceeding in any prosecution is objectionable or insufficient by reason of the fact that it relates to two or more offences. *New.*

Certificates,
etc., as
evidence

36. In any prosecution, proceeding or hearing under this Act or the regulations, the production of,

- (a) a certificate or report of an analyst in the employ of the Crown in right of Ontario designated by the Minister as to the analysis, ingredients, quality, quantity or temperature of any material, whether solid, liquid or gas or any combination of them; or
- (b) a notice, licence, permit, order, certificate, consent or approval purporting to be signed by the Minister or the Director, or any certified copy thereof,

is *prima facie* evidence of the facts stated therein and of the authority of the person making the report, notice, licence, permit, order, certificate, consent or approval without any proof of appointment or signature. *New.*

Proceedings
to prohibit
continuation
or repetition
of contra-
vention

37.—(1) Where any provision of this Act or the regulations or any direction, order, licence or permit made, served, delivered or issued by the Minister or the Director under this Act is contravened, notwithstanding any other remedy or any penalty imposed, the Minister may apply to a judge of the Supreme Court by originating motion for an order prohibiting the continuation or repetition of the contravention or the carrying on of any activity specified in the order that, in the opinion of the

court, will or will likely result in the continuation or repetition of the contravention by the person committing the contravention, and the judge may make the order and it may be enforced in the same manner as any other order or judgment of the Supreme Court.

(2) Any person against whom an order has been made under subsection 1 may apply to a judge of the Supreme Court for an order varying or rescinding an order made under subsection 1. *New.*

38. Where a conflict appears between any provision of this Act or the regulations and any other Act or regulation in a matter related to pesticides and the control of pests, the provision of this Act or the regulations shall prevail. *New.*

39. Every application, examination, licence, permit, order, regulation, prosecution, proceeding or hearing that is made, taken or deemed to be in effect under Part VI of *The Environmental Protection Act, 1971* and under *The Pesticides Act* shall continue to subsist and shall be deemed to be in effect under this Act in accordance with the terms thereof or until amended or revoked under this Act or the regulations. *New.*

40. The following are repealed:

Repeals

1. *The Pesticides Act*, being chapter 346 of the Revised Statutes of Ontario, 1970.
2. Section 66 of *The Civil Rights Statute Law Amendment Act, 1971*, being chapter 50.
3. Section 71 of *The Government Reorganization Act, 1972*, being chapter 1.

41. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

42. This Act may be cited as *The Pesticides Act, 1973*.

Short title

An Act to control
the Use of Pesticides

1st Reading

April 12, 1973

2nd Reading

3rd Reading

THE HON. J. A. C. AULD
Minister of the Environment

(Government Bill)

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to control the Use of Pesticides

THE HON. J. A. C. AULD
Minister of the Environment

(Reprinted as amended by the Committee of the Whole House)

EXPLANATORY NOTES

The Bill is a revision of *The Pesticides Act*. Among the new provisions are the following:

1. The discharge into the environment of a pesticide or a substance or thing containing a pesticide is prohibited where harm would result.
2. The Pesticides Licence Review Board is replaced by the Pesticides Appeal Board. This Board will hear all appeals under the Act from the Director's decisions regarding licences, permits, control orders and stop orders. The Pesticides Licence Review Board hears appeals only in regard to licences.
3. The grounds upon which a licence may be refused, suspended or revoked are extended and a similar provision is made for refusing to issue or cancelling a permit or for imposing or altering terms in a permit.
4. A permit is required for a water extermination and for a land or structural extermination involving a prescribed pesticide or prescribed conditions of use.
5. The authority to make a stop order in an emergency is extended to the handling, storage, use, disposal, transportation or display of a pesticide or a substance or thing containing a pesticide.
6. Provision is made for a control order where the handling, storage, use, disposal, transportation or display of a pesticide or a substance or thing containing a pesticide is likely to cause specified harmful effects.
7. A requirement is added for notice to the Director where a pesticide or a substance or thing containing a pesticide is discharged into the environment out of the normal course of events.
8. The Minister may order remedial action where the discharge of a pesticide or a substance or thing containing a pesticide causes or is likely to cause harm.
9. The authority to make regulations is extended to,
 - (a) regulating or prohibiting the display or disposal of pesticides;
 - (b) regulating the transportation of designated pesticides;
 - (c) prescribing the records to be kept by persons responsible for the transportation of designated pesticides;
 - (d) prescribing decontaminating procedures for any land, water or property unlawfully contaminated by a pesticide;
 - (e) requiring, regulating or prohibiting the removal or disposal of any substance or thing unlawfully contaminated by a pesticide.
10. Every person responsible for a pesticide or a substance containing a pesticide is required to do whatever is prescribed for decontaminating the environment or any plant or animal life or thing unlawfully contaminated by the pesticide and is prohibited from using them unless these procedures have been complied with or the Director approves other procedures. The term "person responsible" is defined in the Bill.
11. The Bill also provides for investigations by provincial officers, substantial fines upon conviction for offences and additional enforcement procedures.
12. The Act will bind the Crown and will prevail over any conflicting provisions contained in other Acts.

An Act to control the Use of Pesticides

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,

Interpre-
tation

1. "air" means open air not enclosed in a building, structure, machine, chimney, stack, flue or vehicle;
2. "Board" means the Pesticides Appeal Board;
3. "Committee" means the Pesticides Advisory Committee;
4. "Director" means the officer of the Ministry designated by the Minister to perform the functions of the Director under this Act;
5. "environment" means the natural environment, a building, structure, machine and vehicle, or any of them;
6. "extermination" means a land extermination, structural extermination or a water extermination;
7. "extermination business" means an activity or enterprise carried on for the purpose of causing an extermination or exterminations to be performed for fee or payment;
8. "exterminator" means a person who, by himself or by his employees, assistants or agents, performs or enters into a contract to perform an extermination;
9. "land" means surface land not enclosed in a building or structure, land covered by water and all subsoil, or any combination or part thereof;

10. "land extermination" means the destruction, prevention or control in, on or over land of a pest or pests by the use of a pesticide but does not include a structural extermination, a water extermination or the destruction, prevention or control of termites;
11. "licence" means a licence issued under this Act and the regulations;
12. "licensee" means a person who is the holder of a licence under this Act;
13. "Minister" means the Minister of the Environment;
14. "Ministry" means the Ministry of the Environment;
15. "natural environment" means the air, land and water, or any combination or part thereof, of the Province of Ontario;
16. "operator" means a person who has the control and management of an extermination business, and "operate" has a corresponding meaning;
17. "permittee" means a person who is the holder of a permit under this Act;
18. "person" includes a municipality, a corporation on behalf of Her Majesty in right of Ontario, and an agent of any of them;
19. "person responsible", when used with reference to a pesticide, substance or thing, means,
 - (i) the owner,
 - (ii) the person having the charge, management or control of the handling, storage, use, disposal, transportation or display, or
 - (iii) the person having the charge, management or control,
 of the pesticide, substance or thing;
20. "pest" means any injurious, noxious or troublesome plant or animal life other than man or plant or animal life on or in man and includes any injurious, noxious or troublesome organic function of a plant or animal;

21. "pesticide" means any organism, substance or thing that is manufactured, represented, sold or used as a means of directly or indirectly controlling, preventing, destroying, mitigating, attracting or repelling any pest or of altering the growth, development or characteristics of any plant life that is not a pest and includes any organism, substance or thing registered under the *Pest Control Products Act* ^{R.S.C. 1970,} _{c. P-10} (Canada);
22. "prescribed" means prescribed by the regulations;
23. "provincial officer" means a person who is designated under section 17;
24. "regulations" means the regulations made under this Act;
25. "structural extermination" means the destruction, prevention or control of a pest that may adversely affect a building, structure, machine, vehicle or their contents or the use or enjoyment thereof by any person by the use of a pesticide in, on or in the vicinity of the building, structure, machine or vehicle and includes the destruction, prevention or control of termites;
26. "water" means surface water and ground water, or either of them;
27. "water extermination" means the destruction, prevention or control in, on or over surface water of a pest by the use of a pesticide. R.S.O. 1970, c. 346, s. 1, *amended*.

2. The Minister, for the purpose of the administration of this Act and the regulations, may, ^{Powers and duties of Minister}

- (a) investigate problems relating to pesticides and the control of pests;
- (b) conduct research relating to pesticides and the control of pests;
- (c) conduct studies of the effect of pesticides and the control of pests on the quality of the environment;
- (d) convene conferences and conduct seminars and educational programs relating to pesticides and the control of pests;

- (e) gather, publish and disseminate information relating to pesticides and the control of pests;
- (f) make grants and loans for research related to pesticides and the control of pests in such amounts and upon such terms and conditions as the regulations may prescribe;
- (g) appoint committees to perform such advisory functions as the Minister considers requisite;
- (h) with the approval of the Lieutenant Governor in Council, enter into an agreement with any government or person relating to pesticides or the control of pests. *New.*

Prohibition

3. No person, whether acting or not acting under the authority of a licence or permit under this Act or an exemption under the regulations, shall deposit, add, emit or discharge or cause or permit the deposit, addition, emission or discharge of a pesticide or of any substance or thing containing a pesticide into the environment that,

- (a) causes or is likely to cause impairment of the quality of the environment for any use that can be made of it greater than the impairment, if any, for such use that would necessarily result from the proper use of the pesticide;
- (b) causes or is likely to cause injury or damage to property or to plant or animal life greater than the injury or damage, if any, that would necessarily result from the proper use of the pesticide;
- (c) causes or is likely to cause harm or material discomfort to any person greater than the harm or material discomfort, if any, that would necessarily result from the proper use of the pesticide;
- (d) adversely affects or is likely to affect adversely the health of any person to a greater degree than the adverse effect, if any, that would necessarily result from the proper use of the pesticide;
- (e) impairs or is likely to impair the safety of any person to a greater degree than the impairment, if any, of the safety of any person that would necessarily result from the proper use of the pesticide; or

(f) renders or is likely to render, directly or indirectly, any property or plant or animal life unfit for use by man to a degree greater than the unfitness, if any, that would necessarily result from the proper use of the pesticide. *New.*

4.—(1) No person shall engage in, perform or offer to perform an extermination except under and in accordance with a licence of a prescribed class and except by the use of a pesticide of a class and under the conditions for use prescribed for that class of licence or unless exempt under the regulations. Prohibition as to exterminations

(2) No person shall operate an extermination business except under and in accordance with a licence of a prescribed class or unless exempt under the regulations. Licence required to operate extermination business

(3) No person shall serve for a period of more than six months as an assistant to the holder of a licence to perform structural exterminations unless the person is licensed as an assistant exterminator or is exempt under the regulations. Idem, assistant structural exterminator

(4) No person shall serve for a period of more than seven days as an assistant to the holder of a licence to perform land exterminations or water exterminations unless the holder of the licence to perform the exterminations notifies the Director in writing or the person is exempt under the regulations. *R.S.O. 1970, c. 346, s. 2, amended.* Notice as to assistants to land exterminators or water exterminators

5. Unless exempt by the regulations, no person shall sell, offer to sell or transfer any pesticide unless the pesticide is classified by the regulations and except under and in accordance with a licence that shall be for such class and in respect of each premises on, in or from which the pesticide is or will be sold, offered for sale or transferred. *New.* Licence to sell, offer to sell or transfer

6.—(1) No person shall perform a land extermination or a structural extermination, Where permit required

(a) by means of a pesticide;

(b) by means of a pesticide of a class; or

(c) under the conditions of use,

prescribed for the purpose of this section unless he is the holder of a permit for the land extermination or the structural extermination issued by the Director or he is exempt under the regulations.

Idem (2) No person shall perform a water extermination unless he is the holder of a permit issued by the Director for the water extermination or is exempt under the regulations. *New.*

Responsibility for acts or omissions 7. For the purpose of this Act and the regulations, every person is, with respect to any matter under this Act and the regulations, responsible for the acts or omissions of his employees and agents within the scope of their actual or apparent authority. R.S.O. 1970, c. 346, s. 3, *amended.*

Liability insurance 8. An operator shall insure against liability or furnish a bond as provided for by the regulations. R.S.O. 1970, c. 346, s. 4.

Advisory Committee 9.—(1) The Committee known as the Pesticides Advisory Committee established under *The Pesticides Act*, being chapter 346 of the Revised Statutes of Ontario, 1970, and consisting of not fewer than ten members appointed by the Lieutenant Governor in Council one of whom may be designated by the Lieutenant Governor in Council as chairman and for whom the Lieutenant Governor in Council may appoint a person who is not a member as secretary, is continued.

Quorum (2) Six members of the Committee constitute a quorum.

Functions (3) The Committee shall,

- (a) review annually the content and operation of this Act and the regulations and recommend changes or amendments therein to the Minister;
- (b) inquire into and consider any matter the Committee considers advisable concerning pesticides and the control of pests, and any matter concerning pesticides and the control of pests referred to it by the Minister, and report thereon to the Minister;
- (c) review publications of the Government of Ontario respecting pesticides and the control of pests, and report thereon to the Minister; and
- (d) perform such other functions as the regulations prescribe. R.S.O. 1970, c. 346, s. 5, *amended.*

Issuance of licence or permit 10.—(1) Subject to subsection 2, the Director shall issue or renew a licence under section 4 or 5, and subject to subsection 3, the Director shall issue a permit under section 6 to any person who applies for the licence or permit, as the case may be, in accordance with the regulations and who meets

the requirements of this Act and the regulations for the particular class of licence or for the permit applied for and who pays the fee prescribed for the licence or permit.

(2) Subject to section 13, the Director may refuse to issue ^{Revocation and refusal of licence} or renew a licence or may suspend or revoke a licence where, in the opinion of the Director,

- (a) the applicant or licensee is in contravention of this Act or the regulations;
- (b) the licensee is in breach of any term or condition of the licence;
- (c) the applicant or licensee or, where the applicant or licensee is a corporation, its officers or directors, is or are not competent to carry on the activity that would be or is authorized by the licence;
- (d) the past conduct of the applicant or licensee or, where the applicant or licensee is a corporation, of any of its officers or directors, affords reasonable grounds for belief that the activity that would be or is authorized by the licence will not be carried on with honesty and integrity;
- (e) the applicant or licensee does not possess or will not have available all premises, facilities and equipment necessary to carry on the activity authorized by the licence in accordance with this Act, the regulations and the licence;
- (f) the applicant or licensee is not in a position to observe or carry out the provisions of this Act, the regulations and the licence;
- (g) the licensee has been grossly negligent in carrying on the activity that is authorized by the licence; or
- (h) the licensee has fraudulently misrepresented his services in performing an extermination or in carrying on an extermination business. 1971, c. 50, s. 66 (2), *part, amended*.

(3) The Director may refuse to issue or may cancel a permit, ^{Revocation and refusal of permit} may impose terms and conditions in issuing or after issuing a permit and may alter the terms and conditions of a permit that has been issued where the Director is of the opinion, upon reasonable and probable grounds that,

- (a) the applicant or permittee is not competent to perform the extermination for which the permit is required;
- (b) the applicant or permittee does not possess or will not have available all facilities and equipment necessary to perform the extermination in accordance with this Act, the regulations and the permit;
- (c) there is or is likely to be danger to the health or safety of any person;
- (d) there is or is likely to be harm or material discomfort to any person;
- (e) there is or is likely to be impairment of the quality of the environment for any use that is being or is likely to be made of it;
- (f) there is or is likely to be injury or damage to any property or to plant or animal life;
- (g) any property or plant or animal life is or is likely to be rendered, directly or indirectly, unfit for use by man;
- (h) a different method of control or extermination will or will likely be substantially as effective as the proposed extermination for which a permit is required under section 6 and will or will likely cause less impairment of the environment, if any, for any use that is being or is likely to be made of it or less harm to or adverse effect, if any, on any plant or animal life, man or property; or
- (i) the use of the pesticide will not be or will not likely be effective or necessary to carry out the extermination. *New.*

Term of
licence

11. A licence expires on the 15th day of February in the year next following the year in which it was issued. 1971, c. 50, s. 66 (2), *part, amended.*

Pesticides
Appeal
Board

12.—(1) The Lieutenant Governor in Council shall appoint a board, consisting of not more than seven members, to be known as the Pesticides Appeal Board who shall hold office during pleasure and none of whom shall be members of the public service in the employ of the Ministry.

(2) The Lieutenant Governor in Council may appoint one of ^{Chairman} the members of the Board as chairman.

(3) Four members of the Board constitute a quorum. ^{Quorum}

(4) Such employees as are required for the purposes of the ^{Appointment of staff} Board may be appointed under *The Public Service Act. New.* ^{R.S.O. 1970, c. 386}

13.—(1) Where the Director proposes, ^{Proposal to refuse to issue licence, etc.}

(a) to refuse to issue or renew a licence;

(b) to suspend or revoke a licence; or

(c) to make, amend or vary a control order,

he shall serve notice of his proposal, together with written reasons therefor, on the applicant, licensee or person to whom the Director intends to direct the control order.

(2) A notice under subsection 1 shall inform the applicant, ^{Notice} licensee or person to whom the Director intends to direct the control order that he is entitled to a hearing by the Board if he mails or delivers to the Director and the Board, within fifteen days after the notice under subsection 1 is served on him, notice in writing requiring a hearing, and he may so require such a hearing.

(3) Where an applicant, licensee or person to whom the ^{Powers of Director where no hearing} Director intends to direct the control order does not require a hearing by the Board in accordance with subsection 2, the Director may carry out the proposal stated in his notice under subsection 1.

(4) Where an applicant, licensee or person to whom the ^{Powers of Board where hearing} Director intends to direct the control order requires a hearing by the Board in accordance with subsection 2, the Board shall appoint a time and place for and hold the hearing and may by order direct the Director to carry out his proposal or refrain from carrying out his proposal and to take such action as the Board considers the Director ought to take in accordance with this Act and the regulations, and for such purposes the Board may substitute its opinion for that of the Director.

(5) The Board may extend the time for the giving of notice ^{Extension of time for requiring hearing} requiring a hearing by an applicant, licensee or person to whom the Director intends to direct a control order referred to in subsection 1, either before or after the expiration of such time, where it is satisfied that there are reasonable grounds

for applying for the extension and that there are *prima facie* grounds for granting relief to the applicant, licensee or person to whom the Director intends to direct the control order referred to in subsection 1, and the Board may give such directions as it considers proper consequent upon the extension.

Continuation
of licence
pending
renewal

(6) Where, within the time prescribed therefor or, if no time is prescribed, before expiry of his licence, a licensee has applied for a renewal of his licence and paid the prescribed fee, his licence shall be deemed to continue,

- (a) until the renewal is granted; or
- (b) where he is served with notice that the Director proposes to refuse to grant the renewal, until the time for giving notice requiring a hearing by the Board has expired and, where a hearing is required, until the Board has made its decision. 1971, c. 50, s. 66 (3), *part.*

Emergency
notice

(7) Notwithstanding subsection 6, where the Director is of the opinion that an emergency exists by reason of,

- (a) danger to the safety or health of any person;
- (b) impairment or immediate risk of impairment of the environment for any use that is being or is likely to be made of it;
- (c) injury or damage or immediate risk of injury or damage to property, or to plant or animal life;
- (d) the rendering or immediate risk of rendering, directly or indirectly, of any property or plant or animal life unfit for use by man; or
- (e) a failure by a licensee to have in force insurance against liability or to furnish or have in force a bond as required by section 8,

the Director, by a notice to a licensee or to a person to whom the Director intends to direct a control order, together with written reasons therefor, may refuse to renew, suspend or revoke a licence or make, amend or vary a control order and, notwithstanding that the licensee or person to whom the control order is directed requires a hearing by the Board, the licence shall not be deemed to continue or the suspension, revocation or the making, amendment or variation of the control order is effective upon the service of the notice, as the case requires.

(8) Where the Director refuses to issue or cancels a permit or imposes or alters a term or condition in a permit that has been issued, he shall forthwith thereafter serve or cause to be served notice of his decision, upon the applicant or permittee, together with written reasons therefor. ^{Where permit cancelled or terms or conditions imposed or altered}

(9) Where the Director issues a permit subject to a term or condition, refuses to issue or cancels a permit or imposes or alters a term or condition in a permit that has been issued and the applicant or permittee makes submissions to the Director, the Director, within three days after receiving the submissions, shall reconsider and vary, rescind or confirm his decision and shall serve or cause to be served notice of such variance, rescission or confirmation upon the applicant or permittee together with written reasons therefor and where the Director varies or rescinds his decision, he shall take such action as may be necessary to make the variation or rescission effective. ^{Reconsideration}

(10) A permit issued by the Director subject to a term or condition and a notice under subsection 8 shall inform the applicant or permittee that he is entitled to make submissions to the Director, in person or by an agent and by telephone or otherwise and that he is entitled to a hearing by the Board if he mails or delivers to the Director and the Board, within fifteen days after the notice under subsection 9 is served on him, notice in writing requiring a hearing and he may so make such submissions and so require such a hearing. ^{Notice}

(11) Notwithstanding the making of submissions by an applicant or a permittee pursuant to subsection 10, the issuance of a permit subject to a term or condition or the cancellation of a permit or the imposition or alteration of a term or condition in a permit that has been issued by the Director is effective upon the issuance of the permit or upon the service of the notice under subsection 8. ^{Effect of service of notice}

(12) Subsections 4 and 5 apply *mutatis mutandis* to a hearing by the Board required under subsection 10. 1971, c. 50, s. 66 (3), *part, amended*. ^{Subss. 4, 5, to apply}

14.—(1) The Director, the applicant, licensee, permittee or person to whom the Director intends to direct a control order who has required a hearing and such other persons as the Board may specify are parties to proceedings before the Board under section 13. ^{Parties}

(2) Notice of a hearing under section 13 shall afford to the applicant, licensee, permittee or person to whom the Director intends to direct a control order a reasonable ^{Notice of hearing}

opportunity to show or to achieve compliance before the hearing with all lawful requirements for the issue or retention of the licence or permit or to take such action as will preclude the necessity for making, amending or varying the control order.

Examination
of docu-
mentary
evidence

(3) An applicant, licensee, permittee or person to whom the Director intends to direct a control order who is a party to proceedings under section 13 shall be afforded an opportunity to examine before the hearing any written or documentary evidence that will be produced or any report the contents of which will be given in evidence at the hearing.

Members
holding
hearing
not to
have taken
part in
investigation,
etc.

(4) Members of the Board holding a hearing shall not have taken part before the hearing in any investigation or consideration of the subject-matter of the hearing and shall not communicate directly or indirectly in relation to the subject-matter of the hearing with any person or with any party or his representative except upon notice to and opportunity for all parties to participate, but the Board may seek legal advice from an adviser independent from the parties and in such case the nature of the advice should be made known to the parties in order that they may make submissions as to the law.

Recording of
evidence

(5) The oral evidence taken before the Board at a hearing shall be recorded and, if so required, copies or a transcript thereof shall be furnished upon the same terms as in the Supreme Court.

Findings
of fact

1971, c. 47

(6) The findings of fact of the Board pursuant to a hearing shall be based exclusively on evidence admissible or matters that may be noticed under sections 15 and 16 of *The Statutory Powers Procedure Act, 1971*.

Only
members
at hearing
to participate
in decision

(7) No member of the Board shall participate in a decision of the Board pursuant to a hearing unless he was present throughout the hearing and heard the evidence and argument of the parties and, except with the consent of the parties, no decision of the Board shall be given unless all members so present participate in the decision.

Release of
documentary
evidence

(8) Documents and things put in evidence at the hearing shall, upon the request of the person who produced them, be released to him by the Board within a reasonable time after the matter in issue has been finally determined. 1971, c. 50, s. 66 (3), *part, amended*.

Appeal
to court

15.—(1) Any party to proceedings before the Board may appeal from its decision or order on a question of law to the Supreme Court in accordance with the rules of court.

(2) Where any party appeals from a decision or order of the Board, the Board shall forthwith file in the Supreme Court the record of the proceedings before it in which the decision was made, which, together with the transcript of the evidence if it is not part of the Board's record, shall constitute the record in the appeal. Record to be filed in court

(3) The Minister is entitled to be heard by counsel or otherwise upon the argument of an appeal under subsection 1. Minister entitled to be heard

(4) Any party to a hearing before the Board, within thirty days after receipt of the decision of the Board or within thirty days after final disposition of an appeal, if any, under subsection 1, may appeal in writing to the Minister on any matter other than a question of law and the Minister shall confirm, alter or revoke the decision of the Board as to the matter in appeal as he considers in the public interest. 1971, c. 50, s. 66 (3), *part, amended*. Appeal to Minister

16.—(1) No action or other proceeding for damages shall be instituted against the Director, any member of the Board or of the Committee or anyone acting under the direction of such Director or member for any act done in good faith in the execution or intended execution of his duty or for any alleged neglect or default in the execution in good faith of his duty. R.S.O. 1970, c. 346, s. 15. Protection from personal liability

(2) Subsection 1 does not, by reason of subsections 2 and 4 of section 5 of *The Proceedings Against the Crown Act*, relieve the Crown of liability in respect of a tort committed by an agent or servant of the Crown to which it would otherwise be subject and the Crown is liable under that Act for any such tort in a like manner as if subsection 1 had not been enacted. 1971, c. 50, s. 66 (4). Crown not relieved of liability R.S.O. 1970, c. 365

17.—(1) The Minister may designate in writing one or more officers or employees of the Ministry or other persons as provincial officers for the purposes of this Act and the regulations. Provincial officers

(2) For the purpose of the administration of this Act and the regulations, a provincial officer may, from time to time and upon production of his designation, enter at any reasonable time any building, structure, machine, vehicle, land, water or air and make or require to be made such surveys, examinations, investigations, tests and inquiries, including examinations of books, records and documents, as he considers necessary, and may make, take and remove or may require to be made, taken or removed samples, copies or extracts, and the Crown is liable for any damage or actual costs occasioned thereby. Powers of provincial officer

Order
authorizing
entry

(3) Where a provincial judge is satisfied, upon an *ex parte* application by a provincial officer, that there is reasonable ground for believing that it is necessary to enter any building, structure, machine, vehicle, land, water or air for the administration of this Act or the regulations, the provincial judge may issue an order authorizing a provincial officer to enter therein or thereon and to make or require to be made such surveys, examinations, investigations, tests and inquiries and to take the other actions as are mentioned in subsection 2, but every such entry, survey, examination, investigation, test, inquiry and other such action shall be made or taken between sunrise and sunset unless the provincial judge authorizes the provincial officer, by the order, to so act at another time.

Information

(4) Every person responsible for a pesticide or for a substance or thing containing a pesticide that is the subject of an investigation by a provincial officer, and every person who assists such a person, shall furnish such information as the provincial officer requires for the purpose of the investigation.

Obstruction
of provincial
officer

(5) No person who is responsible for a pesticide or for a substance or thing containing a pesticide or who assists such a person shall hinder or obstruct a provincial officer in the lawful performance of his duties or furnish a provincial officer with false information. *New.*

Calling for
assistance of
member of
police force

18. Whenever a provincial officer is required or empowered by this Act or the regulations to do or direct the doing of anything, such provincial officer may take such steps and employ such assistance as is necessary to accomplish what is required, and may, when obstructed in so doing, call for the assistance of any member of the Ontario Provincial Police Force or the police force in the area where the assistance is required and it is the duty of every member of a police force to render such assistance. *New.*

Matters
confidential

19. Except as to information in respect of,

- (a) impairment or potential impairment of the quality of the environment for any use that can be made of it; or
- (b) harm or potential harm to or an adverse effect on any person, living thing or any property,

arising from or likely to arise from the handling, storage, use, disposal, transportation or display of a pesticide or a substance or thing containing a pesticide, every provincial officer shall preserve secrecy in respect of all matters that

come to his knowledge in the course of an examination, test or inquiry of or into any matter under this Act or the regulations and shall not communicate any such matter to any person except,

- (c) as may be required in connection with the administration of this Act and the regulations or any proceedings under this Act or the regulations;
- (d) to his counsel; or
- (e) with the consent of the person who is responsible for the handling, storage, use, disposal, transportation or display of the pesticide, substance or thing. *New.*

20.—(1) Where the Director or a provincial officer is of the ^{Stop order} opinion, upon reasonable and probable grounds, that an emergency exists by reason of,

- (a) danger to the health or safety of any person;
- (b) impairment or immediate risk of impairment of the quality of the environment for any use that is being or is likely to be made of it;
- (c) injury or damage or immediate risk of injury or damage to any property or to any plant or animal life; or
- (d) the rendering or the immediate risk of rendering, directly or indirectly, any property or plant or animal life unfit for use by man,

consequent upon the handling, storage, use, disposal, transportation or display of a pesticide or a substance or thing containing a pesticide, the Director or provincial officer, as the case may be, may make an oral or written stop order directed to the person responsible for the pesticide or the substance or thing containing the pesticide ordering such person to stop immediately the handling, storage, use, disposal, transportation or display of the pesticide or the substance or thing containing the pesticide either permanently or for a specific period of time. 1971, c. 50, s. 66 (7), *amended*.

(2) A person who is affected by a stop order made by a ^{Immediate appeal} provincial officer under subsection 1 may appeal therefrom in person or by an agent and by telephone or otherwise to the Director and the Director, after receiving the submissions of the person and of the provincial officer, shall vary, rescind or confirm the stop order of the provincial officer. R.S.O. 1970, c. 346, s. 20, *amended*.

Written reasons for order

(3) Where the Director makes a stop order or varies or confirms a stop order pursuant to subsection 2, the Director shall forthwith thereafter serve or cause to be served a written copy of the stop order or a written copy of the stop order as varied or confirmed, as the case requires, together with written reasons therefor, upon the person to whom the stop order or the stop order as varied or confirmed is directed.

Notice

(4) A stop order, or a stop order as varied or confirmed, under subsection 3 shall inform the person to whom it is directed that he is entitled to a hearing by the Board if he mails or delivers to the Director and the Board, within fifteen days after a copy of the stop order, or the stop order as varied or confirmed, under subsection 3, is served on him, notice in writing requiring a hearing and he may so require such a hearing. *New.*

Effect of stop order

(5) Notwithstanding that an appeal is taken against a stop order, the stop order is effective at and from the time it is communicated to the person to whom it is directed until confirmed, varied or rescinded on appeal and such person shall comply with the stop order immediately. 1971, c. 50, s. 66 (8), *amended.*

Appeal to Board

(6) Where the Director has made a stop order or has varied or confirmed upon appeal to the Director a stop order made by a provincial officer, any person to whom the order is directed may, by written notice mailed to or served upon the Director and the Board within fifteen days after service upon him of a copy of the stop order or of the stop order as varied or confirmed, as the case requires, require a hearing by the Board.

Powers of Board where hearing

(7) Where a person to whom a stop order is directed requires a hearing by the Board in accordance with subsection 6, the Board shall appoint a time and place for and hold the hearing and the Board may by order confirm, alter or rescind the order of the Director and for such purposes the Board may substitute its opinion for that of the Director.

Parties

(8) The Director, the person who has required the hearing and such other persons as the Board may specify are parties to proceedings before the Board under this section.

Application of ss. 13 (5), 14 (2-8) and 15

(9) Subsection 5 of section 13, subsections 2, 3, 4, 5, 6, 7 and 8 of section 14 and section 15 apply *mutatis mutandis* to proceedings under this section.

Revocation of stop order

(10) The Director, by an order, may rescind a stop order and in such case shall serve or cause to be served a copy of the rescinding order upon the person to whom the stop order was directed. *New.*

21.—(1) Where the handling, storage, use, disposal, trans-^{Control}portation or display of a pesticide or a substance or thing ^{order} containing a pesticide,

- (a) causes or is likely to cause impairment of the quality of the environment for any use that is being or is likely to be made of it;
- (b) causes or is likely to cause injury or damage to property or to plant or animal life;
- (c) causes or is likely to cause harm or material discomfort to any person;
- (d) adversely affects or is likely to affect adversely the health of any person;
- (e) impairs or is likely to impair the safety of any person;
- (f) renders or is likely to render, directly or indirectly, any property or plant or animal life unfit for use by man,

the Director, subject to section 13, may make a control order directed to the person responsible for the pesticide or the substance or thing containing the pesticide.

(2) The Director, in a control order, may order the person ^{Content} to whom the order is directed to, ^{of control} ^{order}

- (a) limit or control the rate of deposit, addition, emission or discharge of a pesticide or a substance or thing containing a pesticide into the environment in accordance with the directions set out in the order;
- (b) stop the deposit, addition, emission or discharge of a pesticide or a substance or thing containing a pesticide into the environment,
 - (i) permanently,
 - (ii) for a specified period of time, or
 - (iii) in the circumstances set out in the order; and
- (c) comply with any directions set out in the order relating to the manner in which a pesticide or a substance or thing containing a pesticide or the container of either of them may be handled, stored, used, disposed of, transported or displayed.

Amendment
of control
order

(3) The Director, under any of the circumstances set out in subsection 1 and in accordance with subsection 2, by a further order, may amend or vary a control order and sections 13, 14 and 15 apply *mutatis mutandis*.

Revocation of
control order

(4) The Director, by an order, may rescind a control order and in such case shall serve or cause to be served a copy of the rescinding order upon the person to whom the control order was directed. *New*.

When
Director to
be notified

22. Every person who deposits, adds, emits or discharges a pesticide or a substance or thing containing a pesticide in or into the environment out of the normal course of events that,

- (a) causes or is likely to cause impairment of the quality of the environment for any use that can be made of it;
- (b) causes or is likely to cause injury or damage to property or to plant or animal life;
- (c) causes or is likely to cause harm or material discomfort to any person;
- (d) adversely affects or is likely to adversely affect the health of any person;
- (e) impairs or is likely to impair the safety of any person; or
- (f) renders or is likely to render, directly or indirectly, any property or plant or animal life unfit for use by man,

shall forthwith notify the Director. *New*.

Minister
may order
repair of
damage

23.—(1) Where any person deposits, adds, emits or discharges or causes or permits the deposit, addition, emission or discharge of a pesticide or a substance or thing containing a pesticide that causes or is likely to cause injury or damage to or impairment of,

- (a) the quality of the environment for any use that is being or is likely to be made of it;
- (b) any property or water;
- (c) plant or animal life; or
- (d) a person,

the Minister, where he is of the opinion that it is in the public interest to do so, may order the person responsible for the pesticide or the substance or thing containing the pesticide to do all things and take all steps within such time or times as may be specified in the order for the purpose of preventing or repairing, as the case requires, such injury or damage or impairment or to restore such quality.

(2) Every person responsible for a pesticide or a substance or thing containing a pesticide shall take such measures and do such things within such time or times with respect to the cleaning and decontamination of the environment, or any plant or animal life, substance or thing that has come into contact with a pesticide by any means other than in accordance with this Act and the regulations or a licence, permit or order thereunder as may be prescribed. Cleaning and decontamination

(3) No person shall use the environment or any plant or animal life, substance or thing that has come into contact with a pesticide by any means other than in accordance with this Act and the regulations or a licence, permit or order thereunder unless the cleaning and decontamination thereof has been completed in the prescribed manner or has been approved by the Director in writing. *New.* Idem

24.—(1) An order of the Minister, the Director or a provincial officer under this Act is binding upon the successor or assignee of the person to whom it is directed. Order binds successor or assignee

(2) The Ministry shall maintain an alphabetical index record of the names of all persons to whom orders are directed under this Act. Index record

(3) When an order has expired or is rescinded, the Ministry shall remove from the index record the name of the person to whom the order is directed. Removal of name from index record

(4) The Ministry shall, upon the request of any person, make a search of the index record and inform the person making the request as to whether or not the name of a particular person appears in the index record and shall permit inspection of any order relating to that person. *New.* Search of index record

25. This Act binds the Crown. *New.* The Crown

26. A licence or a permit under this Act is not transferable. *New.* Licences or permits not transferable

27. Where, in the opinion of the Director, it is in the public interest to do so, the Director may exempt an applicant for a licence issued by the Director pursuant to section 5 or the holder Exemption

of such a licence from any provision of the regulations and issue a licence to the applicant or modify the licence of the licensee, as the case may be, upon such terms and conditions, or alter or revoke the terms and conditions, as the Director considers necessary. *New.*

Regulations **28.** The Lieutenant Governor in Council may make regulations,

1. prescribing classes of licences and the requirements for licences and renewals;
2. exempting any person or class of persons from this Act or the regulations or any provision thereof and prescribing terms and conditions attaching to any such exemption;
3. providing for the issue and renewal of licences and prescribing fees therefor;
4. providing for the issue of permits, prescribing fees therefor and the requirements therefor;
5. prescribing terms and conditions with respect to sales, offers to sell, transfers or premises in, on or from which sales, offers to sell or transfers of a pesticide are or will be made that shall attach to any class of licence;
6. providing for the examination of applicants for permits and licences and renewals of licences, and prescribing fees for such examinations;
7. providing for the appointment of examiners for applicants for licences and permits, the period for which such appointments may be made and the remuneration of examiners;
8. requiring applicants for licences to undergo medical examinations;
9. prescribing the procedures, conditions and notices for exterminations and for the airing out of buildings, structures and vehicles;
10. fixing the amount and type of insurance or bond that shall be carried or furnished by operators and prescribing the form, requirements and terms thereof;
11. prescribing pesticides, classes of pesticides and conditions of use for the purpose of section 6;

12. prescribing that a type or class of structural extermination may be deemed a land extermination and prescribing that a type or class of land extermination may be deemed a structural extermination for the purpose of this Act and the regulations;
13. permitting any class of operator or exterminator to perform or to undertake to perform any extermination for which the members of the class are not licensed and prescribing the conditions that shall attach to the permission;
14. exempting any machine, apparatus, equipment, or class thereof, from this Act or the regulations, or any provision thereof;
15. exempting any type or class of building, vehicle or structure from this Act or the regulations or any provision thereof;
16. excluding any land or water from the operation of this Act or the regulations or any provision thereof;
17. regulating or prohibiting the installation, operation, maintenance and use of any machine, apparatus or equipment used for extermination;
18. governing the signs, marking or other identification of vehicles or machines used in exterminations;
19. regulating the construction of any enclosed space or vault in which movable property may be placed during the periods of extermination and airing out;
20. prescribing functions, practices and procedures, tenure of office and remuneration of the Committee;
21. providing for the remuneration and expenses of members of the Pesticides Appeal Board;
22. prescribing forms and providing for their use for the purposes of this Act;
23. governing, regulating or prohibiting the use, handling, storage, display or disposal of pesticides;
24. classifying pesticides and prohibiting or regulating the sale, offering for sale or transfer of any pesticide or class of pesticides;

25. prohibiting the holders of any class of licence from using any designated pesticide or class of pesticides;
26. regulating the type of containers and the labelling of containers for pesticides, other than the containers in which pesticides are sold or offered for sale;
27. regulating the disposal of containers of pesticides;
28. prescribing the records to be kept and returns to be made by licensees;
29. exempting any plant or animal life, organism, substance or thing or any class of any of them or any quantity or concentration of any organism or substance from this Act or the regulations or any provision thereof;
30. respecting premises on, in or from which any pesticide or class of pesticide is sold, offered for sale or transferred;
31. regulating and controlling, for the purpose of preventing or reducing the contamination by pesticides of the environment, property, plant or animal life, or of any person, the transportation of any designated pesticide or class of pesticides by any vehicle operated on any highway or road or the transportation of any designated pesticide or class of pesticides together with any commodity or class of commodities by a vehicle operated on any highway or road;
32. prohibiting the transportation of any designated pesticide or class of pesticides together with any commodity or class of commodity by a vehicle operated on any highway or road;
33. prescribing the records to be kept by persons responsible for the transportation of any designated pesticide or class of pesticides by a vehicle operated on a highway or road;
34. requiring, regulating or prohibiting the removal or disposal of any substance or thing that has come into contact with any pesticide by any means other than in accordance with this Act and the regulations or a licence, permit or order thereunder;
35. requiring and prescribing measures to be taken and things to be done with respect to the cleaning and decontamination of the environment or any plant

or animal life, substance or thing that has come into contact with a pesticide by any means other than in accordance with this Act and the regulations or a licence, permit or order thereunder and the time or times within which such measures shall be taken and things done. R.S.O. 1970, c. 346, s. 21; 1971, c. 50, s. 66 (9, 10), *amended*.

29.—(1) Any regulation may be general or particular in its application and may be limited as to time or place or both. Scope of regulations

(2) Any regulation may adopt by reference, in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any code, formula, standard or procedure, and may require compliance with any code, formula, standard or procedure so adopted. *New*. Adoption of codes in regulations

30. The Minister may charge and collect such fees as he considers proper for all copies of pamphlets, brochures, documents, maps, plans or drawings supplied by the Ministry. *New*. Fees for copies

31.—(1) Any notice, order, decision or other document required to be given, served or delivered under this Act or the regulations is sufficiently given, served or delivered if delivered personally or sent by registered mail addressed to the person to whom it is required to be given, served or delivered at the latest address for service appearing on the records of the Ministry or, where there is no address for service so appearing, at the address, if any, last known to the Director. Service

(2) Where service is made by registered mail pursuant to subsection 1, the service shall be deemed to be made on the fifth day after the day of mailing unless the person on whom service is being made establishes that he did not, acting in good faith, through absence, accident, illness or other cause beyond his control, receive the notice, order, decision or other document until a later date. 1971, c. 50, s. 66 (3), *part, amended*. When service deemed made

32. Where the Minister or the Director has authority to order or require that any matter or thing be done, the Minister may order that, in default of its being done by the person ordered or required to do it, such matter or thing shall be done at the expense of such person, and the Minister may recover the cost of doing it, with costs, by action in a court of competent jurisdiction as a debt due to the Crown by such person. *New*. Enforcement of performance of things required to be done

False information

33. No person shall give false information in any application, return or statement made to the Minister, the Director or any other officer of the Ministry in respect of any matter under this Act or the regulations. *New.*

Offence

34. Every person, whether as principal or employer or as agent or employee of either of them, who contravenes any provision of this Act or the regulations or fails to comply with an order or a term or condition of a licence or permit made or issued under this Act is guilty of an offence and on summary conviction is liable on a first conviction to a fine of not more than \$5,000 for every day or part thereof upon which the offence occurs or continues and upon a second or subsequent conviction to a fine of not more than \$10,000 for every day or part thereof upon which the offence occurs or continues. R.S.O. 1970, c. 346, s. 22, *amended.*

Multiple information

35. An information in respect of any matter under this Act may be for one or more offences and no information, summons, warrant, conviction or other proceeding in any prosecution is objectionable or insufficient by reason of the fact that it relates to two or more offences. *New.*

Certificates, etc., as evidence

36. In any prosecution, proceeding or hearing under this Act or the regulations, the production of,

- (a) a certificate or report of an analyst in the employ of the Crown in right of Ontario designated by the Minister as to the analysis, ingredients, quality, quantity or temperature of any material, whether solid, liquid or gas or any combination of them; or
- (b) a notice, licence, permit, order, certificate, consent or approval purporting to be signed by the Minister or the Director, or any certified copy thereof,

is *prima facie* evidence of the facts stated therein and of the authority of the person making the report, notice, licence, permit, order, certificate, consent or approval without any proof of appointment or signature. *New.*

Proceedings to prohibit continuation or repetition of contravention

37.—(1) Where any provision of this Act or the regulations or any direction, order, licence or permit made, served, delivered or issued by the Minister or the Director under this Act is contravened, notwithstanding any other remedy or any penalty imposed, the Minister may apply to a judge of the Supreme Court by originating motion for an order prohibiting the continuation or repetition of the contravention or the carrying on of any activity specified in the order that, in the opinion of the

court, will or will likely result in the continuation or repetition of the contravention by the person committing the contravention, and the judge may make the order and it may be enforced in the same manner as any other order or judgment of the Supreme Court.

(2) Any person against whom an order has been made under subsection 1 may apply to a judge of the Supreme Court for an order varying or rescinding an order made under subsection 1. *New.* ^{Rescission or variation of order}

38. Where a conflict appears between any provision of this Act or the regulations and any other Act or regulation in a matter related to pesticides and the control of pests, the provision of this Act or the regulations shall prevail. *New.* ^{Conflict}

39. Every application, examination, licence, permit, order, regulation, prosecution, proceeding or hearing that is made, taken or deemed to be in effect under Part VI of *The Environmental Protection Act, 1971* and under *The Pesticides Act* shall continue to subsist and shall be deemed to be in effect under this Act in accordance with the terms thereof or until amended or revoked under this Act or the regulations. *New.* ^{Applications, etc., deemed under this Act R.S.O. 1970, c. 346}

40. The following are repealed:

^{Repeals}

1. *The Pesticides Act*, being chapter 346 of the Revised Statutes of Ontario, 1970.
2. Section 66 of *The Civil Rights Statute Law Amendment Act, 1971*, being chapter 50.
3. Section 71 of *The Government Reorganization Act, 1972*, being chapter 1.

41. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. ^{Commencement}

42. This Act may be cited as *The Pesticides Act, 1973*.

^{Short title}

BILL 91

An Act to control
the Use of Pesticides

1st Reading

April 12, 1973

2nd Reading

May 15th, 1973

3rd Reading

THE HON. J. A. C. AULD
Minister of the Environment

*(Reprinted as amended by the
Committee of the Whole House)*

BILL 91

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act to control the Use of Pesticides

THE HON. J. A. C. AULD
Minister of the Environment



An Act to control the Use of Pesticides

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,

Interpre-
tation

1. "air" means open air not enclosed in a building, structure, machine, chimney, stack, flue or vehicle;
2. "Board" means the Pesticides Appeal Board;
3. "Committee" means the Pesticides Advisory Committee;
4. "Director" means the officer of the Ministry designated by the Minister to perform the functions of the Director under this Act;
5. "environment" means the natural environment, a building, structure, machine and vehicle, or any of them;
6. "extermination" means a land extermination, structural extermination or a water extermination;
7. "extermination business" means an activity or enterprise carried on for the purpose of causing an extermination or exterminations to be performed for fee or payment;
8. "exterminator" means a person who, by himself or by his employees, assistants or agents, performs or enters into a contract to perform an extermination;
9. "land" means surface land not enclosed in a building or structure, land covered by water and all subsoil, or any combination or part thereof;

10. "land extermination" means the destruction, prevention or control in, on or over land of a pest or pests by the use of a pesticide but does not include a structural extermination, a water extermination or the destruction, prevention or control of termites;
11. "licence" means a licence issued under this Act and the regulations;
12. "licensee" means a person who is the holder of a licence under this Act;
13. "Minister" means the Minister of the Environment;
14. "Ministry" means the Ministry of the Environment;
15. "natural environment" means the air, land and water, or any combination or part thereof, of the Province of Ontario;
16. "operator" means a person who has the control and management of an extermination business, and "operate" has a corresponding meaning;
17. "permittee" means a person who is the holder of a permit under this Act;
18. "person" includes a municipality, a corporation on behalf of Her Majesty in right of Ontario, and an agent of any of them;
19. "person responsible", when used with reference to a pesticide, substance or thing, means,
 - (i) the owner,
 - (ii) the person having the charge, management or control of the handling, storage, use, disposal, transportation or display, or
 - (iii) the person having the charge, management or control,
 of the pesticide, substance or thing;
20. "pest" means any injurious, noxious or troublesome plant or animal life other than man or plant or animal life on or in man and includes any injurious, noxious or troublesome organic function of a plant or animal;

21. "pesticide" means any organism, substance or thing that is manufactured, represented, sold or used as a means of directly or indirectly controlling, preventing, destroying, mitigating, attracting or repelling any pest or of altering the growth, development or characteristics of any plant life that is not a pest and includes any organism, substance or thing registered under the *Pest Control Products Act* ^{R.S.C. 1970, c. P-10} (Canada);
22. "prescribed" means prescribed by the regulations;
23. "provincial officer" means a person who is designated under section 17;
24. "regulations" means the regulations made under this Act;
25. "structural extermination" means the destruction, prevention or control of a pest that may adversely affect a building, structure, machine, vehicle or their contents or the use or enjoyment thereof by any person by the use of a pesticide in, on or in the vicinity of the building, structure, machine or vehicle and includes the destruction, prevention or control of termites;
26. "water" means surface water and ground water, or either of them;
27. "water extermination" means the destruction, prevention or control in, on or over surface water of a pest by the use of a pesticide. R.S.O. 1970, c. 346, s. 1, *amended*.
2. The Minister, for the purpose of the administration of this Act and the regulations, may, ^{Powers and duties of Minister}
- (a) investigate problems relating to pesticides and the control of pests;
 - (b) conduct research relating to pesticides and the control of pests;
 - (c) conduct studies of the effect of pesticides and the control of pests on the quality of the environment;
 - (d) convene conferences and conduct seminars and educational programs relating to pesticides and the control of pests;

- (e) gather, publish and disseminate information relating to pesticides and the control of pests;
- (f) make grants and loans for research related to pesticides and the control of pests in such amounts and upon such terms and conditions as the regulations may prescribe;
- (g) appoint committees to perform such advisory functions as the Minister considers requisite;
- (h) with the approval of the Lieutenant Governor in Council, enter into an agreement with any government or person relating to pesticides or the control of pests. *New.*

Prohibition

3. No person, whether acting or not acting under the authority of a licence or permit under this Act or an exemption under the regulations, shall deposit, add, emit or discharge or cause or permit the deposit, addition, emission or discharge of a pesticide or of any substance or thing containing a pesticide into the environment that,

- (a) causes or is likely to cause impairment of the quality of the environment for any use that can be made of it greater than the impairment, if any, for such use that would necessarily result from the proper use of the pesticide;
- (b) causes or is likely to cause injury or damage to property or to plant or animal life greater than the injury or damage, if any, that would necessarily result from the proper use of the pesticide;
- (c) causes or is likely to cause harm or material discomfort to any person greater than the harm or material discomfort, if any, that would necessarily result from the proper use of the pesticide;
- (d) adversely affects or is likely to affect adversely the health of any person to a greater degree than the adverse effect, if any, that would necessarily result from the proper use of the pesticide;
- (e) impairs or is likely to impair the safety of any person to a greater degree than the impairment, if any, of the safety of any person that would necessarily result from the proper use of the pesticide; or

(f) renders or is likely to render, directly or indirectly, any property or plant or animal life unfit for use by man to a degree greater than the unfitness, if any, that would necessarily result from the proper use of the pesticide. *New.*

4.—(1) No person shall engage in, perform or offer to perform an extermination except under and in accordance with a licence of a prescribed class and except by the use of a pesticide of a class and under the conditions for use prescribed for that class of licence or unless exempt under the regulations. Prohibition as to exterminations

(2) No person shall operate an extermination business except under and in accordance with a licence of a prescribed class or unless exempt under the regulations. Licence required to operate extermination business

(3) No person shall serve for a period of more than six months as an assistant to the holder of a licence to perform structural exterminations unless the person is licensed as an assistant exterminator or is exempt under the regulations. Idem, assistant structural exterminator

(4) No person shall serve for a period of more than seven days as an assistant to the holder of a licence to perform land exterminations or water exterminations unless the holder of the licence to perform the exterminations notifies the Director in writing or the person is exempt under the regulations. *R.S.O. 1970, c. 346, s. 2, amended.* Notice as to assistants to land exterminators or water exterminators

5. Unless exempt by the regulations, no person shall sell, offer to sell or transfer any pesticide unless the pesticide is classified by the regulations and except under and in accordance with a licence that shall be for such class and in respect of each premises on, in or from which the pesticide is or will be sold, offered for sale or transferred. *New.* Licence to sell, offer to sell or transfer

6.—(1) No person shall perform a land extermination or a structural extermination, Where permit required

- (a) by means of a pesticide;
- (b) by means of a pesticide of a class; or
- (c) under the conditions of use,

prescribed for the purpose of this section unless he is the holder of a permit for the land extermination or the structural extermination issued by the Director or he is exempt under the regulations.

- Idem (2) No person shall perform a water extermination unless he is the holder of a permit issued by the Director for the water extermination or is exempt under the regulations. *New.*
- Responsibility for acts or omissions 7. For the purpose of this Act and the regulations, every person is, with respect to any matter under this Act and the regulations, responsible for the acts or omissions of his employees and agents within the scope of their actual or apparent authority. R.S.O. 1970, c. 346, s. 3, *amended.*
- Liability insurance 8. An operator shall insure against liability or furnish a bond as provided for by the regulations. R.S.O. 1970, c. 346, s. 4.
- Advisory Committee 9.—(1) The Committee known as the Pesticides Advisory Committee established under *The Pesticides Act*, being chapter 346 of the Revised Statutes of Ontario, 1970, and consisting of not fewer than ten members appointed by the Lieutenant Governor in Council one of whom may be designated by the Lieutenant Governor in Council as chairman and for whom the Lieutenant Governor in Council may appoint a person who is not a member as secretary, is continued.
- Quorum (2) Six members of the Committee constitute a quorum.
- Functions (3) The Committee shall,
- (a) review annually the content and operation of this Act and the regulations and recommend changes or amendments therein to the Minister;
 - (b) inquire into and consider any matter the Committee considers advisable concerning pesticides and the control of pests, and any matter concerning pesticides and the control of pests referred to it by the Minister, and report thereon to the Minister;
 - (c) review publications of the Government of Ontario respecting pesticides and the control of pests, and report thereon to the Minister; and
 - (d) perform such other functions as the regulations prescribe. R.S.O. 1970, c. 346, s. 5, *amended.*
- Issuance of licence or permit 10.—(1) Subject to subsection 2, the Director shall issue or renew a licence under section 4 or 5, and subject to subsection 3, the Director shall issue a permit under section 6 to any person who applies for the licence or permit, as the case may be, in accordance with the regulations and who meets

the requirements of this Act and the regulations for the particular class of licence or for the permit applied for and who pays the fee prescribed for the licence or permit.

(2) Subject to section 13, the Director may refuse to issue ^{Revocation and refusal of licence} or renew a licence or may suspend or revoke a licence where, in the opinion of the Director,

- (a) the applicant or licensee is in contravention of this Act or the regulations;
- (b) the licensee is in breach of any term or condition of the licence;
- (c) the applicant or licensee or, where the applicant or licensee is a corporation, its officers or directors, is or are not competent to carry on the activity that would be or is authorized by the licence;
- (d) the past conduct of the applicant or licensee or, where the applicant or licensee is a corporation, of any of its officers or directors, affords reasonable grounds for belief that the activity that would be or is authorized by the licence will not be carried on with honesty and integrity;
- (e) the applicant or licensee does not possess or will not have available all premises, facilities and equipment necessary to carry on the activity authorized by the licence in accordance with this Act, the regulations and the licence;
- (f) the applicant or licensee is not in a position to observe or carry out the provisions of this Act, the regulations and the licence;
- (g) the licensee has been grossly negligent in carrying on the activity that is authorized by the licence; or
- (h) the licensee has fraudulently misrepresented his services in performing an extermination or in carrying on an extermination business. 1971, c. 50, s. 66 (2), *part, amended*.

(3) The Director may refuse to issue or may cancel a permit, ^{Revocation and refusal of permit} may impose terms and conditions in issuing or after issuing a permit and may alter the terms and conditions of a permit that has been issued where the Director is of the opinion, upon reasonable and probable grounds that,

- (a) the applicant or permittee is not competent to perform the extermination for which the permit is required;
- (b) the applicant or permittee does not possess or will not have available all facilities and equipment necessary to perform the extermination in accordance with this Act, the regulations and the permit;
- (c) there is or is likely to be danger to the health or safety of any person;
- (d) there is or is likely to be harm or material discomfort to any person;
- (e) there is or is likely to be impairment of the quality of the environment for any use that is being or is likely to be made of it;
- (f) there is or is likely to be injury or damage to any property or to plant or animal life;
- (g) any property or plant or animal life is or is likely to be rendered, directly or indirectly, unfit for use by man;
- (h) a different method of control or extermination will or will likely be substantially as effective as the proposed extermination for which a permit is required under section 6 and will or will likely cause less impairment of the environment, if any, for any use that is being or is likely to be made of it or less harm to or adverse effect, if any, on any plant or animal life, man or property; or
- (i) the use of the pesticide will not be or will not likely be effective or necessary to carry out the extermination. *New.*

Term of
licence

11. A licence expires on the 15th day of February in the year next following the year in which it was issued. 1971, c. 50, s. 66 (2), *part, amended.*

Pesticides
Appeal
Board

12.—(1) The Lieutenant Governor in Council shall appoint a board, consisting of not more than seven members, to be known as the Pesticides Appeal Board who shall hold office during pleasure and none of whom shall be members of the public service in the employ of the Ministry.

(2) The Lieutenant Governor in Council may appoint one of ^{Chairman} the members of the Board as chairman.

(3) Four members of the Board constitute a quorum. ^{Quorum}

(4) Such employees as are required for the purposes of the ^{Appointment of staff} Board may be appointed under *The Public Service Act.* ^{R.S.O. 1970, c. 386} *New.*

13.—(1) Where the Director proposes,

(a) to refuse to issue or renew a licence;

(b) to suspend or revoke a licence; or

(c) to make, amend or vary a control order,

^{Proposal to refuse to issue licence, etc.}

he shall serve notice of his proposal, together with written reasons therefor, on the applicant, licensee or person to whom the Director intends to direct the control order.

(2) A notice under subsection 1 shall inform the applicant, ^{Notice} licensee or person to whom the Director intends to direct the control order that he is entitled to a hearing by the Board if he mails or delivers to the Director and the Board, within fifteen days after the notice under subsection 1 is served on him, notice in writing requiring a hearing, and he may so require such a hearing.

(3) Where an applicant, licensee or person to whom the ^{Powers of Director where no hearing} Director intends to direct the control order does not require a hearing by the Board in accordance with subsection 2, the Director may carry out the proposal stated in his notice under subsection 1.

(4) Where an applicant, licensee or person to whom the ^{Powers of Board where hearing} Director intends to direct the control order requires a hearing by the Board in accordance with subsection 2, the Board shall appoint a time and place for and hold the hearing and may by order direct the Director to carry out his proposal or refrain from carrying out his proposal and to take such action as the Board considers the Director ought to take in accordance with this Act and the regulations, and for such purposes the Board may substitute its opinion for that of the Director.

(5) The Board may extend the time for the giving of notice ^{Extension of time for requiring hearing} requiring a hearing by an applicant, licensee or person to whom the Director intends to direct a control order referred to in subsection 1, either before or after the expiration of such time, where it is satisfied that there are reasonable grounds

for applying for the extension and that there are *prima facie* grounds for granting relief to the applicant, licensee or person to whom the Director intends to direct the control order referred to in subsection 1, and the Board may give such directions as it considers proper consequent upon the extension.

Continuation
of licence
pending
renewal

(6) Where, within the time prescribed therefor or, if no time is prescribed, before expiry of his licence, a licensee has applied for a renewal of his licence and paid the prescribed fee, his licence shall be deemed to continue,

- (a) until the renewal is granted; or
- (b) where he is served with notice that the Director proposes to refuse to grant the renewal, until the time for giving notice requiring a hearing by the Board has expired and, where a hearing is required, until the Board has made its decision. 1971, c. 50, s. 66 (3), *part.*

Emergency
notice

(7) Notwithstanding subsection 6, where the Director is of the opinion that an emergency exists by reason of,

- (a) danger to the safety or health of any person;
- (b) impairment or immediate risk of impairment of the environment for any use that is being or is likely to be made of it;
- (c) injury or damage or immediate risk of injury or damage to property, or to plant or animal life;
- (d) the rendering or immediate risk of rendering, directly or indirectly, of any property or plant or animal life unfit for use by man; or
- (e) a failure by a licensee to have in force insurance against liability or to furnish or have in force a bond as required by section 8,

the Director, by a notice to a licensee or to a person to whom the Director intends to direct a control order, together with written reasons therefor, may refuse to renew, suspend or revoke a licence or make, amend or vary a control order and, notwithstanding that the licensee or person to whom the control order is directed requires a hearing by the Board, the licence shall not be deemed to continue or the suspension, revocation or the making, amendment or variation of the control order is effective upon the service of the notice, as the case requires.

(8) Where the Director refuses to issue or cancels a permit or imposes or alters a term or condition in a permit that has been issued, he shall forthwith thereafter serve or cause to be served notice of his decision, upon the applicant or permittee, together with written reasons therefor. ^{Where permit cancelled or terms or conditions imposed or altered}

(9) Where the Director issues a permit subject to a term or condition, refuses to issue or cancels a permit or imposes or alters a term or condition in a permit that has been issued and the applicant or permittee makes submissions to the Director, the Director, within three days after receiving the submissions, shall reconsider and vary, rescind or confirm his decision and shall serve or cause to be served notice of such variance, rescission or confirmation upon the applicant or permittee together with written reasons therefor and where the Director varies or rescinds his decision, he shall take such action as may be necessary to make the variation or rescission effective. ^{Reconsideration}

(10) A permit issued by the Director subject to a term or condition and a notice under subsection 8 shall inform the applicant or permittee that he is entitled to make submissions to the Director, in person or by an agent and by telephone or otherwise and that he is entitled to a hearing by the Board if he mails or delivers to the Director and the Board, within fifteen days after the notice under subsection 9 is served on him, notice in writing requiring a hearing and he may so make such submissions and so require such a hearing. ^{Notice}

(11) Notwithstanding the making of submissions by an applicant or a permittee pursuant to subsection 10, the issuance of a permit subject to a term or condition or the cancellation of a permit or the imposition or alteration of a term or condition in a permit that has been issued by the Director is effective upon the issuance of the permit or upon the service of the notice under subsection 8. ^{Effect of service of notice}

(12) Subsections 4 and 5 apply *mutatis mutandis* to a hearing by the Board required under subsection 10. 1971, c. 50, s. 66 (3), *part, amended*. ^{Subss. 4, 5, to apply}

14.—(1) The Director, the applicant, licensee, permittee or person to whom the Director intends to direct a control order who has required a hearing and such other persons as the Board may specify are parties to proceedings before the Board under section 13. ^{Parties}

(2) Notice of a hearing under section 13 shall afford to the applicant, licensee, permittee or person to whom the Director intends to direct a control order a reasonable ^{Notice of hearing}

opportunity to show or to achieve compliance before the hearing with all lawful requirements for the issue or retention of the licence or permit or to take such action as will preclude the necessity for making, amending or varying the control order.

Examination
of docu-
mentary
evidence

(3) An applicant, licensee, permittee or person to whom the Director intends to direct a control order who is a party to proceedings under section 13 shall be afforded an opportunity to examine before the hearing any written or documentary evidence that will be produced or any report the contents of which will be given in evidence at the hearing.

Members
holding
hearing
not to
have taken
part in
investigation,
etc.

(4) Members of the Board holding a hearing shall not have taken part before the hearing in any investigation or consideration of the subject-matter of the hearing and shall not communicate directly or indirectly in relation to the subject-matter of the hearing with any person or with any party or his representative except upon notice to and opportunity for all parties to participate, but the Board may seek legal advice from an adviser independent from the parties and in such case the nature of the advice should be made known to the parties in order that they may make submissions as to the law.

Recording of
evidence

(5) The oral evidence taken before the Board at a hearing shall be recorded and, if so required, copies or a transcript thereof shall be furnished upon the same terms as in the Supreme Court.

Findings
of fact

1971, c. 47

(6) The findings of fact of the Board pursuant to a hearing shall be based exclusively on evidence admissible or matters that may be noticed under sections 15 and 16 of *The Statutory Powers Procedure Act, 1971*.

Only
members
at hearing
to participate
in decision

(7) No member of the Board shall participate in a decision of the Board pursuant to a hearing unless he was present throughout the hearing and heard the evidence and argument of the parties and, except with the consent of the parties, no decision of the Board shall be given unless all members so present participate in the decision.

Release of
documentary
evidence

(8) Documents and things put in evidence at the hearing shall, upon the request of the person who produced them, be released to him by the Board within a reasonable time after the matter in issue has been finally determined. 1971, c. 50, s. 66 (3), *part, amended*.

Appeal
to court

15.—(1) Any party to proceedings before the Board may appeal from its decision or order on a question of law to the Supreme Court in accordance with the rules of court.

(2) Where any party appeals from a decision or order of the Board, the Board shall forthwith file in the Supreme Court the record of the proceedings before it in which the decision was made, which, together with the transcript of the evidence if it is not part of the Board's record, shall constitute the record in the appeal. ^{Record to be filed in court}

(3) The Minister is entitled to be heard by counsel or otherwise upon the argument of an appeal under subsection 1. ^{Minister entitled to be heard}

(4) Any party to a hearing before the Board, within thirty days after receipt of the decision of the Board or within thirty days after final disposition of an appeal, if any, under subsection 1, may appeal in writing to the Minister on any matter other than a question of law and the Minister shall confirm, alter or revoke the decision of the Board as to the matter in appeal as he considers in the public interest. 1971, c. 50, s. 66 (3), *part, amended*. ^{Appeal to Minister}

16.—(1) No action or other proceeding for damages shall be instituted against the Director, any member of the Board or of the Committee or anyone acting under the direction of such Director or member for any act done in good faith in the execution or intended execution of his duty or for any alleged neglect or default in the execution in good faith of his duty. R.S.O. 1970, c. 346, s. 15. ^{Protection from personal liability}

(2) Subsection 1 does not, by reason of subsections 2 and 4 of section 5 of *The Proceedings Against the Crown Act*, relieve the Crown of liability in respect of a tort committed by an agent or servant of the Crown to which it would otherwise be subject and the Crown is liable under that Act for any such tort in a like manner as if subsection 1 had not been enacted. 1971, c. 50, s. 66 (4). ^{Crown not relieved of liability R.S.O. 1970, c. 365}

17.—(1) The Minister may designate in writing one or more officers or employees of the Ministry or other persons as provincial officers for the purposes of this Act and the regulations. ^{Provincial officers}

(2) For the purpose of the administration of this Act and the regulations, a provincial officer may, from time to time and upon production of his designation, enter at any reasonable time any building, structure, machine, vehicle, land, water or air and make or require to be made such surveys, examinations, investigations, tests and inquiries, including examinations of books, records and documents, as he considers necessary, and may make, take and remove or may require to be made, taken or removed samples, copies or extracts, and the Crown is liable for any damage or actual costs occasioned thereby. ^{Powers of provincial officer}

Order
authorizing
entry

(3) Where a provincial judge is satisfied, upon an *ex parte* application by a provincial officer, that there is reasonable ground for believing that it is necessary to enter any building, structure, machine, vehicle, land, water or air for the administration of this Act or the regulations, the provincial judge may issue an order authorizing a provincial officer to enter therein or thereon and to make or require to be made such surveys, examinations, investigations, tests and inquiries and to take the other actions as are mentioned in subsection 2, but every such entry, survey, examination, investigation, test, inquiry and other such action shall be made or taken between sunrise and sunset unless the provincial judge authorizes the provincial officer, by the order, to so act at another time.

Information

(4) Every person responsible for a pesticide or for a substance or thing containing a pesticide that is the subject of an investigation by a provincial officer, and every person who assists such a person, shall furnish such information as the provincial officer requires for the purpose of the investigation.

Obstruction
of provincial
officer

(5) No person who is responsible for a pesticide or for a substance or thing containing a pesticide or who assists such a person shall hinder or obstruct a provincial officer in the lawful performance of his duties or furnish a provincial officer with false information. *New.*

Calling for
assistance of
member of
police force

18. Whenever a provincial officer is required or empowered by this Act or the regulations to do or direct the doing of anything, such provincial officer may take such steps and employ such assistance as is necessary to accomplish what is required, and may, when obstructed in so doing, call for the assistance of any member of the Ontario Provincial Police Force or the police force in the area where the assistance is required and it is the duty of every member of a police force to render such assistance. *New.*

Matters
confidential

19. Except as to information in respect of,

- (a) impairment or potential impairment of the quality of the environment for any use that can be made of it; or
- (b) harm or potential harm to or an adverse effect on any person, living thing or any property,

arising from or likely to arise from the handling, storage, use, disposal, transportation or display of a pesticide or a substance or thing containing a pesticide, every provincial officer shall preserve secrecy in respect of all matters that

come to his knowledge in the course of an examination, test or inquiry of or into any matter under this Act or the regulations and shall not communicate any such matter to any person except,

- (c) as may be required in connection with the administration of this Act and the regulations or any proceedings under this Act or the regulations;
- (d) to his counsel; or
- (e) with the consent of the person who is responsible for the handling, storage, use, disposal, transportation or display of the pesticide, substance or thing. *New.*

20.—(1) Where the Director or a provincial officer is of the ^{Stop order} opinion, upon reasonable and probable grounds, that an emergency exists by reason of,

- (a) danger to the health or safety of any person;
- (b) impairment or immediate risk of impairment of the quality of the environment for any use that is being or is likely to be made of it;
- (c) injury or damage or immediate risk of injury or damage to any property or to any plant or animal life; or
- (d) the rendering or the immediate risk of rendering, directly or indirectly, any property or plant or animal life unfit for use by man,

consequent upon the handling, storage, use, disposal, transportation or display of a pesticide or a substance or thing containing a pesticide, the Director or provincial officer, as the case may be, may make an oral or written stop order directed to the person responsible for the pesticide or the substance or thing containing the pesticide ordering such person to stop immediately the handling, storage, use, disposal, transportation or display of the pesticide or the substance or thing containing the pesticide either permanently or for a specific period of time. 1971, c. 50, s. 66 (7), *amended*.

(2) A person who is affected by a stop order made by a provincial officer under subsection 1 may appeal therefrom in person or by an agent and by telephone or otherwise to the Director and the Director, after receiving the submissions of the person and of the provincial officer, shall vary, rescind or confirm the stop order of the provincial officer. ^{Immediate appeal} R.S.O. 1970, c. 346, s. 20, *amended*.

Written
reasons
for order

(3) Where the Director makes a stop order or varies or confirms a stop order pursuant to subsection 2, the Director shall forthwith thereafter serve or cause to be served a written copy of the stop order or a written copy of the stop order as varied or confirmed, as the case requires, together with written reasons therefor, upon the person to whom the stop order or the stop order as varied or confirmed is directed.

Notice

(4) A stop order, or a stop order as varied or confirmed, under subsection 3 shall inform the person to whom it is directed that he is entitled to a hearing by the Board if he mails or delivers to the Director and the Board, within fifteen days after a copy of the stop order, or the stop order as varied or confirmed, under subsection 3, is served on him, notice in writing requiring a hearing and he may so require such a hearing. *New.*

Effect of
stop order

(5) Notwithstanding that an appeal is taken against a stop order, the stop order is effective at and from the time it is communicated to the person to whom it is directed until confirmed, varied or rescinded on appeal and such person shall comply with the stop order immediately. 1971, c. 50, s. 66 (8), *amended.*

Appeal to
Board

(6) Where the Director has made a stop order or has varied or confirmed upon appeal to the Director a stop order made by a provincial officer, any person to whom the order is directed may, by written notice mailed to or served upon the Director and the Board within fifteen days after service upon him of a copy of the stop order or of the stop order as varied or confirmed, as the case requires, require a hearing by the Board.

Powers of
Board where
hearing

(7) Where a person to whom a stop order is directed requires a hearing by the Board in accordance with subsection 6, the Board shall appoint a time and place for and hold the hearing and the Board may by order confirm, alter or rescind the order of the Director and for such purposes the Board may substitute its opinion for that of the Director.

Parties

(8) The Director, the person who has required the hearing and such other persons as the Board may specify are parties to proceedings before the Board under this section.

Application
of ss. 13 (5),
14 (2-8) and 15

(9) Subsection 5 of section 13, subsections 2, 3, 4, 5, 6, 7 and 8 of section 14 and section 15 apply *mutatis mutandis* to proceedings under this section.

Revocation of
stop order

(10) The Director, by an order, may rescind a stop order and in such case shall serve or cause to be served a copy of the rescinding order upon the person to whom the stop order was directed. *New.*

21.—(1) Where the handling, storage, use, disposal, trans-^{Control}portation or display of a pesticide or a substance or thing ^{order} containing a pesticide,

- (a) causes or is likely to cause impairment of the quality of the environment for any use that is being or is likely to be made of it;
- (b) causes or is likely to cause injury or damage to property or to plant or animal life;
- (c) causes or is likely to cause harm or material discomfort to any person;
- (d) adversely affects or is likely to affect adversely the health of any person;
- (e) impairs or is likely to impair the safety of any person;
- (f) renders or is likely to render, directly or indirectly, any property or plant or animal life unfit for use by man,

the Director, subject to section 13, may make a control order directed to the person responsible for the pesticide or the substance or thing containing the pesticide.

(2) The Director, in a control order, may order the person ^{Content}to whom the order is directed to, ^{of control}
^{order}

- (a) limit or control the rate of deposit, addition, emission or discharge of a pesticide or a substance or thing containing a pesticide into the environment in accordance with the directions set out in the order;
- (b) stop the deposit, addition, emission or discharge of a pesticide or a substance or thing containing a pesticide into the environment,
 - (i) permanently,
 - (ii) for a specified period of time, or
 - (iii) in the circumstances set out in the order; and
- (c) comply with any directions set out in the order relating to the manner in which a pesticide or a substance or thing containing a pesticide or the container of either of them may be handled, stored, used, disposed of, transported or displayed.

Amendment
of control
order

(3) The Director, under any of the circumstances set out in subsection 1 and in accordance with subsection 2, by a further order, may amend or vary a control order and sections 13, 14 and 15 apply *mutatis mutandis*.

Revocation of
control order

(4) The Director, by an order, may rescind a control order and in such case shall serve or cause to be served a copy of the rescinding order upon the person to whom the control order was directed. *New.*

When
Director to
be notified

22. Every person who deposits, adds, emits or discharges a pesticide or a substance or thing containing a pesticide in or into the environment out of the normal course of events that,

- (a) causes or is likely to cause impairment of the quality of the environment for any use that can be made of it;
- (b) causes or is likely to cause injury or damage to property or to plant or animal life;
- (c) causes or is likely to cause harm or material discomfort to any person;
- (d) adversely affects or is likely to adversely affect the health of any person;
- (e) impairs or is likely to impair the safety of any person; or
- (f) renders or is likely to render, directly or indirectly, any property or plant or animal life unfit for use by man,

shall forthwith notify the Director. *New.*

Minister
may order
repair of
damage

23.—(1) Where any person deposits, adds, emits or discharges or causes or permits the deposit, addition, emission or discharge of a pesticide or a substance or thing containing a pesticide that causes or is likely to cause injury or damage to or impairment of,

- (a) the quality of the environment for any use that is being or is likely to be made of it;
- (b) any property or water;
- (c) plant or animal life; or
- (d) a person,

the Minister, where he is of the opinion that it is in the public interest to do so, may order the person responsible for the pesticide or the substance or thing containing the pesticide to do all things and take all steps within such time or times as may be specified in the order for the purpose of preventing or repairing, as the case requires, such injury or damage or impairment or to restore such quality.

(2) Every person responsible for a pesticide or a substance or thing containing a pesticide shall take such measures and do such things within such time or times with respect to the cleaning and decontamination of the environment, or any plant or animal life, substance or thing that has come into contact with a pesticide by any means other than in accordance with this Act and the regulations or a licence, permit or order thereunder as may be prescribed. Cleaning and decontamination

(3) No person shall use the environment or any plant or animal life, substance or thing that has come into contact with a pesticide by any means other than in accordance with this Act and the regulations or a licence, permit or order thereunder unless the cleaning and decontamination thereof has been completed in the prescribed manner or has been approved by the Director in writing. *New.* Idem

24.—(1) An order of the Minister, the Director or a provincial officer under this Act is binding upon the successor or assignee of the person to whom it is directed. Order binds successor or assignee

(2) The Ministry shall maintain an alphabetical index record of the names of all persons to whom orders are directed under this Act. Index record

(3) When an order has expired or is rescinded, the Ministry shall remove from the index record the name of the person to whom the order is directed. Removal of name from index record

(4) The Ministry shall, upon the request of any person, make a search of the index record and inform the person making the request as to whether or not the name of a particular person appears in the index record and shall permit inspection of any order relating to that person. *New.* Search of index record

25. This Act binds the Crown. *New.* The Crown

26. A licence or a permit under this Act is not transferable. *New.* Licences or permits not transferable

27. Where, in the opinion of the Director, it is in the public interest to do so, the Director may exempt an applicant for a licence issued by the Director pursuant to section 5 or the holder Exemption

of such a licence from any provision of the regulations and issue a licence to the applicant or modify the licence of the licensee, as the case may be, upon such terms and conditions, or alter or revoke the terms and conditions, as the Director considers necessary. *New.*

Regulations **28.** The Lieutenant Governor in Council may make regulations,

1. prescribing classes of licences and the requirements for licences and renewals;
2. exempting any person or class of persons from this Act or the regulations or any provision thereof and prescribing terms and conditions attaching to any such exemption;
3. providing for the issue and renewal of licences and prescribing fees therefor;
4. providing for the issue of permits, prescribing fees therefor and the requirements therefor;
5. prescribing terms and conditions with respect to sales, offers to sell, transfers or premises in, on or from which sales, offers to sell or transfers of a pesticide are or will be made that shall attach to any class of licence;
6. providing for the examination of applicants for permits and licences and renewals of licences, and prescribing fees for such examinations;
7. providing for the appointment of examiners for applicants for licences and permits, the period for which such appointments may be made and the remuneration of examiners;
8. requiring applicants for licences to undergo medical examinations;
9. prescribing the procedures, conditions and notices for exterminations and for the airing out of buildings, structures and vehicles;
10. fixing the amount and type of insurance or bond that shall be carried or furnished by operators and prescribing the form, requirements and terms thereof;
11. prescribing pesticides, classes of pesticides and conditions of use for the purpose of section 6;

12. prescribing that a type or class of structural extermination may be deemed a land extermination and prescribing that a type or class of land extermination may be deemed a structural extermination for the purpose of this Act and the regulations;
13. permitting any class of operator or exterminator to perform or to undertake to perform any extermination for which the members of the class are not licensed and prescribing the conditions that shall attach to the permission;
14. exempting any machine, apparatus, equipment, or class thereof, from this Act or the regulations, or any provision thereof;
15. exempting any type or class of building, vehicle or structure from this Act or the regulations or any provision thereof;
16. excluding any land or water from the operation of this Act or the regulations or any provision thereof;
17. regulating or prohibiting the installation, operation, maintenance and use of any machine, apparatus or equipment used for extermination;
18. governing the signs, marking or other identification of vehicles or machines used in exterminations;
19. regulating the construction of any enclosed space or vault in which movable property may be placed during the periods of extermination and airing out;
20. prescribing functions, practices and procedures, tenure of office and remuneration of the Committee;
21. providing for the remuneration and expenses of members of the Pesticides Appeal Board;
22. prescribing forms and providing for their use for the purposes of this Act;
23. governing, regulating or prohibiting the use, handling, storage, display or disposal of pesticides;
24. classifying pesticides and prohibiting or regulating the sale, offering for sale or transfer of any pesticide or class of pesticides;

25. prohibiting the holders of any class of licence from using any designated pesticide or class of pesticides;
26. regulating the type of containers and the labelling of containers for pesticides, other than the containers in which pesticides are sold or offered for sale;
27. regulating the disposal of containers of pesticides;
28. prescribing the records to be kept and returns to be made by licensees;
29. exempting any plant or animal life, organism, substance or thing or any class of any of them or any quantity or concentration of any organism or substance from this Act or the regulations or any provision thereof;
30. respecting premises on, in or from which any pesticide or class of pesticide is sold, offered for sale or transferred;
31. regulating and controlling, for the purpose of preventing or reducing the contamination by pesticides of the environment, property, plant or animal life, or of any person, the transportation of any designated pesticide or class of pesticides by any vehicle operated on any highway or road or the transportation of any designated pesticide or class of pesticides together with any commodity or class of commodities by a vehicle operated on any highway or road;
32. prohibiting the transportation of any designated pesticide or class of pesticides together with any commodity or class of commodity by a vehicle operated on any highway or road;
33. prescribing the records to be kept by persons responsible for the transportation of any designated pesticide or class of pesticides by a vehicle operated on a highway or road;
34. requiring, regulating or prohibiting the removal or disposal of any substance or thing that has come into contact with any pesticide by any means other than in accordance with this Act and the regulations or a licence, permit or order thereunder;
35. requiring and prescribing measures to be taken and things to be done with respect to the cleaning and decontamination of the environment or any plant

or animal life, substance or thing that has come into contact with a pesticide by any means other than in accordance with this Act and the regulations or a licence, permit or order thereunder and the time or times within which such measures shall be taken and things done. R.S.O. 1970, c. 346, s. 21; 1971, c. 50, s. 66 (9, 10), *amended*.

29.—(1) Any regulation may be general or particular in its application and may be limited as to time or place or both. Scope of regulations

(2) Any regulation may adopt by reference, in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any code, formula, standard or procedure, and may require compliance with any code, formula, standard or procedure so adopted. *New*. Adoption of codes in regulations

30. The Minister may charge and collect such fees as he considers proper for all copies of pamphlets, brochures, documents, maps, plans or drawings supplied by the Ministry. *New*. Fees for copies

31.—(1) Any notice, order, decision or other document required to be given, served or delivered under this Act or the regulations is sufficiently given, served or delivered if delivered personally or sent by registered mail addressed to the person to whom it is required to be given, served or delivered at the latest address for service appearing on the records of the Ministry or, where there is no address for service so appearing, at the address, if any, last known to the Director. Service

(2) Where service is made by registered mail pursuant to subsection 1, the service shall be deemed to be made on the fifth day after the day of mailing unless the person on whom service is being made establishes that he did not, acting in good faith, through absence, accident, illness or other cause beyond his control, receive the notice, order, decision or other document until a later date. 1971, c. 50, s. 66 (3), *part, amended*. When service deemed made

32. Where the Minister or the Director has authority to order or require that any matter or thing be done, the Minister may order that, in default of its being done by the person ordered or required to do it, such matter or thing shall be done at the expense of such person, and the Minister may recover the cost of doing it, with costs, by action in a court of competent jurisdiction as a debt due to the Crown by such person. *New*. Enforcement of performance of things required to be done

False
information

33. No person shall give false information in any application, return or statement made to the Minister, the Director or any other officer of the Ministry in respect of any matter under this Act or the regulations. *New.*

Offence

34. Every person, whether as principal or employer or as agent or employee of either of them, who contravenes any provision of this Act or the regulations or fails to comply with an order or a term or condition of a licence or permit made or issued under this Act is guilty of an offence and on summary conviction is liable on a first conviction to a fine of not more than \$5,000 for every day or part thereof upon which the offence occurs or continues and upon a second or subsequent conviction to a fine of not more than \$10,000 for every day or part thereof upon which the offence occurs or continues. R.S.O. 1970, c. 346, s. 22, *amended.*

Multiple
information

35. An information in respect of any matter under this Act may be for one or more offences and no information, summons, warrant, conviction or other proceeding in any prosecution is objectionable or insufficient by reason of the fact that it relates to two or more offences. *New.*

Certificates,
etc., as
evidence

36. In any prosecution, proceeding or hearing under this Act or the regulations, the production of,

- (a) a certificate or report of an analyst in the employ of the Crown in right of Ontario designated by the Minister as to the analysis, ingredients, quality, quantity or temperature of any material, whether solid, liquid or gas or any combination of them; or
- (b) a notice, licence, permit, order, certificate, consent or approval purporting to be signed by the Minister or the Director, or any certified copy thereof,

is *prima facie* evidence of the facts stated therein and of the authority of the person making the report, notice, licence, permit, order, certificate, consent or approval without any proof of appointment or signature. *New.*

Proceedings
to prohibit
continuation
or repetition
of contra-
vention

37.—(1) Where any provision of this Act or the regulations or any direction, order, licence or permit made, served, delivered or issued by the Minister or the Director under this Act is contravened, notwithstanding any other remedy or any penalty imposed, the Minister may apply to a judge of the Supreme Court by originating motion for an order prohibiting the continuation or repetition of the contravention or the carrying on of any activity specified in the order that, in the opinion of the

court, will or will likely result in the continuation or repetition of the contravention by the person committing the contravention, and the judge may make the order and it may be enforced in the same manner as any other order or judgment of the Supreme Court.

(2) Any person against whom an order has been made under subsection 1 may apply to a judge of the Supreme Court for an order varying or rescinding an order made under subsection 1. *New.* ^{Rescission or variation of order}

38. Where a conflict appears between any provision of this Act or the regulations and any other Act or regulation in a matter related to pesticides and the control of pests, the provision of this Act or the regulations shall prevail. *New.* ^{Conflict}

39. Every application, examination, licence, permit, order, regulation, prosecution, proceeding or hearing that is made, taken or deemed to be in effect under Part VI of *The Environmental Protection Act, 1971* and under *The Pesticides Act* shall continue to subsist and shall be deemed to be in effect under this Act in accordance with the terms thereof or until amended or revoked under this Act or the regulations. *New.* ^{Applications, etc., deemed under this Act 1971, c. 86 R.S.O. 1970, c. 346}

40. The following are repealed:

^{Repeals}

1. *The Pesticides Act*, being chapter 346 of the Revised Statutes of Ontario, 1970.
2. Section 66 of *The Civil Rights Statute Law Amendment Act, 1971*, being chapter 50.
3. Section 71 of *The Government Reorganization Act, 1972*, being chapter 1.

41. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. ^{Commencement}

42. This Act may be cited as *The Pesticides Act, 1973*.

^{Short title}

An Act to control
the Use of Pesticides

1st Reading

April 12, 1973

2nd Reading

May 15th, 1973

3rd Reading

May 15th, 1973

THE HON. J. A. C. AULD
Minister of the Environment

3RD SESSION, 29TH LEGISLATURE, ONTARIO
22 ELIZABETH II, 1973

An Act respecting Simcoe Day

MR. G. E. SMITH (Simcoe E.)

EXPLANATORY NOTE

The purpose of the Bill is to change the name of the public holiday celebrated in many municipalities on the first Monday in August from "Civic Holiday" to Simcoe Day in honour of John Graves Simcoe who was appointed first Lieutenant Governor of Upper Canada on September 12th, 1791, and who convened the first Legislative Assembly and established the capital of the Province at York, now Toronto.

BILL 92

1973

An Act respecting Simcoe Day

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

1. Where the first Monday in August in any year is proclaimed a public holiday in a municipality, the name of the holiday shall be Simcoe Day. ^{Simcoe Day}
2. Any Act, regulation, proclamation, contract or document that refers to a public holiday under the name of "Civic Holiday" shall be deemed to refer to Simcoe Day. ^{Other references}
3. This Act comes into force on the day it receives Royal Assent. ^{Commencement}
4. This Act may be cited as *The Simcoe Day Act, 1973*. ^{Short title}

BILL 92

An Act respecting Simcoe Day

1st Reading

April 12th, 1973

2nd Reading

3rd Reading

MR. G. E. SMITH (Simcoe E.)

(Private Member's Bill)



