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LEGISLATIVE ASSEMBLY
OF ONTARIO

FIRST SESSION OF THE TWENTY-EIGHTH
PARLIAMENT

138896

BILLS

AS INTRODUCED IN THE HOUSE

TOGETHER WITH

REPRINTS AND THIRD READINGS

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SESSION

FEBRUARY 14th to APRIL 11th, 1968

and

APRIL 22nd to JULY 23rd, 1968

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BILL Pr1

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting
The United Church - Evangelical United Brethren Church**

MR. GOOD

(PRIVATE BILL)

BILL Pr1

1968

**An Act respecting The United Church -
Evangelical United Brethren Church**

WHEREAS The Canada Conference The Evangelical ^{Preamble} United Brethren Church by its petition has represented that it was incorporated by an Act to incorporate the Canada Conference Evangelical Church, being chapter 112 of the Statutes of Ontario, 1930; and whereas the corporate name of the Canada Conference Evangelical Church was changed to The Canada Conference The Evangelical United Brethren Church by *The Canada Conference The Evangelical United Brethren Church Act, 1950*, being chapter 93 of the Statutes of Ontario, 1950; and whereas The Canada Conference The Evangelical United Brethren Church has signified its desire to become part of The United Church of Canada; and whereas the governing bodies of these churches, which are the General Conference of The Evangelical United Brethren Church and the General Council of The United Church of Canada, have approved a plan whereby The Canada Conference The Evangelical United Brethren Church would become part of The United Church of Canada; and whereas, pursuant to the constitutional law of the church, the Board of Bishops of The Evangelical United Brethren Church on the 18th day of July, 1967, proclaimed that The Canada Conference The Evangelical United Brethren Church should become part of The United Church of Canada effective the 1st day of January, 1968; and whereas the petitioner has prayed for special legislation for the purpose; and whereas it is expedient to grant the prayer of the petition;

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

1. In this Act,

Interpre-
tation

- (a) "congregation" means any local church, charge, circuit, congregation, preaching station, camp site or other local unit for purposes of worship in connection or in communion with The Canada Conference The Evangelical United Brethren Church;

(b) "United Church" means The United Church of Canada.

General
property
vested in
the United
Church

2. All property, real and personal, within Ontario and belonging to or held in trust for or to the use of The Canada Conference The Evangelical United Brethren Church or belonging to or held in trust for or to the use of any corporation, board, committee or other body, whether incorporated or unincorporated, created by or under the government or control of, or in connection with, The Canada Conference The Evangelical United Brethren Church, is vested in the United Church, to be held, used and administered, subject to the provisions of and in accordance with the terms and provisions of *The United Church of Canada Act*, being chapter 100 of the Statutes of Canada, 1924 and *The United Church of Canada Act*, being chapter 125 of the Statutes of Ontario, 1925.

Property
of congregations

3.—(1) Subject to subsection 2, all property, real and personal, within Ontario, belonging to or held in trust for or to the use of any congregation of The Canada Conference The Evangelical United Brethren Church shall, from and after the coming into force of this Act, be held, used and administered for the benefit of the same congregation as a part of the United Church in the manner and upon the trusts and subject to the terms and provisions set forth in Schedule A and all property, real and personal, within Ontario, thereafter acquired for or belonging to or held by or in trust for or to the use of any such congregation shall be held, used and administered for the benefit of the said congregation as a part of the United Church upon the said trusts and subject to the said terms and provisions.

Special
trusts

(2) Any property, real or personal, held at the time of the coming into force of this Act or thereafter acquired by devise, bequest, transfer or gift in trust for any special use of any congregation shall be held, used and administered in accordance with the special trusts so declared in respect thereof, not being contrary to law or to any by-law, rule or regulation of the United Church, and, in event of failure or partial failure of any of the said trusts, the said property in the absence of any express provision for such event, may be used, administered or disposed of as may be provided by any by-law, rule or regulation made from time to time by the United Church.

Execution
of instru-
ments

4.—(1) Any instrument conveying or purporting to convey an interest in lands to which section 3 applies shall be deemed to be sufficiently executed for all purposes if,

(a) it is signed or purports to be signed by the trustees of the congregation, or a majority of them; and

- (b) the minister in charge of the congregation or, in the absence or inability of the minister, the presiding officer, secretary or clerk of the presbytery in which the lands are situate certifies by affidavit that the persons executing the instrument were all the trustees of the congregation or a majority of them,

and section 34 of *The Registry Act* applies to the certificate. R.S.O. 1960,
c. 348

(2) The terms and provisions of Schedule A applying ^{Idem} to conveyances of lands to which section 3 applies are in addition to the requirements of subsection 1.

5.—(1) Any gift, devise or bequest heretofore or here- ^{Bequests to church} after made to or intended to be made to the former the Canada Conference of the Evangelical Association, the Canada Conference Evangelical Church or The Canada Conference The Evangelical United Brethren Church or to any corporation, board, committee, or other body, incorporated or unincorporated, functioning under the government or control or in connection with the Canada Conference of the Evangelical Association, the Canada Conference Evangelical Church or The Canada Conference The Evangelical United Brethren Church shall be paid, transferred and vested in the United Church.

(2) Any gift, devise or bequest heretofore or hereafter ^{Bequests to congregation} made or intended to be made to a congregation of the former the Canada Conference of the Evangelical Association, of the former Canada Conference Evangelical Church or of The Canada Conference The Evangelical United Brethren Church or to any board, committee or to any other body functioning under the government or control or in connection with the said congregation shall be paid, transferred and vested in the trustees of such congregation in trust for the said congregation and held subject to any special trusts or conditions provided upon the trusts set out in Schedule A.

6. In any deed, conveyance or transfer to trustees upon ^{Short form of trust deed} the trusts set forth in Schedule A, the form of words contained in Column 1 of Schedule A and distinguished by any number therein, has the same effect as if it contained the form of words in Column 2 of Schedule A, distinguished by the same number as is annexed to the form of words used in such deed, conveyance or transfer, but it shall not be necessary in any such deed, conveyance or transfer to insert any such number.

7.—(1) All property belonging to or held by or in trust ^{Liability for congregational debts} for or to the use of any congregation of the former the Canada Conference of the Evangelical Association, of the former

Canada Conference Evangelical Church or of The Canada Conference The Evangelical United Brethren Church, henceforth to be held, used and administered for the benefit of the same congregation as part of the United Church, shall remain liable for the payment or satisfaction of any debts or obligations contracted or incurred in respect thereto to the same extent as it would have been liable had this Act not been passed.

Liability
of denomi-
national
debts

(2) Upon the vesting of the property under section 2, the United Church becomes liable for all the respective debts and obligations of The Canada Conference The Evangelical United Brethren Church, provided, however, that this subsection shall not be deemed to include or apply to any of the property mentioned in subsection 1.

Application
of
R.S.O. 1960,
c. 246

8. The power conferred upon the United Church by its act of incorporation or by this Act to acquire by gift, devise, bequest, purchase, lease, exchange or mortgage any real or personal property shall not be limited or affected by *The Mortmain and Charitable Uses Act*.

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 United Church-Evangelical United Brethren Church Act, 1968*.

SCHEDULE A

TRUSTS OF MODEL DEED

AND it is hereby declared that the said Trustees and their successors or the Trustee or Trustees for the time being acting in the trusts herein shall hold the said lands upon the following trusts:—

COLUMN ONE	COLUMN TWO
1. Upon trust to use the trust property for purposes directed by congregation and maintenance of public worship.	1. For the use and benefit of the said church, charge, circuit, preaching station or congregation, as the case may be (hereinafter called the congregation), as a part of The United Church of Canada, as well for the site of a church, chapel, meeting house, school, manse, parsonage or minister's dwelling or other place for religious, charitable, educational, congregational or social purposes, glebe or burial ground, as the said congregation may direct, as for the support and maintenance of public worship, and the propagation of Christian knowledge, according to the doctrine, discipline, by-laws, rules and regulations of The United Church of Canada.
2. To erect and repair buildings.	2. And upon further trust, out of all moneys received by them for that purpose, to build, erect, add to, alter, repair, enlarge or rebuild any of the buildings aforesaid from time to time as they may deem expedient, and where they deem it necessary to take down and remove any of said buildings for any of the purposes aforesaid.
3. To obey all lawful orders and directions.	3. And upon further trust, that they shall and will obey, perform and fulfil and suffer to be obeyed, performed and fulfilled with respect to the said lands, and to any building or buildings at any time thereon, or to any burial ground, the lawful orders and directions respectively of the Official Board of the said congregation, the Presbytery and Conference respectively within whose bounds and under whose ecclesiastical jurisdiction the said congregation shall from time to time be, and of the General Council of The United Church of Canada.
4. To permit use of the trust property for church, manse, and Sunday-school purposes.	4. And upon further trust, to permit, in conformity with the doctrines, discipline, by-laws, rules and regulations of The United Church of Canada and not otherwise, the following:— (a) The use of the said church, chapel or meeting-house, as a place of religious worship by a congregation of The United Church of Canada and for meetings or services of religious or spiritual character or such benevolent or congregational purposes as may be approved by the Session of such congregation, and the conduct of public worship and the various services and ordinances of religious worship therein by the minister of the said congregation or, with the approval of the Session or of the said minister, by any other minister of The United Church of Canada or by any minister of any other religious denomination;

(b) The performance of burial services in any burial ground or cemetery belonging to or under the control of the congregation;

(c) The use of the manse, parsonage or minister's dwelling or dwellings with the appurtenances thereof by the minister or ministers of the congregation free from payment of any rent;

(d) The use of any church, chapel, meeting-house, school or other building for the purposes of a Sunday school at such hours and times as will not interfere with public worship; and

(e) The use of any buildings erected upon the said lands, other than a church, chapel or meeting-house, for such purposes as may from time to time be approved by the Session of the congregation.

5. To let and sell pews and burial plots and to let manses.

5. And upon further trust, to let any pews and seats at a reasonable rent, if so authorized by the Official Board of the congregation, with power to delegate any such letting to any person or persons whom they may appoint for that purpose; to let any buildings, not required for purposes of worship, at a reasonable rent; and if there shall be a burial ground or cemetery, to sell or let vaults, tombs or burial plots at a reasonable price or rent; and to account for and pay all moneys received in respect of any such letting or sale, less any expense incurred in the execution of these trusts, to the Treasurer of the congregation, or should there be no Treasurer, then to the Committee of Stewards of the congregation, or such person as shall be designated by the said Committee for the purpose of receiving the same. In case the Trustees are of opinion that any manse, parsonage or minister's dwelling is not required for the use of the minister or ministers of the congregation, or is not desirable for the use of such minister or ministers, they may, with the consent in writing of said minister or ministers, let the same and use and apply the rent derived therefrom towards paying the board and lodging of such minister or ministers or the rent for a more suitable and convenient residence for such minister or ministers.

6. The trustees shall have power to sell, mortgage, exchange, or lease the trust property with the consent of the Presbytery.

6. The Trustees or a majority of them may, but only with the consent in writing of the Presbytery within the bounds of which the lands are situate (such consent to be under the hand of the presiding officer or secretary or clerk thereof), sell the said lands or any part thereof either by public sale or private contract and either for cash or upon credit and upon such terms as to price and for such price and upon such terms as to payment or otherwise as they may deem expedient; mortgage, hypothecate or exchange the said lands or any part thereof; let any church, chapel or meeting-house upon the same for such rent and upon such terms as they may deem expedient; and make all such conveyances, mortgages, leases and assurances as may be required to complete any such sale, mortgage, hypothecation, exchange or lease. The said Trustees after first paying or otherwise providing for all indebtedness of the Trustees shall apply the moneys arising from such sale, mortgage, hypothecation, lease or exchange for the purposes of such congregation as the Official Board thereof shall direct, but should

such congregation cease to exist as an organized body, such proceeds, less any expense incurred in the execution of these trusts, shall be paid to The United Church of Canada to be applied for such purposes for the benefit of The United Church of Canada as the Conference within the bounds of which the said lands are situate may determine under the by-laws, rules and regulations of the General Council. Every application by Trustees for the consent of a Presbytery as aforesaid shall be in writing and shall state the purpose for which the moneys arising from such intended sale, mortgage, hypothecation, lease or exchange will be applied. Any decision of a Presbytery with regard to the sale, mortgage, hypothecation, lease or exchange of the said lands or any part thereof shall be subject to appeal to the Conference within the bounds of which the said lands are situate, at the instance of not fewer than any five members of the congregation affected thereby. In every case where the consent of such Presbytery or Conference has been obtained as aforesaid it shall not be incumbent upon the purchaser, mortgagee or lessee of the said lands or of any part thereof to enquire into the necessity, expediency or propriety of any such sale, mortgage, hypothecation, lease or exchange, or to see to the application of the moneys paid to the Trustees. A certificate of the secretary or clerk of any Presbytery or Conference that any such consent has been given shall be sufficient and conclusive evidence of such consent.

7. The trustees shall keep proper accounts and minutes.

7. The said Trustees shall keep a proper book or books of account showing all moneys received and disbursed by them, and a book or books of minutes showing correctly all minutes of their meetings and of resolutions passed and proceedings taken thereat, and such book or books shall at all reasonable times be open for inspection by the minister in charge of the congregation and by the Chairman of the Committee of Stewards, and any person or persons named by them or either of them, and the said minister or the said chairman and any person named by them or either of them as aforesaid shall have the right to make such copies or abstracts of or extracts from the said accounts or minutes, as he or they may desire, and upon request from the Committee of Stewards the Trustees shall submit all books of accounts and minutes, and all vouchers, receipts, papers and documents relating to the said accounts, for audit by the Committee of Stewards, or such person or persons as the said Committee may appoint for the purpose.

8. The trustees shall have seven days' notice of all special meetings and one day's notice of other meetings.

8. Every meeting of Trustees for considering the making of any alteration of or addition to any building on the said lands, or any part thereof, or for considering the sale, mortgage, hypothecation, lease or exchange of the said lands, or any part thereof, except the letting or sale of pews, seats, vaults, tombs or burial plots, or for considering any litigation or legal proceedings in connection with the trust estate, shall be deemed a special meeting, and each member shall be entitled to seven days' notice in writing thereof, specifying the time, place and purpose of such meeting. Such notice shall be either personally delivered to each Trustee, or mailed to or delivered to him or her at his or her usual place of abode or business. Ordinary meetings

may be called at any time by giving at least one day's notice in writing to each Trustee in the manner aforesaid, or by public announcement at a service for public worship at least one day prior to such meeting. Meetings may be called by the minister in charge of the congregation, or by at least two of the Trustees. Notwithstanding anything herein contained no meeting or any business transacted thereat shall be invalid by reason of any lack or defect of service of notice arising from inability to ascertain the usual place of abode or business of any Trustee. All questions shall be determined by the majority vote of the Trustees present at a meeting, and the Chairman shall have a casting vote in the event of a tie. The minister of such congregation shall have the right to preside as Chairman at all meetings of the Trustees and may appoint a deputy to act in his place in his absence, and in the absence of the Minister and of any such deputy the Trustees present may elect a Chairman from among themselves.

9. The number of trustees shall not be fewer than three or more than fifteen, and vacancies shall be filled by election by the congregation, or in default of such election, by the Presbytery, and the property of a congregation which ceases to exist shall be subject to the trusts determined by the Conference.

9. The number of said Trustees shall not be fewer than three or more than fifteen provided that where the number of existing Trustees is more than fifteen all such Trustees shall remain in office but that no vacancy in the office of trustee shall be filled until the number of Trustees is reduced below fifteen, in which case the number shall not again exceed fifteen. In case any of the said Trustees or any Trustee appointed under this provision shall, during his or her term of office, die, resign, or, having been, cease to be a member of The United Church of Canada in full communion, or remove to such a distance, or fail to attend meetings for such period not less than one year, as shall in the opinion of his or her co-trustees expressed by a two-thirds vote of said co-trustees, render it inexpedient for him or her to remain a Trustee, or in case the said congregation shall think proper to remove a Trustee from his or her office as Trustee, it shall be lawful for the said congregation, at any meeting called by notice from the pulpit during public worship, on each of the two next preceding Sundays on which public worship is held, to declare by the votes of two-thirds of the members then present that such Trustee has ceased to be a Trustee of the said congregation, and such person shall thereupon cease to be a Trustee, and at the same meeting it shall be lawful for the said congregation by a like vote to appoint a successor to such Trustee provided, however, that no Trustee who is personally liable for payment of any indebtedness in respect of the property of a congregation shall be removed without his consent unless indemnified to his satisfaction in respect of any such liability and unless at least eight days' notice in writing of such meeting shall have been mailed to each of the Trustees at his or her last known address, which notice shall state the business to be transacted at such meeting. If no successor shall be appointed at such meeting a meeting may be called in like manner for the purpose of filling such vacancy, and at such meeting a new Trustee or new Trustees (as the case may require) shall be appointed by the votes of the majority of the members then present. The notice calling a meeting for the purpose of declaring or filling a vacancy or vacancies in the office of Trustee shall be read from the pulpit by the minister or person

officiating as minister, at the request of any Trustee, or of any seven members of the congregation, and every such meeting may be adjourned from time to time by the vote of the majority of the members present. During any vacancy in the office of Trustee, the remaining Trustees, not being fewer than three in number, shall have all the powers of the full board. A majority of the Trustees shall form a quorum save when the number of Trustees exceeds nine, in which case five shall form a quorum. The majority of the Trustees shall be members of The United Church of Canada.

A minute of every such appointment of a Trustee shall be entered in a book to be kept for the purpose, and signed by the person presiding at the meeting, and such minute so signed shall be sufficient evidence of the fact that the person or persons therein named was or were appointed and elected at such meeting, but any omission or neglect to make or sign such minute shall not invalidate such appointment or election.

And it is hereby further declared that in case there shall be at any time fewer than three Trustees, the presiding officer or clerk of the Presbytery within whose bounds and under whose jurisdiction the said congregation shall be, shall, with the remaining Trustee or Trustees, be the Trustees under these presents until the full Board is duly appointed, and at any time thereafter the Presbytery may cause notice to be given from the pulpit on two consecutive Sundays requiring the said congregation to proceed with the appointment of new Trustees. And if the said congregation shall not in the meantime have appointed new Trustees in the manner hereinbefore provided, it shall be lawful for the said Presbytery at any time after four weeks from the last giving of such notice, by resolution duly entered in the minutes of the Presbytery, to appoint new Trustees. Such appointment shall be communicated to the congregation by notice from the pulpit as soon as conveniently may be thereafter, and from the time of such communication the Trustee or Trustees so appointed shall be a Trustee or Trustees hereunder.

And it is further declared that if at any time there shall cease to be an organized congregation entitled to the use, benefit and enjoyment of the said lands, it shall be lawful at any time or times for the said Presbytery to fill any vacancy in the number of Trustees, and the said lands shall thenceforth be held subject to such trusts and for such purposes for the benefit of The United Church of Canada as the Conference within the bounds of which the said lands are situate may determine under the by-laws, rules and regulations of the General Council.

10. Trustees shall not be liable for involuntary loss.

10. A Trustee shall not be responsible for the failure of any investment or security made or taken by the Trustees or for anything done in connection with the trust estate except for his own acts and to account for any moneys coming into his own hands, and shall not be liable for injury done by others to the said trust premises, or to any part thereof.

11. In congregations existing previous to the Union which have not adopted the plan of organization prescribed for pastoral charges as provided by the Basis of Union, the words "Official Board" and "Committee of Stewards" and "Session" in this schedule shall mean such Board or Committee or other body respectively discharging similar functions in such congregations, as to which in case of doubt the opinion of the Presbytery to which such congregation belongs shall be final and conclusive.

An Act respecting
The United Church—
Evangelical United Brethren Church

1st Reading

2nd Reading

3rd Reading

MR. GOOD

(Private Bill)

BILL Pr2

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Town of Thessalon

MR. FARQUHAR

(PRIVATE BILL)

BILL Pr2

1968

An Act respecting the Town of Thessalon

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

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

1. The council of The Corporation of the Town of Thessalon ^{Tax exemption} may pass by-laws exempting from taxation for municipal or school purposes, or both, including local improvement rates, the land, as defined in *The Assessment Act*, occupied by the Thessalon Curling Club so long as the land is occupied and used solely for the purposes of the Club, on such conditions as may be set out in the by-laws. ^{R.S.O. 1960, c. 23}

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

3. This Act may be cited as *The Town of Thessalon Act*, ^{Short title} 1968.

An Act respecting the Town of Thessalon

1st Reading

2nd Reading

3rd Reading

MR. FAROUHAR

(Private Bill)

BILL Pr4

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting The Oshawa Young Women's
Christian Association**

MR. PILKEY

(PRIVATE BILL)

BILL Pr4

1968

An Act respecting The Oshawa Young Women's Christian Association

WHEREAS The Oshawa Young Women's Christian Association, herein called the Association, by its petition has represented that it was incorporated by letters patent on the 12th day of March, 1947, and has acquired certain lands that are subject to assessment and taxation by The Corporation of the City of Oshawa; and whereas the petitioner has prayed for special legislation to exempt its real property, owned and used or occupied and used by it in the City of Oshawa, from municipal taxation, except for local improvement rates; and whereas it is expedient to grant the prayer of the petition; Preamble

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

1. The council of The Corporation of the City of Oshawa may pass by-laws exempting from taxation for municipal or school purposes, or both, other than local improvement rates, the land, as defined in *The Assessment Act*, of the Association so long as the land is owned and used or occupied and used solely by and for the purposes of the Association, on such conditions as may be set out in the by-law. Tax exemption
R.S.O. 1960,
c. 23

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

3. This Act may be cited as *The Oshawa Young Women's Christian Association Act, 1968*. Short title

An Act respecting The Oshawa
Young Women's Christian Association

1st Reading

2nd Reading

3rd Reading

MR. PIKKEV

(Private Bill)

BILL Pr5

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Sault Ste. Marie

MR. GILBERTSON

(PRIVATE BILL)

An Act respecting the City of Sault Ste. Marie

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

Preamble

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

1. Where the Corporation has passed a by-law with the approval of the Ontario Municipal Board under paragraph 67 of section 377 of *The Municipal Act*, which provides that the capital cost or any part thereof, the annual rental payable under any lease or any operating deficit in the previous year shall be levied against specified parcels of land within a defined area and, subsequent to the effective date of the by-law imposing the levy, the council is of the opinion that,

Parking
levy
changed
to reflect
changes in
benefit to
land
R.S.O. 1960,
c. 249

- (a) the special benefit derived therefrom by a parcel of land in the defined area has increased or decreased from that shown in the by-law;
- (b) a parcel of land in the defined area has begun to derive or has ceased to derive a special benefit therefrom; or
- (c) a parcel of land outside the defined area has begun to derive a special benefit therefrom,

the council may at any time and from time to time by a further by-law, passed with the approval of the Ontario Municipal Board,

- (d) redefine the area in the municipality that, in the opinion of the council, contains the lands that derive a special benefit from the by-law; or

- (e) re-apportion the balance of the cost mentioned in subclause i of clause g of paragraph 67 of the said section 377, so that such cost shall be apportioned against each parcel of land that, in the opinion of the council, derives such special benefit.

Relief from parking requirements

2.—(1) The Corporation may enter into an agreement with the owner or occupant of a building or structure to be erected or used providing for relief, to the extent set out in the agreement, from any requirement in any by-law of the Corporation for the provision or maintenance of parking facilities on land that is not part of a highway, and exempting such owner or occupant, to the extent specified in the agreement, from the necessity of providing or maintaining such facilities.

Agreements

(2) Every agreement referred to in subsection 1 shall,

- (a) be subject to the approval of the Ontario Municipal Board given either before or after the execution thereof; and
- (b) require 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 sum is computed.

Disposition of moneys

R.S.O. 1960, c. 408, 249

(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 67 of section 377 of *The Municipal Act*.

Auditor's report

(4) The city auditor in his annual report shall report on the activities and position of any special account established under this section.

Upon registration of agreement, payments to be charged on lands

R.S.O. 1960, c. 23

(5) Any such agreement may be registered against the land affected thereby in the proper registry or land titles office, and, when so registered, the amounts payable under such an agreement until paid shall be a lien or charge upon the lands described therein and may be collected in the same manner and with the same remedies as provided by *The Assessment Act* for the collection of real property taxes, and, upon payment in full of the moneys to be paid under the agreement or

upon termination of the agreement, there shall be registered in the proper registry or land titles office against such lands a certificate from 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.

3. The council of the Corporation shall be deemed to be a "council" within the meaning of subsection 1 of section 481 of *The Municipal Act* with respect to the geographic townships of Korah, Tarentorus, Parke, Awenge and the part of Rankin Mining Location that is within the City of Sault Ste. Marie.

Opening up
highways
where
5 per cent
reserved
R.S.O. 1960,
c. 249

4.—(1) The council of the Corporation may pass by-laws for requiring the establishment, construction, preservation and maintenance of the following facilities within the City of Sault Ste. Marie, 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:

Develop-
ment
control

1. Subject to *The Highway Traffic Act*, 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 strip-planting of trees or shrubs, to provide a buffer zone between land use zones.

R.S.O. 1960,
c. 172

(2) Such by-laws may,

Idem

- (a) provide that, without cost, easements necessary for public facilities serving only the proposed development shall be conveyed to the City of Sault Ste. Marie;
- (b) prohibit the issuance of building permits until all requirements of the by-laws have been met 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-laws 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 City of Sault Ste. Marie.

Idem

- (3) Such by-laws may provide that,

- (a) the construction and maintenance of any works, including curbs, pavements, plantings and other improvements, shall at all times be at the sole risk and expense of the owner of the lands being developed;
- (b) 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 first lien and charge upon such lands and shall be collectable in like manner as municipal taxes.

Application of
R.S.O. 1960,
cc. 296, 249

- (4) The following provisions apply, *mutatis mutandis*, to any by-law passed under this section:

1. Section 30 of *The Planning Act*, except subsections 1, 2, 4, 6, 7, 8, 18, 26, 27, 28 and 29 thereof.
2. Section 32b of *The Planning Act*, except subsections 2, 2a, 9a, 9b and 19 thereof.
3. Part XXI of *The Municipal Act*, except section 485 thereof.

Bands of
music
R.S.O. 1960,
c. 249

5. Notwithstanding clause *a* of paragraph 50 of subsection 1 of section 379 of *The Municipal Act*, the council of the Corporation may pass a by-law to repeal a by-law that provides by means of taxation for the establishment and maintenance of a fund for the support and aid of a civilian band or bands of music and for making annual or other grants from such fund to any civilian band or bands or to the members thereof, and, when so enacted by the council, such repealing by-law shall be final and conclusive and shall not require the assent of the electors qualified to vote on money by-laws.

Acquisition
of lands
for school
sites

R.S.O. 1960,
c. 361

6.—(1) The lands acquired by The Board of Education for the City of Sault Ste. Marie and described in the Schedule shall be deemed to have been acquired under the authority of section 65 of *The Schools Administration Act*.

(2) The council of the Corporation may pass a by-law, ^{Debenture by-law authorized} without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$186,370, payable in not more than twenty years, for the purpose of paying the total purchase price of the said lands referred to in subsection 1.

(3) Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under subsection 2 and the debentures to be issued thereunder. ^{Application of R.S.O. 1960, c. 274}

(4) 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 Board of Education for the City of Sault Ste. Marie to acquire the lands referred to in subsection 1 and to pay the total purchase price therefor referred to in subsection 2 and authorizing the Corporation to issue a debenture or debentures under subsection 2. ^{By-law deemed approved by O.M.B.}

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

8. This Act may be cited as *The City of Sault Ste. Marie Act, 1968*. ^{Short title}

SCHEDULE

1. All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Sault Ste. Marie, in the District of Algoma and Province of Ontario, formerly in the Township of Tarentorus in the said District, and being composed of lots 128 to 137, both inclusive, in the Manitou Park Subdivision, according to a plan of the said subdivision registered in the Registry Office for the Registry Division of Algoma as Plan No. 3787.

2. All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of St. Mary (now in the City of Sault Ste. Marie), in the District of Algoma, and being composed of part of Section 6 in the said Township, containing an area of 4.541 acres, be the same more or less, and which parcel or tract of land may be more particularly described as follows:

PREMISING that the northwesterly limit of Bruce Street has an assumed bearing of North 47 degrees, 53 minutes, 10 seconds East and relating all bearings herein, thereto.

COMMENCING where a survey post has been planted at most northerly angle of the herein-described parcel, and being distant 63.00 feet measured South 42 degrees, 16 minutes, 10 seconds East along the southwesterly limit of the Canadian Pacific Railway right-of-way from the northeasterly angle of Lot 66 in the Leys "A" Subdivision, as shown on Registered Plan No. 8450.

THENCE continuing South 42 degrees, 16 minutes, 10 seconds East and along the southwesterly limit of the Canadian Pacific Railway right-of-way a distance of 788.05 feet, more or less, to a survey post planted at the intersection of the last-mentioned limit with the southwesterly limit of the Canadian Pacific Railway spur-line right-of-way.

THENCE on a curve to the right having a radius of 468.34 feet, an arc distance of 24.43 feet, the chord equivalent being 24.42 feet measured South 17 degrees, 04 minutes, 29 seconds East to the end of said curve.

THENCE South 15 degrees, 34 minutes, 50 seconds East and along the southwesterly limit of the Canadian Pacific Railway spur-line right-of-way a distance of 139.84 feet, to the beginning of a curve.

THENCE on a curve to the left having a radius of 488.34 feet, an arc distance of 167.01 feet, the chord equivalent being 166.20 feet measured South 25 degrees, 22 minutes, 42 seconds East to a survey post planted therein.

THENCE South 47 degrees, 53 minutes, 10 seconds West and parallel to the northwesterly limit of Bruce Street, 177.77 feet, more or less, to a survey post planted therein.

THENCE North 42 degrees, 08 minutes, 20 seconds West and parallel to the northeasterly limit of Wellington Street a distance of 559.75 feet to a point therein.

THENCE North 47 degrees, 22 minutes East and parallel to the southeasterly limit of Tancred Street a distance of 200.51 feet to a point therein.

THENCE North 42 degrees, 08 minutes, 20 seconds West and parallel to the northeasterly limit of Wellington Street a distance of 532.65 feet to a survey post planted in the southeasterly limit of Tancred Street.

THENCE North 47 degrees, 40 minutes, 30 seconds East and along the southeasterly limit of Tancred Street 96.36 feet, more or less, to the point of commencement.

The parcel as herein-described being shown outlined in red on a plan of survey dated the 6th day of June, 1967, signed by R.A. Schan, O.L.S., a duplicate of which plan is attached to and forms part of this Instrument.

RESERVING unto the Grantor, its successors and assigns, any mines, ores, metals, coal, slate, mineral oils, gas or other minerals in or under the said lands.

3. All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Sault Ste. Marie, in the District of Algoma, and being composed of part of the South $\frac{1}{2}$ of Broken Section 32 in the Township of Tarentorus (now in the said City of Sault Ste. Marie), containing an area of 8.145 acres, be the same more or less, and which parcel or tract of land may be more particularly described as follows:

PREMISING that the centre line of Northern Avenue has an assumed bearing of North 89 degrees, 59 minutes, 30 seconds East and relating all bearings herein thereto.

COMMENCING where a survey post has been planted in the southern limit of Broken Section 32, said post defining the southeastern angle of the Elm Park Subdivision "A" and being distant the following courses from the southwestern angle of said Broken Section 32; beginning at said southwestern angle of Broken Section.

THENCE South 89 degrees, 26 minutes, 20 seconds East along the southern limit thereof a distance of 1158.0 feet to the southwestern angle of said Elm Park Subdivision "A".

THENCE South 89 degrees, 26 minutes East, continuing along said southern limit of Broken Section a further distance of 1106.0 feet to the said point of commencement.

THENCE North 89 degrees, 59 minutes, 30 seconds East, continuing along said southern limit of Broken Section (being also along the northern limit of Northern Avenue), a further distance of 354.4 feet to a survey post planted therein.

THENCE North 30 seconds West, 175.0 feet to a survey post planted.

THENCE North 89 degrees, 59 minutes, 30 seconds East 25.0 feet to a survey post planted.

THENCE North 11 degrees, 40 seconds East, 323.15 feet to a survey post planted.

THENCE South 78 degrees, 59 minutes, 20 seconds East, 125.0 feet to a survey post planted.

THENCE North 11 degrees, 40 seconds East, 20.0 feet to a survey post planted.

THENCE North 78 degrees, 59 minutes, 20 seconds West, 125.0 feet to a survey post planted.

THENCE North 11 degrees, 40 seconds East, 328.96 feet, more or less, to a survey post planted in the northern limit of said South $\frac{1}{2}$ of Broken Section 32.

THENCE South 89 degrees, 26 minutes West thereon, 504.4 feet to a survey post planted therein.

THENCE South 18 minutes West, 687.77 feet to a survey post planted.

THENCE South 5 minutes East (and being along the eastern limit of said Elm Park "A" Subdivision), 142.0 feet to the said point of commencement.

The parcel as herein-described being shown outlined in red on a plan of survey dated the 23rd day of December, 1966, signed by J. B. Chambers, O.L.S., a duplicate of which plan is attached to and forms part of this Instrument.

An Act respecting
the City of Sault Ste. Marie

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. GILBERTSON

(Private Bill)

BILL Pr5

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Sault Ste. Marie

MR. GILBERTSON

(Reprinted as amended by the Committee on Private Bills)

BILL Pr5

1968

An Act respecting the City of Sault Ste. Marie

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

Preamble

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

1. Where the Corporation has passed a by-law with the approval of the Ontario Municipal Board under paragraph 67 of section 377 of *The Municipal Act*, which provides that the capital cost or any part thereof, the annual rental payable under any lease or any operating deficit in the previous year shall be levied against specified parcels of land within a defined area and, subsequent to the effective date of the by-law imposing the levy, the council is of the opinion that,

Parking
levy
changed
to reflect
changes in
benefit to
land
R.S.O. 1960,
c. 249

- (a) the special benefit derived therefrom by a parcel of land in the defined area has increased or decreased from that shown in the by-law;
- (b) a parcel of land in the defined area has begun to derive or has ceased to derive a special benefit therefrom; or
- (c) a parcel of land outside the defined area has begun to derive a special benefit therefrom,

the council may at any time and from time to time by a further by-law, passed with the approval of the Ontario Municipal Board,

- (d) redefine the area in the municipality that, in the opinion of the council, contains the lands that derive a special benefit from the by-law; or

- (e) re-apportion the balance of the cost mentioned in subclause i of clause g of paragraph 67 of the said section 377, so that such cost shall be apportioned against each parcel of land that, in the opinion of the council, derives such special benefit.

Relief from parking requirements

2.—(1) The Corporation may enter into an agreement with the owner or occupant of a building or structure to be erected or used providing for relief, to the extent set out in the agreement, from any requirement in any by-law of the Corporation for the provision or maintenance of parking facilities on land that is not part of a highway, and exempting such owner or occupant, to the extent specified in the agreement, from the necessity of providing or maintaining such facilities.

Agreements

(2) Every agreement referred to in subsection 1 shall,

- (a) be subject to the approval of the Ontario Municipal Board given either before or after the execution thereof; and
- (b) require 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 sum 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 67 of section 377 of *The Municipal Act*.

R.S.O. 1960, cc. 408, 249

Auditor's report

(4) The city auditor in his annual report shall report on the activities and position of any special account established under this section.

Upon registration of agreement, payments to be charged on lands

R.S.O. 1960, c. 23

(5) Any such agreement may be registered against the land affected thereby in the proper registry or land titles office, and, when so registered, the amounts payable under such an agreement until paid shall be a lien or charge upon the lands described therein and may be collected in the same manner and with the same remedies as provided by *The Assessment Act* for the collection of real property taxes, and, upon payment in full of the moneys to be paid under the agreement or

upon termination of the agreement, there shall be registered in the proper registry or land titles office against such lands a certificate from 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.

3. The council of the Corporation shall be deemed to be a "council" within the meaning of subsection 1 of section 481 of *The Municipal Act* with respect to the geographic townships of Korah, Tarentorus, Parke and Awenge within the City of Sault Ste. Marie, and each by-law passed under the said section 481 is subject to the approval of the Ontario Municipal Board.

Opening up
highways
where
5 per cent
reserved
R.S.O. 1960,
c. 249

4. Notwithstanding clause *a* of paragraph 50 of subsection 1 of section 379 of *The Municipal Act*, the council of the Corporation may pass a by-law to repeal a by-law that provides by means of taxation for the establishment and maintenance of a fund for the support and aid of a civilian band or bands of music and for making annual or other grants from such fund to any civilian band or bands or to the members thereof, and, when so enacted by the council, such repealing by-law shall be final and conclusive and shall not require the assent of the electors qualified to vote on money by-laws.

Bands of
music
R.S.O. 1960,
c. 249

5.—(1) The lands acquired by The Board of Education for the City of Sault Ste. Marie and described in the Schedule shall be deemed to have been acquired under the authority of section 65 of *The Schools Administration Act*.

Acquisition
of lands
for school
sites
R.S.O. 1960,
c. 361

(2) The council of the Corporation may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$186,370, payable in not more than twenty years, for the purpose of paying the total purchase price of the said lands referred to in subsection 1.

Debenture
by-law
authorized

(3) Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under subsection 2 and the debentures to be issued thereunder.

Applica-
tion of
R.S.O. 1960,
c. 274

(4) 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 Board of Education for the City of Sault Ste. Marie to acquire the lands referred to in subsection 1 and to pay the total purchase price therefor referred to in subsection 2 and authorizing the Corporation to issue a debenture or debentures under subsection 2.

By-law
deemed
approved
by O.M.B.

Commence-
ment **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 Sault Ste. Marie Act, 1968.*

SCHEDULE

1. All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Sault Ste. Marie, in the District of Algoma and Province of Ontario, formerly in the Township of Tarentorus in the said District, and being composed of lots 128 to 137, both inclusive, in the Manitou Park Subdivision, according to a plan of the said subdivision registered in the Registry Office for the Registry Division of Algoma as Plan No. 3787.

2. All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of St. Mary (now in the City of Sault Ste. Marie), in the District of Algoma, and being composed of part of Section 6 in the said Township, containing an area of 4.541 acres, be the same more or less, and which parcel or tract of land may be more particularly described as follows:

PREMISING that the northwesterly limit of Bruce Street has an assumed bearing of North 47 degrees, 53 minutes, 10 seconds East and relating all bearings herein, thereto.

COMMENCING where a survey post has been planted at most northerly angle of the herein-described parcel, and being distant 63.00 feet measured South 42 degrees, 16 minutes, 10 seconds East along the southwesterly limit of the Canadian Pacific Railway right-of-way from the northeasterly angle of Lot 66 in the Leys "A" Subdivision, as shown on Registered Plan No. 8450.

THENCE continuing South 42 degrees, 16 minutes, 10 seconds East and along the southwesterly limit of the Canadian Pacific Railway right-of-way a distance of 788.05 feet, more or less, to a survey post planted at the intersection of the last-mentioned limit with the southwesterly limit of the Canadian Pacific Railway spur-line right-of-way.

THENCE on a curve to the right having a radius of 468.34 feet, an arc distance of 24.43 feet, the chord equivalent being 24.42 feet measured South 17 degrees, 04 minutes, 29 seconds East to the end of said curve.

THENCE South 15 degrees, 34 minutes, 50 seconds East and along the southwesterly limit of the Canadian Pacific Railway spur-line right-of-way a distance of 139.84 feet, to the beginning of a curve.

THENCE on a curve to the left having a radius of 488.34 feet, an arc distance of 167.01 feet, the chord equivalent being 166.20 feet measured South 25 degrees, 22 minutes, 42 seconds East to a survey post planted therein.

THENCE South 47 degrees, 53 minutes, 10 seconds West and parallel to the northwesterly limit of Bruce Street, 177.77 feet, more or less, to a survey post planted therein.

THENCE North 42 degrees, 08 minutes, 20 seconds West and parallel to the northeasterly limit of Wellington Street a distance of 559.75 feet to a point therein.

THENCE North 47 degrees, 22 minutes East and parallel to the southeasterly limit of Tancred Street a distance of 200.51 feet to a point therein.

THENCE North 42 degrees, 08 minutes, 20 seconds West and parallel to the northeasterly limit of Wellington Street a distance of 532.65 feet to a survey post planted in the southeasterly limit of Tancred Street.

THENCE North 47 degrees, 40 minutes, 30 seconds East and along the southeasterly limit of Tancred Street 96.36 feet, more or less, to the point of commencement.

3. All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Sault Ste. Marie, in the District of Algoma, and being composed of part of the South $\frac{1}{2}$ of Broken Section 32 in the Township of Tarentorus (now in the said City of Sault Ste. Marie), containing an area of 8.145 acres, be the same more or less, and which parcel or tract of land may be more particularly described as follows:

PREMISING that the centre line of Northern Avenue has an assumed bearing of North 89 degrees, 59 minutes, 30 seconds East and relating all bearings herein thereto.

COMMENCING where a survey post has been planted in the southern limit of Broken Section 32, said post defining the southeastern angle of the Elm Park Subdivision "A" and being distant the following courses from the southwestern angle of said Broken Section 32; beginning at said southwestern angle of Broken Section.

THENCE South 89 degrees, 26 minutes, 20 seconds East along the southern limit thereof a distance of 1158.0 feet to the southwestern angle of said Elm Park Subdivision "A".

THENCE South 89 degrees, 36 minutes East, continuing along said southern limit of Broken Section a further distance of 1106.0 feet to the said point of commencement.

THENCE North 89 degrees, 59 minutes, 30 seconds East, continuing along said southern limit of Broken Section (being also along the northern limit of Northern Avenue), a further distance of 354.4 feet to a survey post planted therein.

THENCE North 30 seconds West, 175.0 feet to a survey post planted.

THENCE North 89 degrees, 59 minutes, 30 seconds East 25.0 feet to a survey post planted.

THENCE North 11 degrees, 40 seconds East, 323.15 feet to a survey post planted.

THENCE South 78 degrees, 59 minutes, 20 seconds East, 125.0 feet to a survey post planted.

THENCE North 11 degrees, 40 seconds East, 20.0 feet to a survey post planted.

THENCE North 78 degrees, 59 minutes, 20 seconds West, 125.0 feet to a survey post planted.

THENCE North 11 degrees, 40 seconds East, 328.96 feet, more or less, to a survey post planted in the northern limit of said South $\frac{1}{2}$ of Broken Section 32.

THENCE South 89 degrees, 26 minutes West thereon, 504.4 feet to a survey post planted therein.

THENCE South 18 minutes West, 687.77 feet to a survey post planted.

THENCE South 5 minutes East (and being along the eastern limit of said Elm Park "A" Subdivision), 142.0 feet to the said point of commencement.



An Act respecting
the City of Sault Ste. Marie

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. GILBERTSON

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

BILL Pr5

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Sault Ste. Marie

MR. GILBERTSON

BILL Pr5

1968

An Act respecting the City of Sault Ste. Marie

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

Preamble

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

1. Where the Corporation has passed a by-law with the approval of the Ontario Municipal Board under paragraph 67 of section 377 of *The Municipal Act*, which provides that the capital cost or any part thereof, the annual rental payable under any lease or any operating deficit in the previous year shall be levied against specified parcels of land within a defined area and, subsequent to the effective date of the by-law imposing the levy, the council is of the opinion that,

Parking
levy
changed
to reflect
changes in
benefit to
land
R.S.O. 1960,
c. 249

- (a) the special benefit derived therefrom by a parcel of land in the defined area has increased or decreased from that shown in the by-law;
- (b) a parcel of land in the defined area has begun to derive or has ceased to derive a special benefit therefrom; or
- (c) a parcel of land outside the defined area has begun to derive a special benefit therefrom,

the council may at any time and from time to time by a further by-law, passed with the approval of the Ontario Municipal Board,

- (d) redefine the area in the municipality that, in the opinion of the council, contains the lands that derive a special benefit from the by-law; or

- (e) re-apportion the balance of the cost mentioned in subclause i of clause g of paragraph 67 of the said section 377, so that such cost shall be apportioned against each parcel of land that, in the opinion of the council, derives such special benefit.

Relief from
parking
require-
ments

2.—(1) The Corporation may enter into an agreement with the owner or occupant of a building or structure to be erected or used providing for relief, to the extent set out in the agreement, from any requirement in any by-law of the Corporation for the provision or maintenance of parking facilities on land that is not part of a highway, and exempting such owner or occupant, to the extent specified in the agreement, from the necessity of providing or maintaining such facilities.

Agreements

(2) Every agreement referred to in subsection 1 shall,

- (a) be subject to the approval of the Ontario Municipal Board given either before or after the execution thereof; and
- (b) require 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 sum 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 67 of section 377 of *The Municipal Act*.

R.S.O. 1960,
cc. 408, 249

Auditor's
report

(4) The city auditor in his annual report shall report on the activities and position of any special account established under this section.

Upon
registration
of agree-
ment,
payments
to be
charged
on lands

(5) Any such agreement may be registered against the land affected thereby in the proper registry or land titles office, and, when so registered, the amounts payable under such an agreement until paid shall be a lien or charge upon the lands described therein and may be collected in the same manner and with the same remedies as provided by *The Assessment Act* for the collection of real property taxes, and, upon payment in full of the moneys to be paid under the agreement or

R.S.O. 1960,
c. 23

upon termination of the agreement, there shall be registered in the proper registry or land titles office against such lands a certificate from 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.

3. The council of the Corporation shall be deemed to be a "council" within the meaning of subsection 1 of section 481 of *The Municipal Act* with respect to the geographic townships of Korah, Tarentorus, Parke and Awenge within the City of Sault Ste. Marie, and each by-law passed under the said section 481 is subject to the approval of the Ontario Municipal Board.

Opening up highways where 5 per cent reserved
R.S.O. 1960, c. 249

4. Notwithstanding clause *a* of paragraph 50 of subsection 1 of section 379 of *The Municipal Act*, the council of the Corporation may pass a by-law to repeal a by-law that provides by means of taxation for the establishment and maintenance of a fund for the support and aid of a civilian band or bands of music and for making annual or other grants from such fund to any civilian band or bands or to the members thereof, and, when so enacted by the council, such repealing by-law shall be final and conclusive and shall not require the assent of the electors qualified to vote on money by-laws.

Bands of music
R.S.O. 1960, c. 249

5.—(1) The lands acquired by The Board of Education for the City of Sault Ste. Marie and described in the Schedule shall be deemed to have been acquired under the authority of section 65 of *The Schools Administration Act*.

Acquisition of lands for school sites
R.S.O. 1960, c. 361

(2) The council of the Corporation may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$186,370, payable in not more than twenty years, for the purpose of paying the total purchase price of the said lands referred to in subsection 1.

Debenture by-law authorized

(3) Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under subsection 2 and the debentures to be issued thereunder.

Application of
R.S.O. 1960, c. 274

(4) 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 Board of Education for the City of Sault Ste. Marie to acquire the lands referred to in subsection 1 and to pay the total purchase price therefor referred to in subsection 2 and authorizing the Corporation to issue a debenture or debentures under subsection 2.

By-law deemed approved by O.M.B.

Commence-
ment

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 Sault Ste. Marie Act, 1968*.

SCHEDULE

1. All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Sault Ste. Marie, in the District of Algoma and Province of Ontario, formerly in the Township of Tarentorus in the said District, and being composed of lots 128 to 137, both inclusive, in the Manitou Park Subdivision, according to a plan of the said subdivision registered in the Registry Office for the Registry Division of Algoma as Plan No. 3787.

2. All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of St. Mary (now in the City of Sault Ste. Marie), in the District of Algoma, and being composed of part of Section 6 in the said Township, containing an area of 4.541 acres, be the same more or less, and which parcel or tract of land may be more particularly described as follows:

PREMISING that the northwesterly limit of Bruce Street has an assumed bearing of North 47 degrees, 53 minutes, 10 seconds East and relating all bearings herein, thereto.

COMMENCING where a survey post has been planted at most northerly angle of the herein-described parcel, and being distant 63.00 feet measured South 42 degrees, 16 minutes, 10 seconds East along the southwesterly limit of the Canadian Pacific Railway right-of-way from the northeasterly angle of Lot 66 in the Leys "A" Subdivision, as shown on Registered Plan No. 8450.

THENCE continuing South 42 degrees, 16 minutes, 10 seconds East and along the southwesterly limit of the Canadian Pacific Railway right-of-way a distance of 788.05 feet, more or less, to a survey post planted at the intersection of the last-mentioned limit with the southwesterly limit of the Canadian Pacific Railway spur-line right-of-way.

THENCE on a curve to the right having a radius of 468.34 feet, an arc distance of 24.43 feet, the chord equivalent being 24.42 feet measured South 17 degrees, 04 minutes, 29 seconds East to the end of said curve.

THENCE South 15 degrees, 34 minutes, 50 seconds East and along the southwesterly limit of the Canadian Pacific Railway spur-line right-of-way a distance of 139.84 feet, to the beginning of a curve.

THENCE on a curve to the left having a radius of 488.34 feet, an arc distance of 167.01 feet, the chord equivalent being 166.20 feet measured South 25 degrees, 22 minutes, 42 seconds East to a survey post planted therein.

THENCE South 47 degrees, 53 minutes, 10 seconds West and parallel to the northwesterly limit of Bruce Street, 177.77 feet, more or less, to a survey post planted therein.

THENCE North 42 degrees, 08 minutes, 20 seconds West and parallel to the northeasterly limit of Wellington Street a distance of 559.75 feet to a point therein.

THENCE North 47 degrees, 22 minutes East and parallel to the southeasterly limit of Tancred Street a distance of 200.51 feet to a point therein.

THENCE North 42 degrees, 08 minutes, 20 seconds West and parallel to the northeasterly limit of Wellington Street a distance of 532.65 feet to a survey post planted in the southeasterly limit of Tancred Street.

THENCE North 47 degrees, 40 minutes, 30 seconds East and along the southeasterly limit of Tancred Street 96.36 feet, more or less, to the point of commencement.

3. All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Sault Ste. Marie, in the District of Algoma, and being composed of part of the South $\frac{1}{2}$ of Broken Section 32 in the Township of Tarentorus (now in the said City of Sault Ste. Marie), containing an area of 8.145 acres, be the same more or less, and which parcel or tract of land may be more particularly described as follows:

PREMISING that the centre line of Northern Avenue has an assumed bearing of North 89 degrees, 59 minutes, 30 seconds East and relating all bearings herein thereto.

COMMENCING where a survey post has been planted in the southern limit of Broken Section 32, said post defining the southeastern angle of the Elm Park Subdivision "A" and being distant the following courses from the southwestern angle of said Broken Section 32; beginning at said southwestern angle of Broken Section.

THENCE South 89 degrees, 26 minutes, 20 seconds East along the southern limit thereof a distance of 1158.0 feet to the southwestern angle of said Elm Park Subdivision "A".

THENCE South 89 degrees, 36 minutes East, continuing along said southern limit of Broken Section a further distance of 1106.0 feet to the said point of commencement.

THENCE North 89 degrees, 59 minutes, 30 seconds East, continuing along said southern limit of Broken Section (being also along the northern limit of Northern Avenue), a further distance of 354.4 feet to a survey post planted therein.

THENCE North 30 seconds West, 175.0 feet to a survey post planted.

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THENCE North 11 degrees, 40 seconds East, 323.15 feet to a survey post planted.

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THENCE North 78 degrees, 59 minutes, 20 seconds West, 125.0 feet to a survey post planted.

THENCE North 11 degrees, 40 seconds East, 328.96 feet, more or less, to a survey post planted in the northern limit of said South $\frac{1}{2}$ of Broken Section 32.

THENCE South 89 degrees, 26 minutes West thereon, 504.4 feet to a survey post planted therein.

THENCE South 18 minutes West, 687.77 feet to a survey post planted.

THENCE South 5 minutes East (and being along the eastern limit of said Elm Park "A" Subdivision), 142.0 feet to the said point of commencement.

An Act respecting
the City of Sault Ste. Marie

1st Reading

February 22nd, 1968

2nd Reading

April 8th, 1968

3rd Reading

April 11th, 1968

MR. GILBERTSON

BILL Pr6

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the County of Renfrew

MR. HAMILTON

(PRIVATE BILL)

BILL Pr6

1968

An Act respecting the County of Renfrew

WHEREAS The Corporation of the County of Renfrew ^{Preamble} by its petition has represented that on the 22nd day of June, 1965, it enacted By-law No. 2009 for the purpose of discontinuing the Cobden High School District and the Eganville High School District and of erecting the said two districts into one district under the name of the Cobden-Eganville High School District, as of the 1st day of January, 1965; that pursuant to such by-law the said Cobden High School District and Eganville High School District were discontinued and the new Cobden-Eganville District High School Board, herein called the Board, did assume and take over the properties, duties and management of the former two boards and did continue the operation of the schools under the jurisdiction of the two former boards and did enter into agreements looking to the erection of a new school for the new district, purported to have been formed under By-law No. 2009; that in June, 1967, the said By-law 2009 was adjudged by the Supreme Court of Ontario to be invalid, and that pursuant to *The Secondary Schools and Boards of Education Act*, ^{R.S.O. 1960, c. 362} The Corporation of the County of Renfrew has enacted By-law No. 2074 to establish the said Cobden-Eganville High School District, effective on the 1st day of January, 1967; and whereas the petitioner has prayed for special legislation to confirm and validate all actions and proceedings of the Board taken and executed during the period from the 1st day of January, 1965 to the 1st day of January, 1967; and whereas it is expedient to grant the prayer of the petition;

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

1. By-law No. 2009 of The Corporation of the County ^{By-law validated} of Renfrew passed on the 22nd day of June, 1965 establishing the Cobden-Eganville High School District as set forth in the Schedule is hereby confirmed and declared to have been legal, valid and binding for and during the period from the 1st day of January, 1965 to the 1st day of January, 1967.

Actions
validated

2. That all actions of the Board established under By-law 2009 properly taken are hereby validated.

Payment
of moneys

3. That all moneys required to be raised by the Board under By-law 2009 and not yet paid shall be paid on or before the expiration of sixty days after this Act comes into force.

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 Renfrew Act, 1968*.

SCHEDULE

COBDEN-EGANVILLE HIGH SCHOOL DISTRICT

SAVING AND EXCEPTING thereout and therefrom those lots and part lots which are assessed annually to the Eganville R.C. Continuation School District.

1. All the real property in the Village of Eganville.
2. All the real property in the Township of North Algona.
3. All the real property in the Township of South Algona.
4. All the real property in the Township of Sebastopol.
5. All the real property in the Township of Grattan.
6. Parts of the Township of Wilberforce described as follows:

Con. 1—Lots 1 to 5 inclusive
 Con. 2—Lots 1 to 6 inclusive
 Con. 3—Lots 1 to 7 inclusive
 Con. 4—Lots 1 to 10 inclusive
 Con. 5—Lots 1 to 15 inclusive
 Con. 6—Lots 1 to 16 inclusive
 Con. 7—Lots 1 to 16 inclusive
 Con. 8—Lots 1 to 16 inclusive
 Con. 9—Lots 6 to 22 inclusive
 Con. 10—Lots 6 to 26 inclusive
 Con. 11—Lots 6 to 27 inclusive
 Con. 12—Lots 6 to 30 inclusive
 Con. 13—Lots 6 to 36 inclusive
 Con. 14—W $\frac{1}{2}$ of Lot 1 to 36 inclusive
 Con. 15—Lots 3 to 36 inclusive
 Con. 16—Lots 3 to 36 inclusive
 Con. 17—Lots 3 to 36 inclusive
 Con. 18—Lots 4 to 36 inclusive
 Con. 19—Lots 17 to 36 inclusive
 Con. 20—Lots 22 to 36 inclusive
 Con. 21—Lots 25 to 36 inclusive
 Con. 22—Lots 29 to 36 inclusive
 Con. 23—Lots 31 to 36 inclusive
 Con. 24—Lots 28 to 36 inclusive
 Con. 25—Lots 30 to 36 inclusive
 Con. A—Lots 1 to 13 inclusive
 Con. B—Lots 1 to 13 inclusive
 Lake Dore Range—Lot A, lots 1 to 13 inclusive.

7. All real property in the Village of Cobden.
8. All real property in the Township of Ross.
9. Part of the Township of Stafford described as follows:

Con. 1—Lots 1 to 8 and S. $\frac{1}{2}$ 9
 Con. 2—Lots 1 to 7 inclusive
 Con. 3—Lots 1 to 6 and S. $\frac{1}{2}$ Lot 7.

10. Part of the Township of Westmeath described as follows:

Con. I, W.M.L.—Lots 1 to 20 inclusive
 Con. II, W.M.L.—Lots 1 to 20 inclusive
 Con. I, E.M.L.—Lots 1 to 8 inclusive
 Con. II, E.M.L.—Lots 1 to 8 inclusive

Con. III, E.M.L.—Lots 1 to 7 inclusive
Con. IV, E.M.L.—Lots 1 and 2 inclusive
Con. V, E.M.L.—Lots 1 and 2 inclusive
Con. VI, E.M.L.—Lots 1 and 2 inclusive
Con. VII, E.M.L.—Lots 1 and 2 inclusive
Con. VIII, E.M.L.—Lots 1 and 2 inclusive
Con. IX, E.M.L.—Lots 1 and 2 inclusive.

11. Part of the Township of Bromley described as follows:

Con. 1—Lots 7 to 30 inclusive
Con. 2—Lots 7 to 30 inclusive
Con. 3—Lots 7 to 30 inclusive
Con. 4—Lots 7 to 30 inclusive
Con. 5—Lots 7 to 30 inclusive
Con. 6—Lots 7 to 30 inclusive
Con. 7—Lots 8 to 29 inclusive
Con. 8—Lots 9 to 22 inclusive.



An Act respecting the County of Renfrew

1st Reading

2nd Reading

3rd Reading

MR. HAMILTON

(Private Bill)

BILL Pr6

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the County of Renfrew

MR. HAMILTON

BILL Pr6

1968

An Act respecting the County of Renfrew

WHEREAS The Corporation of the County of Renfrew ^{Preamble} by its petition has represented that on the 22nd day of June, 1965, it enacted By-law No. 2009 for the purpose of discontinuing the Cobden High School District and the Eganville High School District and of erecting the said two districts into one district under the name of the Cobden-Eganville High School District, as of the 1st day of January, 1965; that pursuant to such by-law the said Cobden High School District and Eganville High School District were discontinued and the new Cobden-Eganville District High School Board, herein called the Board, did assume and take over the properties, duties and management of the former two boards and did continue the operation of the schools under the jurisdiction of the two former boards and did enter into agreements looking to the erection of a new school for the new district, purported to have been formed under By-law No. 2009; that in June, 1967, the said By-law 2009 was adjudged by the Supreme Court of Ontario to be invalid, and that pursuant to *The Secondary Schools and Boards of Education Act*, ^{R.S.O. 1960, c. 362} The Corporation of the County of Renfrew has enacted By-law No. 2074 to establish the said Cobden-Eganville High School District, effective on the 1st day of January, 1967; and whereas the petitioner has prayed for special legislation to confirm and validate all actions and proceedings of the Board taken and executed during the period from the 1st day of January, 1965 to the 1st day of January, 1967; and whereas it is expedient to grant the prayer of the petition;

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

1. By-law No. 2009 of The Corporation of the County ^{By-law validated} of Renfrew passed on the 22nd day of June, 1965 establishing the Cobden-Eganville High School District as set forth in the Schedule is hereby confirmed and declared to have been legal, valid and binding for and during the period from the 1st day of January, 1965 to the 1st day of January, 1967.

- Actions validated** **2.** That all actions of the Board established under By-law 2009 properly taken are hereby validated.
- Payment of moneys** **3.** That all moneys required to be raised by the Board under By-law 2009 and not yet paid shall be paid on or before the expiration of sixty days after this Act comes into force.
- 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 Renfrew Act, 1968*.

SCHEDULE

COBDEN-EGANVILLE HIGH SCHOOL DISTRICT

SAVING AND EXCEPTING thereout and therefrom those lots and part lots which are assessed annually to the Eganville R.C. Continuation School District.

1. All the real property in the Village of Eganville.
2. All the real property in the Township of North Algona.
3. All the real property in the Township of South Algona.
4. All the real property in the Township of Sebastopol.
5. All the real property in the Township of Grattan.
6. Parts of the Township of Wilberforce described as follows:
 - Con. 1—Lots 1 to 5 inclusive
 - Con. 2—Lots 1 to 6 inclusive
 - Con. 3—Lots 1 to 7 inclusive
 - Con. 4—Lots 1 to 10 inclusive
 - Con. 5—Lots 1 to 15 inclusive
 - Con. 6—Lots 1 to 16 inclusive
 - Con. 7—Lots 1 to 16 inclusive
 - Con. 8—Lots 1 to 16 inclusive
 - Con. 9—Lots 6 to 22 inclusive
 - Con. 10—Lots 6 to 26 inclusive
 - Con. 11—Lots 6 to 27 inclusive
 - Con. 12—Lots 6 to 30 inclusive
 - Con. 13—Lots 6 to 36 inclusive
 - Con. 14—W $\frac{1}{2}$ of Lot 1 to 36 inclusive
 - Con. 15—Lots 3 to 36 inclusive
 - Con. 16—Lots 3 to 36 inclusive
 - Con. 17—Lots 3 to 36 inclusive
 - Con. 18—Lots 4 to 36 inclusive
 - Con. 19—Lots 17 to 36 inclusive
 - Con. 20—Lots 22 to 36 inclusive
 - Con. 21—Lots 25 to 36 inclusive
 - Con. 22—Lots 29 to 36 inclusive
 - Con. 23—Lots 31 to 36 inclusive
 - Con. 24—Lots 28 to 36 inclusive
 - Con. 25—Lots 30 to 36 inclusive
 - Con. A—Lots 1 to 13 inclusive
 - Con. B—Lots 1 to 13 inclusive
 - Lake Dore Range—Lot A, lots 1 to 13 inclusive.
7. All real property in the Village of Cobden.
8. All real property in the Township of Ross.
9. Part of the Township of Stafford described as follows:
 - Con. 1—Lots 1 to 8 and S. $\frac{1}{2}$ 9
 - Con. 2—Lots 1 to 7 inclusive
 - Con. 3—Lots 1 to 6 and S. $\frac{1}{2}$ Lot 7.
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 - Con. I, W.M.L.—Lots 1 to 20 inclusive
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Con. III, E.M.L.—Lots 1 to 7 inclusive
 Con. IV, E.M.L.—Lots 1 and 2 inclusive
 Con. V, E.M.L.—Lots 1 and 2 inclusive
 Con. VI, E.M.L.—Lots 1 and 2 inclusive
 Con. VII, E.M.L.—Lots 1 and 2 inclusive
 Con. VIII, E.M.L.—Lots 1 and 2 inclusive
 Con. IX, E.M.L.—Lots 1 and 2 inclusive.

11. Part of the Township of Bromley described as follows:

Con. 1—Lots 7 to 30 inclusive
 Con. 2—Lots 7 to 30 inclusive
 Con. 3—Lots 7 to 30 inclusive
 Con. 4—Lots 7 to 30 inclusive
 Con. 5—Lots 7 to 30 inclusive
 Con. 6—Lots 7 to 30 inclusive
 Con. 7—Lots 8 to 29 inclusive
 Con. 8—Lots 9 to 22 inclusive.

An Act respecting the County of Renfrew

1st Reading

February 22nd, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. HAMILTON

BILL Pr7

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Kingston

MR. APPS

(PRIVATE BILL)

BILL Pr7

1968

An Act respecting the City of Kingston

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

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

1.—(1) By-laws may be passed by the council of the Cor- ^{By-laws}poration for requiring the establishment, construction, preservation and maintenance of the following facilities within the City of Kingston, 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 strip planting of trees or shrubs to provide a buffer zone between land use zones.

- Idem** (2) Such by-laws may,
- (a) provide that, without cost, easements necessary for public facilities serving only the proposed development shall be conveyed to the City of Kingston;
 - (b) prohibit the issuance of building permits until all requirements of the by-laws have been met, 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; and
 - (c) provide that all works required by the by-laws 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 City of Kingston.

- Idem** (3) Such by-laws may provide that,
- (a) the construction and maintenance of any works, including curbs, pavements, plantings and other improvements, shall at all times be at the sole risk and expense of the owner of the lands being developed;
 - (b) any loss, costs and damages, which the Corporation may suffer, be at or be put to for or by reason of or on account of the construction, maintenance or existence of such works, shall constitute a first lien and charge upon such lands and shall be collectable in like manner as municipal taxes.

Application of R.S.O. 1960, cc. 296, 249 (4) The following provisions apply, *mutatis mutandis*, to any by-law passed under this section:

1. Section 30 of *The Planning Act*, except subsections 1, 2, 4, 5, 7, 8, 18, 26, 27, 28 and 29 thereof.
2. Section 32b of *The Planning Act*, except subsections 2, 2a, 9a, 9b and 19 thereof.
3. Part XXI of *The Municipal Act*, except section 485 thereof.

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

Short title 3. This Act may be cited as *The City of Kingston Act, 1968*.





An Act respecting the City of Kingston

1st Reading

2nd Reading

3rd Reading

MR. APPS

(Private Bill)

BILL Pr8

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Hamilton

MRS. PRITCHARD

(PRIVATE BILL)

BILL Pr8

1968

An Act respecting the City of Hamilton

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

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

1.—(1) Section 2 of *The City of Hamilton Act, 1966* is ^{1966,} amended by adding thereto the following subsection: ^{c. 171, s. 2,} ^{amended}

(1a) For the purposes of subsection 1, “residential real ^{Condo-} property or part thereof” includes residential real ^{minium} property of an owner under *The Condominium Act, 1967*, c. 12 ^{1967, c. 12} ^{1967.}

(2) The said section 2 is further amended by adding thereto ^{1966,} the following subsections: ^{c. 171, s. 2,} ^{amended}

(3) For the purposes of subsections 4, 5 and 6, “co-^{“Co-op-} operative corporation” means a corporation incor-^{erative} porated under the laws of Canada or of a province ^{corporation”} of Canada as a corporation for the sole purpose of ^{defined} providing residential units to all members or shareholders.

(4) Any person who, Certificate

(a) is a member or shareholder of a co-operative corporation; and

(b) occupies or whose husband or wife or both, occupy a residential unit in the premises owned by the co-operative corporation as his, her or their personal residence; and

- (c) would be entitled to a tax credit under subsection 1 if that person, or the husband or wife of that person, or both, owned and occupied residential real property as his, her or their personal residence,

may apply for a like tax credit and the city clerk may issue to the person so applying a certificate setting out the amount of the tax credit as determined under subsection 1.

Tax credit
to co-op-
erative
corporation

- (5) Where a co-operative corporation,

- (a) produces to the city clerk on or before the 31st day of March in any year, a certificate issued under subsection 4 to a member or shareholder of the co-operative corporation in respect of that year; and

- (b) satisfies the city clerk that the benefit of the tax credit in the amount set out in the certificate is received by the person or persons named in the certificate,

the treasurer of the Corporation may allow a credit therefor on the tax payable by the co-operative corporation in that year.

Information

- (6) Every co-operative corporation to whom the treasurer of the Corporation may allow a tax credit under this section shall make available to the city clerk any information the city clerk requires for the purposes of this section.

Application
in 1968
1966, c. 171

- 2.** For the purposes of subsections 4 and 5 of section 2 of *The City of Hamilton Act, 1966*, as enacted by subsection 2 of section 1 of this Act,

- (a) the time for making an application under subsection 4 of the said section 2 in the year 1968 is extended to thirty days after this Act comes into force; and

- (b) the time for the production of a certificate under subsection 5 of the said section 2 in the year 1968 is extended to sixty days after this Act comes into force.

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, 1968*.

An Act respecting the City of Hamilton

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

Mrs. PRITCHARD

(Private Bill)

BILL Pr8

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Hamilton

MRS. PRITCHARD

(Reprinted as amended by the Committee on Private Bills)

BILL Pr8

1968

An Act respecting the City of Hamilton

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

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

1.—(1) Section 2 of *The City of Hamilton Act, 1966* is ^{1966,} ^{c. 171, s. 2,} amended by adding thereto the following subsection: ^{amended}

(1a) For the purposes of subsection 1, “residential real ^{Condo-} property or part thereof” includes residential real ^{minium} property of an owner under *The Condominium Act, 1967*, c. 12 ^{1967, c. 12} 1967.

(2) The said section 2 is further amended by adding thereto ^{1966,} ^{c. 171, s. 2,} the following subsections: ^{amended}

(3) For the purposes of subsections 4, 5 and 6, “co-^{“Co-op-} operative corporation” means a corporation incor-^{erative} porated under the laws of Canada or of a province ^{corpor-} of Canada as a corporation for the sole purpose of ^{ation”} providing residential units to all members or share-^{defined} holders.

(4) Any person who,

Certificate

(a) is a member or shareholder of a co-operative corporation; and

(b) occupies or whose husband or wife or both, occupy a residential unit in the premises owned by the co-operative corporation as his, her or their personal residence; and

- (c) would be entitled to a tax credit under subsection 1 if that person, or the husband or wife of that person, or both, owned and occupied residential real property as his, her or their personal residence,

may apply for a like tax credit and the city clerk may issue to the person so applying a certificate setting out the amount of the tax credit as determined under subsection 1.

Tax credit
to co-op-
erative
corporation

- (5) Where a co-operative corporation,
- (a) produces to the city clerk on or before the 31st day of March in any year, a certificate issued under subsection 4 to a member or shareholder of the co-operative corporation in respect of that year; and
- (b) satisfies the city clerk that the benefit of the tax credit in the amount set out in the certificate is received by the person or persons named in the certificate,

the treasurer of the Corporation may allow a credit therefor on the tax payable by the co-operative corporation in that year.

Information


- (6) Every co-operative corporation to whom the treasurer of the Corporation may allow a tax credit under this section shall make available to the city clerk any information the city clerk requires for the purposes of this section.

Application
in 1968
1966, c. 171

2. For the purposes of subsections 4 and 5 of section 2 of *The City of Hamilton Act, 1966*, as enacted by subsection 2 of section 1 of this Act,

- (a) the time for making an application under subsection 4 of the said section 2 in the year 1968 is extended to thirty days after this Act comes into force; and
- (b) the time for the production of a certificate under subsection 5 of the said section 2 in the year 1968 is extended to sixty days after this Act comes into force.

Vesting
of lands

 **3.**—(1) The lands outlined in red on Plan No. SS-679 Survey registered in the Registry Office for the Registry Division for the County of Wentworth on the 30th day of July, 1965, as Instrument No. 322436HL, more particularly

described in the Schedule hereto, shall be deemed to have vested in The Corporation of the City of Hamilton on the 30th day of July, 1965, under section 4 of *The Expropriation Procedures Act, 1962-63*, ^{1962-63, c. 43}

(2) The compensation in respect of the lands in the City of Hamilton, known as Lot 27 in the block bounded by King, Bay, Main and Park Streets according to P.H. Hamilton's Survey, may, at the option of the registered owner, as defined in *The Expropriation Procedures Act, 1962-63*, be assessed as of the date this Act comes into force. ^{Compensation re Lot 27}

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

5. This Act may be cited as *The City of Hamilton Act, 1968*. ^{Short title}

SCHEDULE

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the County of Wentworth and Province of Ontario and being composed of all of Lots 11, 12, 13, 14, 15, 16, 17, 26, 27, 28, 29, 30, 31, 32, 33, 34 and lots lettered 'A' and 'B' in the block bounded by King, Bay, Main and Park Streets according to P. H. Hamilton's Survey.

An Act respecting the City of Hamilton

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

Mrs. PRITCHARD

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

BILL Pr8

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Hamilton

MRS. PRITCHARD

BILL Pr8

1968

An Act respecting the City of Hamilton

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

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

1.—(1) Section 2 of *The City of Hamilton Act, 1966* is ^{1966,} amended by adding thereto the following subsection: ^{c. 171, s. 2,} ^{amended}

(1a) For the purposes of subsection 1, "residential real ^{Condo-} property or part thereof" includes residential real ^{minium} property of an owner under *The Condominium Act, 1967*, ^{c. 12} 1967.

(2) The said section 2 is further amended by adding thereto ^{1966,} the following subsections: ^{c. 171, s. 2,} ^{amended}

(3) For the purposes of subsections 4, 5 and 6, "co-^{"Co-op-} operative corporation" means a corporation incor-^{erative} porated under the laws of Canada or of a province ^{corpor-} of Canada as a corporation for the sole purpose of ^{ation"} providing residential units to all members or share-^{defined} holders.

(4) Any person who,

Certificate

(a) is a member or shareholder of a co-operative corporation; and

(b) occupies or whose husband or wife or both, occupy a residential unit in the premises owned by the co-operative corporation as his, her or their personal residence; and

- (c) would be entitled to a tax credit under subsection 1 if that person, or the husband or wife of that person, or both, owned and occupied residential real property as his, her or their personal residence,

may apply for a like tax credit and the city clerk may issue to the person so applying a certificate setting out the amount of the tax credit as determined under subsection 1.

Tax credit
to co-op-
erative
corporation

- (5) Where a co-operative corporation,

- (a) produces to the city clerk on or before the 31st day of March in any year, a certificate issued under subsection 4 to a member or shareholder of the co-operative corporation in respect of that year; and

- (b) satisfies the city clerk that the benefit of the tax credit in the amount set out in the certificate is received by the person or persons named in the certificate,

the treasurer of the Corporation may allow a credit therefor on the tax payable by the co-operative corporation in that year.

Information

- (6) Every co-operative corporation to whom the treasurer of the Corporation may allow a tax credit under this section shall make available to the city clerk any information the city clerk requires for the purposes of this section.

Application
in 1968

1966, c. 171

2. For the purposes of subsections 4 and 5 of section 2 of *The City of Hamilton Act, 1966*, as enacted by subsection 2 of section 1 of this Act,

- (a) the time for making an application under subsection 4 of the said section 2 in the year 1968 is extended to thirty days after this Act comes into force; and

- (b) the time for the production of a certificate under subsection 5 of the said section 2 in the year 1968 is extended to sixty days after this Act comes into force.

Vesting
of lands

3.—(1) The lands outlined in red on Plan No. SS-679 Survey registered in the Registry Office for the Registry Division for the County of Wentworth on the 30th day of July, 1965, as Instrument No. 322436HL, more particularly

described in the Schedule hereto, shall be deemed to have vested in The Corporation of the City of Hamilton on the 30th day of July, 1965, under section 4 of *The Expropriation Procedures Act, 1962-63*,^{1962-63, c. 43}

(2) The compensation in respect of the lands in the City of Hamilton, known as Lot 27 in the block bounded by King, Bay, Main and Park Streets according to P.H. Hamilton's Survey, may, at the option of the registered owner, as defined in *The Expropriation Procedures Act, 1962-63*, be assessed as of the date this Act comes into force.^{Compensation re Lot 27}

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

5. This Act may be cited as *The City of Hamilton Act, 1968*. Short title

SCHEDULE

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the County of Wentworth and Province of Ontario and being composed of all of Lots 11, 12, 13, 14, 15, 16, 17, 26, 27, 28, 29, 30, 31, 32, 33, 34 and lots lettered 'A' and 'B' in the block bounded by King, Bay, Main and Park Streets according to P. H. Hamilton's Survey.

An Act respecting the City of Hamilton

1st Reading

February 22nd, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MRS. PRITCHARD

BILL Pr9

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting the
City of Ottawa Separate School Board**

MR. MORIN

(PRIVATE BILL)

**An Act respecting the
City of Ottawa Separate School Board**

WHEREAS The Board of Trustees of the Roman Catholic Separate Schools for the City of Ottawa, herein called the Board, by its petition has represented that it is expedient that its trustees continue to be elected for staggered terms with five trustees elected at each election; and whereas it is expedient that the election of the trustees coincide with the municipal elections of the City of Ottawa, which are now held every three years; and whereas it is expedient to grant the prayer of the petition;

Preamble

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

1. Section 1 of *The City of Ottawa Separate School Board Act, 1950*, as re-enacted by section 1 of *The City of Ottawa Separate School Board Act, 1961-62*, is repealed and the following substituted therefor:

- 1.—(1) Notwithstanding section 54 of *The Schools Administration Act* and subsection 6 of section 53 of *The Municipal Act*, the Board shall consist of ten trustees each of whom, including those elected in the year 1966 but excepting those mentioned in subsection 2, shall continue in office for a term of six years and until his successor is elected.
- (2) The five trustees who were elected in the year 1964 shall continue in office until the time of the municipal elections of the City of Ottawa, which will be held in 1969, and until their successors are elected.
- (3) The trustees shall continue to be elected on the staggered system and, in the year 1969 and in every third year thereafter, there shall be elected five trustees to replace the outgoing five trustees.

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 City of Ottawa Separate School Board Act, 1968*.



An Act respecting the
City of Ottawa Separate School Board

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. MORIN

(Private Bill)

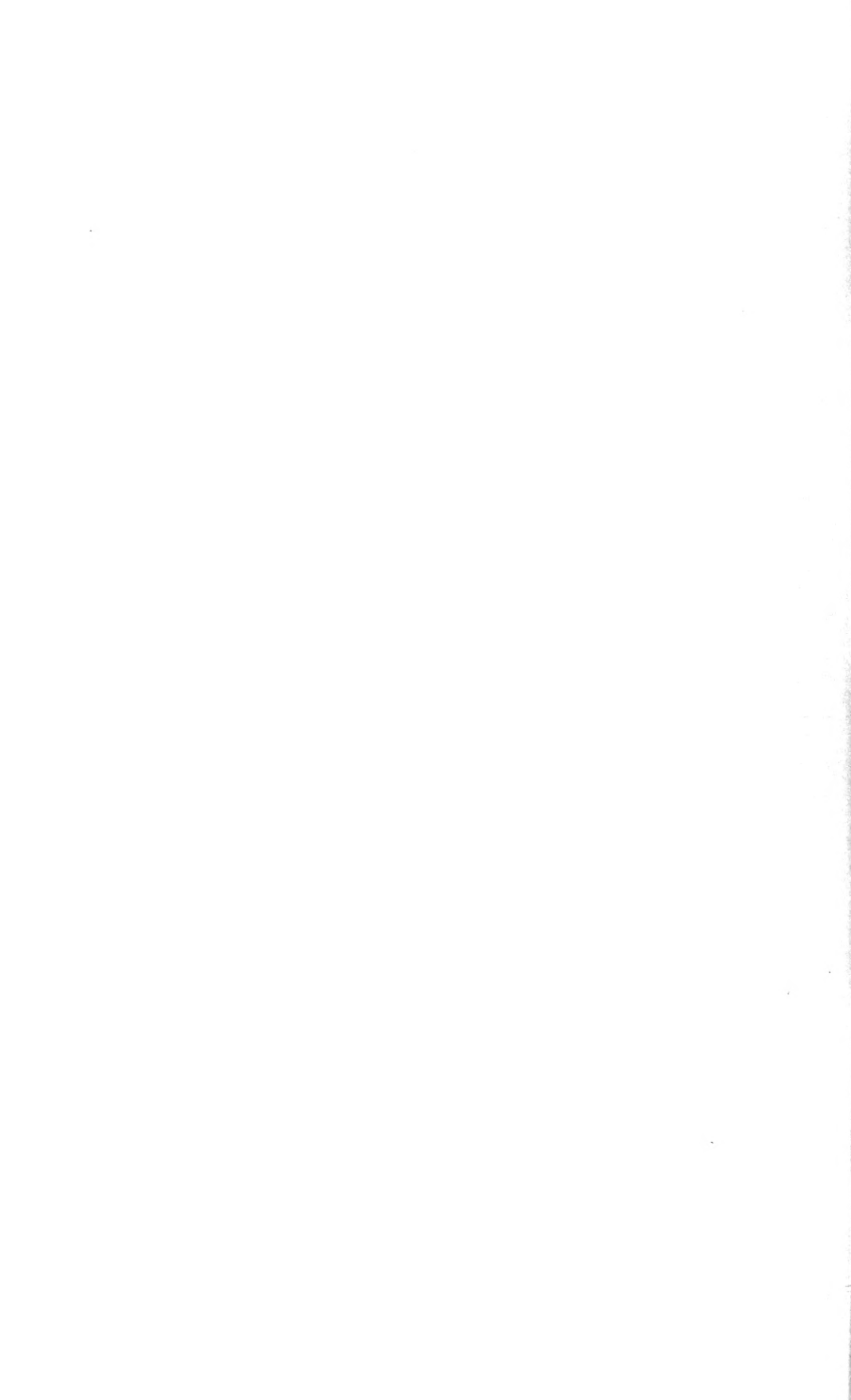
BILL Pr9

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting the
City of Ottawa Separate School Board**

MR. MORIN

(Reprinted as amended by the Committee on Private Bills)



BILL Pr9

1968

**An Act respecting the
City of Ottawa Separate School Board**

WHEREAS The Board of Trustees of the Roman Catholic Separate Schools for the City of Ottawa, herein called the Board, by its petition has represented that it is expedient that its trustees elected for a four-year term in 1964 continue in office until the municipal elections of the City of Ottawa in 1969; and whereas it is expedient to grant the prayer of the petition; Preamble

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

1. Subsection 3 of section 1 of *The City of Ottawa Separate School Board Act, 1950*, as re-enacted by section 1 of *The City of Ottawa Separate School Board Act, 1961-62*, is repealed. 1950, c. 110,
s. 1
(1961-62,
c. 165, s. 1),
subs. 3,
repealed

2. The five trustees of the Board who were elected in the year 1964 shall continue in office until the time of the municipal elections of the City of Ottawa, to be held in 1969, and until their successors are elected. Trustees
whose terms
finish in
1969

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

4. This Act may be cited as *The City of Ottawa Separate School Board Act, 1968*. Short title

An Act respecting the
City of Ottawa Separate School Board

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. MORIN

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

BILL Pr9

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting the
City of Ottawa Separate School Board**

MR. MORIN



BILL Pr9

1968

An Act respecting the City of Ottawa Separate School Board

WHEREAS The Board of Trustees of the Roman Catholic Separate Schools for the City of Ottawa, herein called the Board, by its petition has represented that it is expedient that its trustees elected for a four-year term in 1964 continue in office until the municipal elections of the City of Ottawa in 1969; and whereas it is expedient to grant the prayer of the petition; Preamble

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

1. Subsection 3 of section 1 of *The City of Ottawa Separate School Board Act, 1950*, as re-enacted by section 1 of *The City of Ottawa Separate School Board Act, 1961-62*, is repealed. 1950, c. 110,
s. 1
(1961-62,
c. 165, s. 1),
subs. 3,
repealed
2. The five trustees of the Board who were elected in the year 1964 shall continue in office until the time of the municipal elections of the City of Ottawa, to be held in 1969, and until their successors are elected. Trustees
whose terms
finish in
1969
3. This Act comes into force on the day it receives Royal Assent. Commence-
ment
4. This Act may be cited as *The City of Ottawa Separate School Board Act, 1968*. Short title

An Act respecting the
City of Ottawa Separate School Board

1st Reading

February 22nd, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. MORIN

BILL Pr10

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Town of Smith's Falls

MR. JOHNSTON (Carleton)

(PRIVATE BILL)



BILL Pr10

1968

An Act respecting the Town of Smith's Falls

WHEREAS The Corporation of the Town of Smith's ^{Preamble} Falls, sometimes known as the Town of Smiths Falls, herein called the Corporation, by its petition has represented that, according to local usage and custom, the name of the Corporation has been spelled Town of Smiths Falls without an apostrophe for a great many years; and whereas the petitioner has prayed for special legislation enacting that in future the Corporation shall be known as the Town of Smiths Falls;

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

1. The name of the Town of Smith's Falls, sometimes ^{Name} known as the Town of Smiths Falls, shall be deemed to be the Town of Smiths Falls.
2. No by-laws, contracts, debentures, instruments or other ^{Validation of past acts} acts or proceedings heretofore entered into by the Corporation before this Act comes into force are invalid for the reason only that the name by which they were entered into was spelled as the "Town of Smith's Falls" with an apostrophe or the "Town of Smiths Falls" without an apostrophe.
3. This Act comes into force on the day it receives Royal ^{Commence-ment} Assent.
4. This Act may be cited as *The Town of Smiths Falls Act*, ^{Short title} 1968.

An Act respecting
the Town of Smith's Falls

1st Reading

2nd Reading

3rd Reading

MR. JOHNSTON (Carleton)

(Private Bill)

BILL Pr10

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Town of Smith's Falls

MR. JOHNSTON (Carleton)



BILL Pr10

1968

An Act respecting the Town of Smith's Falls

WHEREAS The Corporation of the Town of Smith's ^{Preamble} Falls, sometimes known as the Town of Smiths Falls, herein called the Corporation, by its petition has represented that, according to local usage and custom, the name of the Corporation has been spelled Town of Smiths Falls without an apostrophe for a great many years; and whereas the petitioner has prayed for special legislation enacting that in future the Corporation shall be known as the Town of Smiths Falls;

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

- 1.** The name of the Town of Smith's Falls, sometimes ^{Name} known as the Town of Smiths Falls, shall be deemed to be the Town of Smiths Falls.
- 2.** No by-laws, contracts, debentures, instruments or other ^{Validation of past acts} acts or proceedings heretofore entered into by the Corporation before this Act comes into force are invalid for the reason only that the name by which they were entered into was spelled as the "Town of Smith's Falls" with an apostrophe or the "Town of Smiths Falls" without an apostrophe.
- 3.** This Act comes into force on the day it receives Royal ^{Commencement} Assent.
- 4.** This Act may be cited as *The Town of Smiths Falls Act*, ^{Short title} 1968.

An Act respecting
the Town of Smith's Falls

1st Reading

February 22nd, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 9th, 1968

MR. JOHNSTON (Carleton)

BILL Pr11

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Peterborough

MR. PITMAN

(PRIVATE BILL)



An Act respecting the City of Peterborough

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

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

1. The council of the Corporation of the City of Peterborough may, with the approval of the Ontario Municipal Board, pass by-laws authorizing the Peterborough Utilities Commission to enlarge and improve the zoological and botanical park now established on lands owned by the Corporation and otherwise used for or in connection with the waterworks controlled and managed by the said Commission or on lands hereafter acquired by the Corporation and for issuing debentures therefor. ^{Zoological and botanical gardens}

2. The waterworks of the Peterborough Utilities Commission shall be specially charged with the repayment of any debentures issued as aforesaid and with all expenditures otherwise incurred in the enlargement, improvement, maintenance and management of the said park. ^{Waterworks charged}

3. Any by-law passed under section 1 may provide that, ^{By-laws}

- (a) the zoological park shall be under the general management, regulation and control of the Peterborough Utilities Commission;
- (b) the Peterborough Utilities Commission may pass by-laws for the use, regulation, protection and government of the park and attach penalties for the infraction thereof, and that such by-laws may be enforced and the penalties thereunder recovered in

like manner as by-laws of municipal councils and the penalties thereunder may be enforced and recovered;

- (c) the Peterborough Utilities Commission may fix and collect entrance fees to the park and let from year to year or for any time not exceeding 10 years the right to sell refreshments or operate other concessions within the park under such regulations as it shall prescribe, and that all receipts therefrom shall be applied to the credit of the said waterworks;
- (d) the Peterborough Utilities Commission may take or receive from any person or body corporate by gift, bequest or devise any land or interest in land and any personal property for the use, support and purposes of the park, and that any land or interest in land so acquired is vested in The Corporation of the City of Peterborough.

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 Peterborough Act, 1968*.







An Act respecting the City of Peterborough

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. PITMAN

(Private Bill)

BILL Pr11

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Peterborough

MR. PITMAN

(Reprinted as amended by the Committee on Private Bills)

BILL Pr11

1968

An Act respecting the City of Peterborough

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

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

1. The council of the Corporation of the City of Peterborough may, with the approval of the Ontario Municipal Board, pass by-laws authorizing the Peterborough Utilities Commission to enlarge and improve the zoological and botanical park now established on lands owned by the Corporation and otherwise used for or in connection with the waterworks controlled and managed by the said Commission or on lands hereafter acquired by the Corporation and for issuing debentures therefor. ^{Zoological and botanical gardens}

2. The waterworks of the Peterborough Utilities Commission shall be specially charged with the repayment of any debentures issued as aforesaid and with all expenditures otherwise incurred in the enlargement, improvement, maintenance and management of the said park. ^{Waterworks charged}

3. Any by-law passed under section 1 may provide that, ^{By-laws}

- (a) the park shall be under the general management, regulation and control of the Peterborough Utilities Commission;
- (b) the Peterborough Utilities Commission may pass by-laws for the use, regulation, protection and government of the park and attach penalties for the infraction thereof, and that such by-laws may be enforced and the penalties thereunder recovered in

like manner as by-laws of municipal councils and the penalties thereunder may be enforced and recovered;

- (c) the Peterborough Utilities Commission may fix and collect entrance fees to the park and let from year to year or for any time not exceeding 10 years the right to sell refreshments or operate other concessions within the park under such regulations as it shall prescribe, and that all receipts therefrom shall be applied to the credit of the said waterworks;
- (d) the Peterborough Utilities Commission may take or receive from any person or body corporate by gift, bequest or devise any land or interest in land and any personal property for the use, support and purposes of the park, and that any land or interest in land so acquired is vested in The Corporation of the City of Peterborough.

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 Peterborough Act, 1968*.





An Act respecting the City of Westborough

An Act respecting the City of Peterborough

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. PITMAN

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

BILL Pr11

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Peterborough

MR. PITMAN

An Act respecting the City of Peterborough

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

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

1. The council of the Corporation of the City of Peterborough may, with the approval of the Ontario Municipal Board, pass by-laws authorizing the Peterborough Utilities Commission to enlarge and improve the zoological and botanical park now established on lands owned by the Corporation and otherwise used for or in connection with the waterworks controlled and managed by the said Commission or on lands hereafter acquired by the Corporation and for issuing debentures therefor. ^{Zoological and botanical gardens}

2. The waterworks of the Peterborough Utilities Commission shall be specially charged with the repayment of any debentures issued as aforesaid and with all expenditures otherwise incurred in the enlargement, improvement, maintenance and management of the said park. ^{Waterworks charged}

3. Any by-law passed under section 1 may provide that, ^{By-laws}

- (a) the park shall be under the general management, regulation and control of the Peterborough Utilities Commission;
- (b) the Peterborough Utilities Commission may pass by-laws for the use, regulation, protection and government of the park and attach penalties for the infraction thereof, and that such by-laws may be enforced and the penalties thereunder recovered in

like manner as by-laws of municipal councils and the penalties thereunder may be enforced and recovered;

- (c) the Peterborough Utilities Commission may fix and collect entrance fees to the park and let from year to year or for any time not exceeding 10 years the right to sell refreshments or operate other concessions within the park under such regulations as it shall prescribe, and that all receipts therefrom shall be applied to the credit of the said waterworks;
- (d) the Peterborough Utilities Commission may take or receive from any person or body corporate by gift, bequest or devise any land or interest in land and any personal property for the use, support and purposes of the park, and that any land or interest in land so acquired is vested in The Corporation of the City of Peterborough.

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 Peterborough Act, 1968*.





An Act respecting the City of Peterborough

1st Reading

February 22nd, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. PITMAN

BILL Pr12

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting The Community Foundation of
Ottawa and District**

MR. LAWRENCE (Carleton East)

(PRIVATE BILL)

BILL Pr12

1968

An Act respecting The Community Foundation of Ottawa and District

WHEREAS Herbert R. Balls, George R. Berry, Ada M. Browne, Anthony C. Butler, Q.C., G. Marcel Demers, D. Donald Diplock, Q.C., Stuart Godfrey, E. W. Irvine Keenleyside, Raymond C. Labarge, His Honour Judge Peter J. Macdonald, Velma Reid, Roderick S. Rooney, I. Norman Smith, Robert W. Southam, Henry Stubbins, Fletcher Troop and Lloyd Vineberg by their petition have represented that it is desirable and in the public interest to create a perpetual body to receive, maintain, manage, control and use donations for charitable purposes within Ontario; and whereas the petitioners have prayed that special legislation be passed for such purposes; and whereas it is expedient to grant the prayer of the petition;

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

1.—(1) Herbert R. Balls, George R. Berry, Ada M. Browne, Anthony C. Butler, Q.C., G. Marcel Demers, D. Donald Diplock, Q.C., Stuart Godfrey, E. W. Irvine Keenleyside, Raymond C. Labarge, His Honour Judge Peter J. Macdonald, Velma Reid, Roderick S. Rooney, I. Norman Smith, Robert W. Southam, Henry Stubbins, Fletcher Troop and Lloyd Vineberg, and their successors, all of the City of Ottawa, in the County of Carleton, are hereby constituted a body corporate and politic without share capital under the name of The Community Foundation of Ottawa and District, hereafter called the Foundation.

(2) The head office of the Foundation shall be in the City of Ottawa.

2. The objects of the Foundation are to receive, maintain, manage, control and use donations for charitable purposes within Ontario.

Members of
Foundation

3.—(1) The Board of Directors of the Foundation, hereafter called the Board, shall be composed of nine members.

(2) The first members of the Board shall be,

- (a) Fletcher Troop, Jack Frost, Herbert R. Balls, who shall hold office for a term of one year;
- (b) Raymond C. Labarge, George Edwin Beament, Q.C., I. Norman Smith, who shall hold office for a term of two years;
- (c) Lawrence Freiman, George Berry, Andy Andras, who shall hold office for a term of three years.

Remunera-
tion and
term of
office

(3) Members of the Board shall serve without remuneration and, subject to subsection 2, shall be appointed for a term of three years and are eligible for re-appointment subject to subsection 4.

Re-appoint-
ment

(4) No member of the Board is eligible for re-appointment to a third term until one year has elapsed after he ceases to hold office.

Vacancies

(5) A vacancy occurring in the membership of the Board by reason of the expiration of a term of office shall be filled by appointment by the nominating committee provided for in section 4.

Idem

(6) A vacancy arising in the membership of the Board by reason of death, resignation or any other cause, other than the expiration of a term of office, shall be filled by appointment by the nominating committee provided for in section 4, and any person so appointed shall hold office for the unexpired portion of the term of office of his predecessor.

Composi-
tion of
nominating
committee

4.—(1) There shall be a nominating committee composed of the persons holding the following offices from time to time:

1. The mayor of the City of Ottawa.
2. The senior judge of the county court of the County of Carleton.
3. The president of the Ottawa and District Community Chest.
4. The president of the Ottawa Board of Trade.
5. The president of the Canadian Labour Congress.
6. The Governor of the Bank of Canada.

(2) In event that a person holding any of the foregoing ^{Alternate} offices is unable or unwilling to act as a member of the nominating committee, the other members of the nominating committee shall appoint another member to act during the period in which the original member is unable or unwilling to act.

(3) The nominating committee shall meet annually or ^{Meetings} oftener upon the call of the secretary of the Board, if any, or upon the call of the chairman of the nominating committee whenever it is necessary to fill a vacancy in the Board.

(4) The nominating committee may make such rules ^{Rules} governing its procedure, including the appointment of a chairman, as it deems advisable.

(5) A quorum of the nominating committee for any meeting ^{Quorum} shall be not fewer than three of its members present in person, and a majority vote of all the members of the committee shall be required for the appointment of a member of the Board.

(6) If the nominating committee fails to appoint a person ^{Appointment by judge} to fill a vacancy in the membership of the Board within ninety days after the vacancy occurs, the remaining members of the Board may apply to a judge of the Supreme Court of Ontario to make the appointment, and the judge to whom the application is made may appoint any person to fill the vacancy or make such other order as he deems just.

5.—(1) The Board may pass by-laws not contrary to this ^{Powers of the Board} Act to regulate and govern its procedure and actions and the conduct and administration of the affairs of the Foundation.

(2) Without limiting the generality of subsection 1, the ^{Idem} Board may pass by-laws,

- (a) regulating the calling of and the procedure at meetings of the Board, and fixing the time and place of such meetings;
- (b) fixing the quorum of the Board;
- (c) regulating the appointment, functions, powers, duties, remuneration and removal of officers, servants and agents of the Foundation.

(3) Any by-law of the Board may be repealed or amended ^{Repeal and amendment of by-laws} by the Board in accordance with such rules or regulations as it may prescribe by by-law.

Approval

(4) By-laws of the Board require the approval either at a meeting or in writing of the majority of the members of the Board.

Powers of Foundation

6. The Foundation is empowered,

- (a) to receive directly donations of, and hold, control and administer, real and personal property of every kind and description wherever situated, without licence in mortmain and without limitation as to the period of holding;
- (b) to receive donations or the benefit of donations indirectly either by way of testamentary disposition or deed of trust or otherwise, and to use and expend or direct the using and expending of real or personal property of every kind and description, wherever situated, or the income therefrom;
- (c) except as hereinafter provided, to convert any property at any time and from time to time received and held by or on behalf of the Foundation into any other form and for that purpose to sell or cause and authorize the property to be sold, assigned, transferred, leased, exchanged or otherwise disposed of;
- (d) to pass on and entrust to one or more trust companies the custody and management of all or any part of the property at any time and from time to time received or held by the Foundation in such manner and in such proportions as the Board deems proper, and to enter into agreements with such trust companies with respect thereto;
- (e) to direct any trust company to manage and administer as a single fund and in such manner as the Board deems advisable any one or more donations held by such trust company for the purposes of the Foundation under any testamentary document or deed of trust or otherwise;
- (f) to lease any lands at any time held by the Foundation;
- (g) to pay and apply the net income in each year from all funds held directly or indirectly by it towards such charitable purposes within Ontario as it deems advisable;

- (h) to pay, apply and distribute such portions as it deems advisable of the capital of the funds held directly or indirectly by it, to and for such charitable purposes within Ontario as it deems advisable, provided that, unless otherwise specifically provided by the donor of any sum or fund, not more than a total of 10 per cent of the balance of the capital of the sum or fund shall be so distributed during any period of four consecutive years, and provided further that no distribution of capital shall be made without the approval of two-thirds of the directors, given in person at a meeting of the Board or, if not present at a meeting, then in writing within the sixty days next after the meeting;
- (i) except as hereinafter provided, to control the management and investment of all its funds, provided that, where a trust company is specifically appointed as trustee of any fund by any testamentary document or deed of trust or otherwise, such trust company shall have the physical custody of such fund and, subject to the specific terms of any such document, shall invest and reinvest the same within the general policy of investment laid down by the Board, and provided further that the custody of all securities and the accounting therefor may be entrusted by the Board to one or more trust companies, and thereupon any such trust company shall invest and reinvest the same within the general policy of investment laid down by the Board;
- (j) to direct the investment of all its funds, which are to be invested by the Foundation or by any trust company or other trustee, in investments authorized for the investment of funds of life insurance companies in Canada, provided that the Board may authorize and direct the retention of any specific assets donated or bequeathed to the Foundation by any testamentary document or deed of trust or otherwise for such length of time as the Board in its sole discretion deems advisable, notwithstanding that it does not consist of assets in which the Foundation is authorized to invest by this Act, and the Foundation and the members of the Board shall under no circumstances be liable, nor shall any trust company or other trustee acting on the instructions of the Board be liable, for any loss or damage that may be suffered by reason of the retention of any such assets as aforesaid or the investment of any such moneys in accordance with the power and authority given in this clause;

- (k) to employ such person or persons, including trust companies, and to take such other action as it deems advisable for the more efficient carrying out of the purposes of the Foundation, and such employees may be paid such reasonable compensation out of, and the Board may charge the expenses of any such other action to, the income or capital, or both, of the funds of the Foundation as the Board deems advisable;
- (l) to set aside, or in its discretion to refrain from setting aside, any part of the income received by it from securities taken or purchased as part of the funds of the Foundation at a premium, as a sinking fund to retire or amortize such premium, and to determine in its uncontrolled discretion in respect of all funds of the Foundation what shall be treated as income and what shall be treated as capital as to each respective transaction therein and to charge or apportion any losses or expenses to capital or income as it deems best;
- (m) to compromise, compound and adjust claims in favour of or against the property held or intended to be held by it, upon such terms and conditions as it deems just, expedient and proper.

**Donations
for specific
purposes**

7.—(1) The Foundation may accept donations either directly or indirectly subject to the conditions that the income or capital or both thereof shall be paid and applied to a specific charitable purpose, either for a specific or an indefinite period of time.

Idem

(2) Subsection 1 applies only if the donation is also subject to the condition that, after the expiration of a period of time referred to or at any time, there shall be a discretionary power vested in the Board to pay or apply the income or capital of the donation to some other charitable purpose or that, if the Board is satisfied that conditions are such as to render it impractical or inefficient to expend all or any part of such moneys for such specific purpose, then, upon the approval of two-thirds of the members of the Board given either at a meeting or in writing within sixty days next after the meeting and within the limits of the discretionary power, all or any part of such moneys may be paid and applied to such other charitable purposes as the Board deems advisable.

Idem

(3) If any such donation is made subject to the condition that the income or capital or both shall be paid and applied to a specific charitable organization for a specific period of

time and if such specific charitable organization ceases to exist within the specific period of time, then for the balance of the period the income or capital or both shall be applied to such other charitable purpose as is directed by a judge of the Supreme Court in accordance with the laws in force from time to time in Ontario.

8. Any form of words is sufficient to constitute a donation ^{Form of words} for the purposes of this Act so long as the donor indicates an intention to contribute presently or prospectively to the Foundation.

9. The Foundation may accept a donation notwithstanding that some portion of the benefit of the donation is directed to be applied to charitable purposes outside Ontario, if such portion of the benefit of the funds is directed to be applied to charitable purposes within Canada. ^{Nature of donations}

10.—(1) Subject to subsection 2, all donations made ^{General fund} directly or indirectly to the Foundation may be treated for all purposes as a general fund.

(2) In the case of a donation of \$25,000 or more, the donor ^{Separate funds} may require that such donation be maintained as a separate fund, in which case in each year thereafter a separate accounting thereof shall be set out in the annual audited report.

11.—(1) Unless otherwise directed by testamentary document or deed of trust or otherwise, all donations shall be publicly acknowledged, in the year following that in which they are made, by being set out in the annual audited report. ^{Acknowledgements}

(2) Unless otherwise directed by testamentary document ^{Idem} or deed of trust or otherwise, donations from any one person shall be publicly acknowledged in every year following their receipt by being set out in the annual audited report, provided that, if one person makes more than one donation, then only the total of that person's donations, as they may be from time to time, need be shown.

12.—(1) The Foundation shall cause an audit to be made ^{Audit} at least once in every fiscal year, by an independent auditor who shall be a chartered accountant, of the books and records of the Foundation.

(2) The audit shall include an examination of all assets ^{Idem} held by the Foundation or any trust company on its behalf, or held by any trustee in trust for the Foundation, and, notwithstanding that any such funds may be held by a trustee

pursuant to the provisions of a testamentary document or deed of trust, such trustee shall give an accounting thereof to the auditor of the Foundation each year.

Publication
of statement

(3) The Foundation shall cause to be published in a newspaper having general circulation in the City of Ottawa a certified statement by the auditor setting out the receipts and disbursements and capital assets of the Foundation or held in trust for the Foundation.

Contents of
statement

(4) The statement shall show separately the receipts and disbursements and capital assets of any fund which is held separately, but with respect to other assets may show the same as a general fund.

Idem

(5) The statement shall set out in detail the purposes for which the income has been used and the expenses of the Foundation, all in accordance with good accounting practice.

Information
and
inspection

(6) The Board and any trust company or other trustee holding funds in trust for the Foundation shall give full information and permit all necessary inspection to enable such audit to be made.

Audit

(7) The Minister of Justice and Attorney General may require the Foundation to submit accounts of its dealings with property coming into its hands or under its control to be passed and examined and audited by the judge of the surrogate court of the county or district in which probate was granted.

Limitation
of powers

13. Any power conferred on the Foundation by this Act shall not be exercised in respect of any donation in contravention of any express provision to the contrary in the document of trust governing such donation.

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 Community Foundation of Ottawa and District Act, 1968*.

1784

An Act respecting The Community
Foundation of Ottawa and District

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. LAWRENCE (Carleton East)

(Private Bill)

BILL Pr12

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting The Community Foundation of
Ottawa and District**

MR. LAWRENCE (Carleton East)

(Reprinted as amended by the Committee on Private Bills)

BILL Pr12

1968

An Act respecting The Community Foundation of Ottawa and District

WHEREAS Herbert R. Balls, George R. Berry, Ada M. ^{Preamble} Browne, Anthony C. Butler, Q.C., G. Marcel Demers, D. Donald Diplock, Q.C., Stuart Godfrey, E. W. Irvine Keenleyside, Raymond C. Labarge, His Honour Judge Peter J. Macdonald, Velma Reid, Roderick S. Rooney, I. Norman Smith, Robert W. Southam, Henry Stubbins, Fletcher Troop and Lloyd Vineberg by their petition have represented that it is desirable and in the public interest to create a perpetual body to receive, maintain, manage, control and use donations for charitable purposes within Ontario; and whereas the petitioners have prayed that special legislation be passed for such purposes; and whereas it is expedient to grant the prayer of the petition;

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

1.—(1) Herbert R, Balls, George R. Berry, Ada M. Browne, ^{Foundation} Anthony C. Butler, Q.C., G. Marcel Demers, D. Donald ^{incor-} Diplock, Q.C., Stuart Godfrey, E. W. Irvine Keenleyside, ^{porated} Raymond C. Labarge, His Honour Judge Peter J. Macdonald, Velma Reid, Roderick S. Rooney, I. Norman Smith, Robert W. Southam, Henry Stubbins, Fletcher Troop and Lloyd Vineberg, and their successors, all of the City of Ottawa, in the County of Carleton, are hereby constituted a body corporate and politic without share capital under the name of The Community Foundation of Ottawa and District, hereafter called the Foundation.

(2) The head office of the Foundation shall be in the City ^{Head} of Ottawa. ^{office}

2. The objects of the Foundation are to receive, maintain, ^{Objects} manage, control and use donations for charitable purposes within Ontario.

Members of
Foundation

3.—(1) The Board of Directors of the Foundation, hereafter called the Board, shall be composed of nine members.

(2) The first members of the Board shall be,

- (a) Fletcher Troop, Jack Frost, Herbert R. Balls, who shall hold office for a term of one year;
- (b) Raymond C. Labarge, George Edwin Beament, Q.C., I. Norman Smith, who shall hold office for a term of two years;
- (c) Lawrence Freiman, George Berry, Andy Andras, who shall hold office for a term of three years.

Remunera-
tion and
term of
office

(3) Members of the Board shall serve without remuneration and, subject to subsection 2, shall be appointed for a term of three years and are eligible for re-appointment subject to subsection 4.

Re-appoint-
ment

(4) No member of the Board is eligible for re-appointment to a third term until one year has elapsed after he ceases to hold office.

Vacancies

(5) A vacancy occurring in the membership of the Board by reason of the expiration of a term of office shall be filled by appointment by the nominating committee provided for in section 4.

Idem

(6) A vacancy arising in the membership of the Board by reason of death, resignation or any other cause, other than the expiration of a term of office, shall be filled by appointment by the nominating committee provided for in section 4, and any person so appointed shall hold office for the unexpired portion of the term of office of his predecessor.

Composi-
tion of
nominating
committee

4.—(1) There shall be a nominating committee composed of the persons holding the following offices from time to time:

1. The mayor of the City of Ottawa.
2. The senior judge of the county court of the County of Carleton.
3. The president of the Ottawa and District Community Chest.
4. The president of the Ottawa Board of Trade.
5. The president of the Canadian Labour Congress.
6. The Governor of the Bank of Canada.

(2) In event that a person holding any of the foregoing ^{Alternate} offices is unable or unwilling to act as a member of the nominating committee, the other members of the nominating committee shall appoint another member to act during the period in which the original member is unable or unwilling to act.

(3) The nominating committee shall meet annually or ^{Meetings} oftener upon the call of the secretary of the Board, if any, or upon the call of the chairman of the nominating committee whenever it is necessary to fill a vacancy in the Board.

(4) The nominating committee may make such ^{Rules} rules governing its procedure, including the appointment of a chairman, as it deems advisable.

(5) A quorum of the nominating committee for any meeting ^{Quorum} shall be not fewer than three of its members present in person, and a majority vote of all the members of the committee shall be required for the appointment of a member of the Board.

(6) If the nominating committee fails to appoint a person ^{Appointment by Judge} to fill a vacancy in the membership of the Board within ninety days after the vacancy occurs, the remaining members of the Board may apply to a judge of the Supreme Court of Ontario to make the appointment, and the judge to whom the application is made may appoint any person to fill the vacancy or make such other order as he deems just.

5.—(1) The Board may pass by-laws not contrary to this ^{Powers of the Board} Act to regulate and govern its procedure and actions and the conduct and administration of the affairs of the Foundation.

(2) Without limiting the generality of subsection 1, the ^{Idem} Board may pass by-laws,

- (a) regulating the calling of and the procedure at meetings of the Board, and fixing the time and place of such meetings;
- (b) fixing the quorum of the Board;
- (c) regulating the appointment, functions, powers, duties, remuneration and removal of officers, servants and agents of the Foundation.

(3) Any by-law of the Board may be repealed or amended ^{Repeal and amendment of by-laws} by the Board in accordance with such rules or regulations as it may prescribe by by-law.

Approval

(4) By-laws of the Board require the approval either at a meeting or in writing of the majority of the members of the Board.

Powers of Foundation

6. The Foundation is empowered,

- (a) to receive directly donations of, and hold, control and administer, real and personal property of every kind and description wherever situated;
- (b) to receive donations or the benefit of donations indirectly either by way of testamentary disposition or deed of trust or otherwise, and to use and expend or direct the using and expending of real or personal property of every kind and description, wherever situated, or the income therefrom;
- (c) except as hereinafter provided, to convert any property at any time and from time to time received and held by or on behalf of the Foundation into any other form and for that purpose to sell or cause and authorize the property to be sold, assigned, transferred, leased, exchanged or otherwise disposed of;
- (d) to pass on and entrust to one or more trust companies the custody and management of all or any part of the property at any time and from time to time received or held by the Foundation in such manner and in such proportions as the Board deems proper, and to enter into agreements with such trust companies with respect thereto;
- (e) to direct any trust company to manage and administer as a single fund and in such manner as the Board deems advisable any one or more donations held by such trust company for the purposes of the Foundation under any testamentary document or deed of trust or otherwise;
- (f) to lease any lands at any time held by the Foundation;
- (g) to pay and apply the net income in each year from all funds held directly or indirectly by it towards such charitable purposes within Ontario as it deems advisable;

- (h) to pay, apply and distribute such portions as it deems advisable of the capital of the funds held directly or indirectly by it, to and for such charitable purposes within Ontario as it deems advisable, provided that, unless otherwise specifically provided by the donor of any sum or fund, not more than a total of 10 per cent of the balance of the capital of the sum or fund shall be so distributed during any period of four consecutive years, and provided further that no distribution of capital shall be made without the approval of two-thirds of the directors, given in person at a meeting of the Board or, if not present at a meeting, then in writing within the sixty days next after the meeting;
- (i) except as hereinafter provided, to control the management and investment of all its funds, provided that, where a trust company is specifically appointed as trustee of any fund by any testamentary document or deed of trust or otherwise, such trust company shall have the physical custody of such fund and, subject to the specific terms of any such document, shall invest and reinvest the same within the general policy of investment laid down by the Board, and provided further that the custody of all securities and the accounting therefor may be entrusted by the Board to one or more trust companies, and thereupon any such trust company shall invest and reinvest the same within the general policy of investment laid down by the Board;
- (j) to direct the investment of all its funds, which are to be invested by the Foundation or by any trust company or other trustee, in investments authorized for the investment of funds of life insurance companies in Canada, provided that the Board may authorize and direct the retention of any specific assets donated or bequeathed to the Foundation by any testamentary document or deed of trust or otherwise for such length of time as the Board in its sole discretion deems advisable, notwithstanding that it does not consist of assets in which the Foundation is authorized to invest by this Act, and the Foundation and the members of the Board shall under no circumstances be liable, nor shall any trust company or other trustee acting on the instructions of the Board be liable, for any loss or damage that may be suffered by reason of the retention of any such assets as aforesaid or the investment of any such moneys in accordance with the power and authority given in this clause;

- (k) to employ such person or persons, including trust companies, and to take such other action as it deems advisable for the more efficient carrying out of the purposes of the Foundation, and such employees may be paid such reasonable compensation out of, and the Board may charge the expenses of any such other action to, the income or capital, or both, of the funds of the Foundation as the Board deems advisable;
- (l) to set aside, or in its discretion to refrain from setting aside, any part of the income received by it from securities taken or purchased as part of the funds of the Foundation at a premium, as a sinking fund to retire or amortize such premium, and to determine in its uncontrolled discretion in respect of all funds of the Foundation what shall be treated as income and what shall be treated as capital as to each respective transaction therein and to charge or apportion any losses or expenses to capital or income as it deems best;
- (m) to compromise, compound and adjust claims in favour of or against the property held or intended to be held by it, upon such terms and conditions as it deems just, expedient and proper.

Donations
for specific
purposes

7.—(1) The Foundation may accept donations either directly or indirectly subject to the conditions that the income or capital or both thereof shall be paid and applied to a specific charitable purpose, either for a specific or an indefinite period of time.

Idem

(2) Subsection 1 applies only if the donation is also subject to the condition that, after the expiration of a period of time referred to or at any time, there shall be a discretionary power vested in the Board to pay or apply the income or capital of the donation to some other charitable purpose or that, if the Board is satisfied that conditions are such as to render it impractical or inefficient to expend all or any part of such moneys for such specific purpose, then, upon the approval of two-thirds of the members of the Board given either at a meeting or in writing within sixty days next after the meeting and within the limits of the discretionary power, all or any part of such moneys may be paid and applied to such other charitable purposes as the Board deems advisable.

Idem

(3) If any such donation is made subject to the condition that the income or capital or both shall be paid and applied to a specific charitable organization for a specific period of

time and if such specific charitable organization ceases to exist within the specific period of time, then for the balance of the period the income or capital or both shall be applied to such other charitable purpose as is directed by a judge of the Supreme Court in accordance with the laws in force from time to time in Ontario.

8. Any form of words is sufficient to constitute a donation ^{Form of words} for the purposes of this Act so long as the donor indicates an intention to contribute presently or prospectively to the Foundation.

9. The Foundation may accept a donation notwithstanding that some portion of the benefit of the donation is directed to be applied to charitable purposes outside Ontario, if such portion of the benefit of the funds is directed to be applied to charitable purposes within Canada. ^{Nature of donations}

10.—(1) Subject to subsection 2, all donations made ^{General fund} directly or indirectly to the Foundation may be treated for all purposes as a general fund.

(2) In the case of a donation of \$25,000 or more, the donor ^{Separate funds} may require that such donation be maintained as a separate fund, in which case in each year thereafter a separate accounting thereof shall be set out in the annual audited report.

11.—(1) Unless otherwise directed by testamentary document or deed of trust or otherwise, all donations shall be publicly acknowledged, in the year following that in which they are made, by being set out in the annual audited report. ^{Acknowledgements}

(2) Unless otherwise directed by testamentary document ^{Idem} or deed of trust or otherwise, donations from any one person shall be publicly acknowledged in every year following their receipt by being set out in the annual audited report, provided that, if one person makes more than one donation, then only the total of that person's donations, as they may be from time to time, need be shown.

12.—(1) The Foundation shall cause an audit to be made ^{Audit} at least once in every fiscal year, by an independent auditor who shall be a chartered accountant, of the books and records of the Foundation.

(2) The audit shall include an examination of all assets ^{Idem} held by the Foundation or any trust company on its behalf, or held by any trustee in trust for the Foundation, and, notwithstanding that any such funds may be held by a trustee

pursuant to the provisions of a testamentary document or deed of trust, such trustee shall give an accounting thereof to the auditor of the Foundation each year.

Publication
of statement

(3) The Foundation shall cause to be published in a newspaper having general circulation in the City of Ottawa a certified statement by the auditor setting out the receipts and disbursements and capital assets of the Foundation or held in trust for the Foundation.

Contents of
statement

(4) The statement shall show separately the receipts and disbursements and capital assets of any fund which is held separately, but with respect to other assets may show the same as a general fund.

Idem

(5) The statement shall set out in detail the purposes for which the income has been used and the expenses of the Foundation, all in accordance with good accounting practice.

Information
and
inspection

(6) The Board and any trust company or other trustee holding funds in trust for the Foundation shall give full information and permit all necessary inspection to enable such audit to be made.

Application
of
R.S.O. 1960,
c. 52

(7) The Foundation shall be subject in all respects to *The Charities Accounting Act*.

Limitation
of powers

13. Any power conferred on the Foundation by this Act shall not be exercised in respect of any donation in contravention of any express provision to the contrary in the document of trust governing such donation.

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 Community Foundation of Ottawa and District Act, 1968*.

An Act respecting The Community
Foundation of Ottawa and District

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. LAWRENCE (Carleton East)

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

BILL Pr12

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting The Community Foundation of
Ottawa and District**

MR. LAWRENCE (Carleton East)



BILL Pr12

1968

An Act respecting The Community Foundation of Ottawa and District

WHEREAS Herbert R. Balls, George R. Berry, Ada M. Browne, Anthony C. Butler, Q.C., G. Marcel Demers, D. Donald Diplock, Q.C., Stuart Godfrey, E. W. Irvine Keenleyside, Raymond C. Labarge, His Honour Judge Peter J. Macdonald, Velma Reid, Roderick S. Rooney, I. Norman Smith, Robert W. Southam, Henry Stubbins, Fletcher Troop and Lloyd Vineberg by their petition have represented that it is desirable and in the public interest to create a perpetual body to receive, maintain, manage, control and use donations for charitable purposes within Ontario; and whereas the petitioners have prayed that special legislation be passed for such purposes; and whereas it is expedient to grant the prayer of the petition; Preamble

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

1.—(1) Herbert R. Balls, George R. Berry, Ada M. Browne, Anthony C. Butler, Q.C., G. Marcel Demers, D. Donald Diplock, Q.C., Stuart Godfrey, E. W. Irvine Keenleyside, Raymond C. Labarge, His Honour Judge Peter J. Macdonald, Velma Reid, Roderick S. Rooney, I. Norman Smith, Robert W. Southam, Henry Stubbins, Fletcher Troop and Lloyd Vineberg, and their successors, all of the City of Ottawa, in the County of Carleton, are hereby constituted a body corporate and politic without share capital under the name of The Community Foundation of Ottawa and District, hereafter called the Foundation. Foundation
incor-
porated

(2) The head office of the Foundation shall be in the City of Ottawa. Head
office

2. The objects of the Foundation are to receive, maintain, manage, control and use donations for charitable purposes within Ontario. Objects

Members of
Foundation

3.—(1) The Board of Directors of the Foundation, hereafter called the Board, shall be composed of nine members.

(2) The first members of the Board shall be,

- (a) Fletcher Troop, Jack Frost, Herbert R. Balls, who shall hold office for a term of one year;
- (b) Raymond C. Labarge, George Edwin Beament, Q.C., I. Norman Smith, who shall hold office for a term of two years;
- (c) Lawrence Freiman, George Berry, Andy Andras, who shall hold office for a term of three years.

Remunera-
tion and
term of
office

(3) Members of the Board shall serve without remuneration and, subject to subsection 2, shall be appointed for a term of three years and are eligible for re-appointment subject to subsection 4.

Re-appoint-
ment

(4) No member of the Board is eligible for re-appointment to a third term until one year has elapsed after he ceases to hold office.

Vacancies

(5) A vacancy occurring in the membership of the Board by reason of the expiration of a term of office shall be filled by appointment by the nominating committee provided for in section 4.

Idem

(6) A vacancy arising in the membership of the Board by reason of death, resignation or any other cause, other than the expiration of a term of office, shall be filled by appointment by the nominating committee provided for in section 4, and any person so appointed shall hold office for the unexpired portion of the term of office of his predecessor.

Composi-
tion of
nominating
committee

4.—(1) There shall be a nominating committee composed of the persons holding the following offices from time to time:

1. The mayor of the City of Ottawa.
2. The senior judge of the county court of the County of Carleton.
3. The president of the Ottawa and District Community Chest.
4. The president of the Ottawa Board of Trade.
5. The president of the Canadian Labour Congress.
6. The Governor of the Bank of Canada.

(2) In event that a person holding any of the foregoing ^{Alternate} offices is unable or unwilling to act as a member of the nominating committee, the other members of the nominating committee shall appoint another member to act during the period in which the original member is unable or unwilling to act.

(3) The nominating committee shall meet annually or ^{Meetings} oftener upon the call of the secretary of the Board, if any, or upon the call of the chairman of the nominating committee whenever it is necessary to fill a vacancy in the Board.

(4) The nominating committee may make such rules ^{Rules} governing its procedure, including the appointment of a chairman, as it deems advisable.

(5) A quorum of the nominating committee for any meeting ^{Quorum} shall be not fewer than three of its members present in person, and a majority vote of all the members of the committee shall be required for the appointment of a member of the Board.

(6) If the nominating committee fails to appoint a person ^{Appointment by judge} to fill a vacancy in the membership of the Board within ninety days after the vacancy occurs, the remaining members of the Board may apply to a judge of the Supreme Court of Ontario to make the appointment, and the judge to whom the application is made may appoint any person to fill the vacancy or make such other order as he deems just.

5.—(1) The Board may pass by-laws not contrary to this ^{Powers of the Board} Act to regulate and govern its procedure and actions and the conduct and administration of the affairs of the Foundation.

(2) Without limiting the generality of subsection 1, the ^{Idem} Board may pass by-laws,

- (a) regulating the calling of and the procedure at meetings of the Board, and fixing the time and place of such meetings;
- (b) fixing the quorum of the Board;
- (c) regulating the appointment, functions, powers, duties, remuneration and removal of officers, servants and agents of the Foundation.

(3) Any by-law of the Board may be repealed or amended ^{Repeal and amendment of by-laws} by the Board in accordance with such rules or regulations as it may prescribe by by-law.

Approval

(4) By-laws of the Board require the approval either at a meeting or in writing of the majority of the members of the Board.

Powers of
Foundation

6. The Foundation is empowered,

- (a) to receive directly donations of, and hold, control and administer, real and personal property of every kind and description wherever situated;
- (b) to receive donations or the benefit of donations indirectly either by way of testamentary disposition or deed of trust or otherwise, and to use and expend or direct the using and expending of real or personal property of every kind and description, wherever situated, or the income therefrom;
- (c) except as hereinafter provided, to convert any property at any time and from time to time received and held by or on behalf of the Foundation into any other form and for that purpose to sell or cause and authorize the property to be sold, assigned, transferred, leased, exchanged or otherwise disposed of;
- (d) to pass on and entrust to one or more trust companies the custody and management of all or any part of the property at any time and from time to time received or held by the Foundation in such manner and in such proportions as the Board deems proper, and to enter into agreements with such trust companies with respect thereto;
- (e) to direct any trust company to manage and administer as a single fund and in such manner as the Board deems advisable any one or more donations held by such trust company for the purposes of the Foundation under any testamentary document or deed of trust or otherwise;
- (f) to lease any lands at any time held by the Foundation;
- (g) to pay and apply the net income in each year from all funds held directly or indirectly by it towards such charitable purposes within Ontario as it deems advisable:

- (h) to pay, apply and distribute such portions as it deems advisable of the capital of the funds held directly or indirectly by it, to and for such charitable purposes within Ontario as it deems advisable, provided that, unless otherwise specifically provided by the donor of any sum or fund, not more than a total of 10 per cent of the balance of the capital of the sum or fund shall be so distributed during any period of four consecutive years, and provided further that no distribution of capital shall be made without the approval of two-thirds of the directors, given in person at a meeting of the Board or, if not present at a meeting, then in writing within the sixty days next after the meeting;
- (i) except as hereinafter provided, to control the management and investment of all its funds, provided that, where a trust company is specifically appointed as trustee of any fund by any testamentary document or deed of trust or otherwise, such trust company shall have the physical custody of such fund and, subject to the specific terms of any such document, shall invest and reinvest the same within the general policy of investment laid down by the Board, and provided further that the custody of all securities and the accounting therefor may be entrusted by the Board to one or more trust companies, and thereupon any such trust company shall invest and reinvest the same within the general policy of investment laid down by the Board;
- (j) to direct the investment of all its funds, which are to be invested by the Foundation or by any trust company or other trustee, in investments authorized for the investment of funds of life insurance companies in Canada, provided that the Board may authorize and direct the retention of any specific assets donated or bequeathed to the Foundation by any testamentary document or deed of trust or otherwise for such length of time as the Board in its sole discretion deems advisable, notwithstanding that it does not consist of assets in which the Foundation is authorized to invest by this Act, and the Foundation and the members of the Board shall under no circumstances be liable, nor shall any trust company or other trustee acting on the instructions of the Board be liable, for any loss or damage that may be suffered by reason of the retention of any such assets as aforesaid or the investment of any such moneys in accordance with the power and authority given in this clause;

- (k) to employ such person or persons, including trust companies, and to take such other action as it deems advisable for the more efficient carrying out of the purposes of the Foundation, and such employees may be paid such reasonable compensation out of, and the Board may charge the expenses of any such other action to, the income or capital, or both, of the funds of the Foundation as the Board deems advisable;
- (l) to set aside, or in its discretion to refrain from setting aside, any part of the income received by it from securities taken or purchased as part of the funds of the Foundation at a premium, as a sinking fund to retire or amortize such premium, and to determine in its uncontrolled discretion in respect of all funds of the Foundation what shall be treated as income and what shall be treated as capital as to each respective transaction therein and to charge or apportion any losses or expenses to capital or income as it deems best;
- (m) to compromise, compound and adjust claims in favour of or against the property held or intended to be held by it, upon such terms and conditions as it deems just, expedient and proper.

Donations
for specific
purposes

7.—(1) The Foundation may accept donations either directly or indirectly subject to the conditions that the income or capital or both thereof shall be paid and applied to a specific charitable purpose, either for a specific or an indefinite period of time.

Idem

(2) Subsection 1 applies only if the donation is also subject to the condition that, after the expiration of a period of time referred to or at any time, there shall be a discretionary power vested in the Board to pay or apply the income or capital of the donation to some other charitable purpose or that, if the Board is satisfied that conditions are such as to render it impractical or inefficient to expend all or any part of such moneys for such specific purpose, then, upon the approval of two-thirds of the members of the Board given either at a meeting or in writing within sixty days next after the meeting and within the limits of the discretionary power, all or any part of such moneys may be paid and applied to such other charitable purposes as the Board deems advisable.

Idem

(3) If any such donation is made subject to the condition that the income or capital or both shall be paid and applied to a specific charitable organization for a specific period of

time and if such specific charitable organization ceases to exist within the specific period of time, then for the balance of the period the income or capital or both shall be applied to such other charitable purpose as is directed by a judge of the Supreme Court in accordance with the laws in force from time to time in Ontario.

8. Any form of words is sufficient to constitute a donation ^{Form of words} for the purposes of this Act so long as the donor indicates an intention to contribute presently or prospectively to the Foundation.

9. The Foundation may accept a donation notwithstanding that some portion of the benefit of the donation is directed to be applied to charitable purposes outside Ontario, if such portion of the benefit of the funds is directed to be applied to charitable purposes within Canada. ^{Nature of donations}

10.—(1) Subject to subsection 2, all donations made directly or indirectly to the Foundation may be treated for all purposes as a general fund. ^{General fund}

(2) In the case of a donation of \$25,000 or more, the donor may require that such donation be maintained as a separate fund, in which case in each year thereafter a separate accounting thereof shall be set out in the annual audited report. ^{Separate funds}

11.—(1) Unless otherwise directed by testamentary document or deed of trust or otherwise, all donations shall be publicly acknowledged, in the year following that in which they are made, by being set out in the annual audited report. ^{Acknowledgements}

(2) Unless otherwise directed by testamentary document or deed of trust or otherwise, donations from any one person shall be publicly acknowledged in every year following their receipt by being set out in the annual audited report, provided that, if one person makes more than one donation, then only the total of that person's donations, as they may be from time to time, need be shown. ^{Idem}

12.—(1) The Foundation shall cause an audit to be made at least once in every fiscal year, by an independent auditor who shall be a chartered accountant, of the books and records of the Foundation. ^{Audit}

(2) The audit shall include an examination of all assets held by the Foundation or any trust company on its behalf, or held by any trustee in trust for the Foundation, and, notwithstanding that any such funds may be held by a trustee ^{Idem}

pursuant to the provisions of a testamentary document or deed of trust, such trustee shall give an accounting thereof to the auditor of the Foundation each year.

Publication of statement (3) The Foundation shall cause to be published in a newspaper having general circulation in the City of Ottawa a certified statement by the auditor setting out the receipts and disbursements and capital assets of the Foundation or held in trust for the Foundation.

Contents of statement (4) The statement shall show separately the receipts and disbursements and capital assets of any fund which is held separately, but with respect to other assets may show the same as a general fund.

Idem (5) The statement shall set out in detail the purposes for which the income has been used and the expenses of the Foundation, all in accordance with good accounting practice.

Information and inspection (6) The Board and any trust company or other trustee holding funds in trust for the Foundation shall give full information and permit all necessary inspection to enable such audit to be made.

Application of R.S.O. 1960, c. 52 (7) The Foundation shall be subject in all respects to *The Charities Accounting Act*.

Limitation of powers **13.** Any power conferred on the Foundation by this Act shall not be exercised in respect of any donation in contravention of any express provision to the contrary in the document of trust governing such donation.

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

Short title **15.** This Act may be cited as *The Community Foundation of Ottawa and District Act, 1968*.

An Act respecting The Community
Foundation of Ottawa and District

1st Reading

February 22nd, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. LAWRENCE (Carleton East)

BILL Pr13

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Peterborough

MR. PITMAN

(PRIVATE BILL)



BILL Pr13

1968

An Act respecting the City of Peterborough

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

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

1. For the year 1969 and thereafter and notwithstanding ^{Election by wards} section 1 of *The City of Peterborough Separate School Board Act, 1953*, ^{1953, c. 126}

- (a) the council of The Corporation of the City of Peterborough shall be composed of a mayor, and two aldermen for each ward;
- (b) The Board of Education for the City of Peterborough shall, in addition to the appointed members, be composed of two elected members for each ward;
- (c) The Board of Trustees of the Roman Catholic Separate Schools for the City of Peterborough shall be composed of two members for each ward; and
- (d) the Peterborough Utilities Commission shall be composed of one member for each ward and the mayor who shall be a member thereof *ex officio*.

2. Section 1 of *An Act respecting the City of Peterborough*, ^{1908, c. 104, s. 1,} being chapter 104 of the Statutes of Ontario, 1908, as amended ^{repealed} by section 1 of *An Act respecting the City of Peterborough*, being chapter 123 of the Statutes of Ontario, 1910, section 1 of *An Act respecting the City of Peterborough*, being chapter 75 of the Statutes of Ontario, 1918, section 2 of *The City of Peterborough Act, 1933*, and section 1 of *The City of Peterborough Act, 1957*, ^{1933, c. 91} is repealed. ^{1957, c. 152}

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 Peterborough Act, 1968 (No. 2)*.





1871

An Act respecting the City of Peterborough

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. PITMAN

(Private Bill)

BILL Pr13

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Peterborough

MR. PITMAN



An Act respecting the City of Peterborough

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

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

1. For the year 1969 and thereafter and notwithstanding ^{Election by wards} section 1 of *The City of Peterborough Separate School Board Act, 1953*, 1953, c. 126,

- (a) the council of The Corporation of the City of Peterborough shall be composed of a mayor, and two aldermen for each ward;
- (b) The Board of Education for the City of Peterborough shall, in addition to the appointed members, be composed of two elected members for each ward;
- (c) The Board of Trustees of the Roman Catholic Separate Schools for the City of Peterborough shall be composed of two members for each ward; and
- (d) the Peterborough Utilities Commission shall be composed of one member for each ward and the mayor who shall be a member thereof *ex officio*.

2. Section 1 of *An Act respecting the City of Peterborough*, ^{1908,} being chapter 104 of the Statutes of Ontario, 1908, as amended ^{c. 104, s. 1,} by section 1 of *An Act respecting the City of Peterborough*, ^{repealed} being chapter 123 of the Statutes of Ontario, 1910, section 1 of *An Act respecting the City of Peterborough*, being chapter 75 of the Statutes of Ontario, 1918, section 2 of *The City of Peterborough Act, 1933*, ^{1933, c. 91} and section 1 of *The City of Peterborough Act, 1957*, ^{1957, c. 152} is repealed.

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 Peterborough Act, 1968 (No. 2)*.



An Act respecting the City of Peterborough

1st Reading

February 22nd, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. PITMAN

BILL Pr14

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Village of Chalk River

MR. HAMILTON

(PRIVATE BILL)

BILL Pr14

1968

An Act respecting the Village of Chalk River

WHEREAS The Corporation of the Village of Chalk River by its petition has represented that by By-law No. 1549 of The Corporation of the County of Renfrew, passed on the 23rd day of January, 1953, certain lands in the townships of Rolph, Buchanan, Wylie and McKay, as therein described, were erected into a village called the Village of Chalk River; that the effective date of incorporation was the 1st day of January, 1954; that the lands to be erected into the Village of Chalk River were described incorrectly in such by-law, and that it is necessary to correct the description of such lands; and whereas the petitioner has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

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

1. For all purposes, the lands described in the Schedule hereto shall be deemed to be the lands erected into a village called the Village of Chalk River by By-law No. 1549, passed by the council of The Corporation of the County of Renfrew on the 23rd day of January, 1953.
2. All assessments made and rates charged, collected or to be collected by The Corporation of the Village of Chalk River with respect to the lands described in the Schedule hereto are hereby confirmed and declared to be legal, valid and binding.
3. Nothing in section 2 deprives any person of any right of appeal under *The Assessment Act*.
4. This Act comes into force on the day it receives Royal Assent.
5. This Act may be cited as *The Village of Chalk River Act, 1968*.

Preamble

Lands
erected
into
villageAssess-
ments,
rates and
charges
confirmedAssess-
ment
appeals not
prejudiced
R.S.O. 1960,
c. 23Commence-
ment

Short title

SCHEDULE

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being partially in the Township of Buchanan and partially in the Township of Wylie, in the County of Renfrew, in the Province of Ontario, and being composed of all of lots 1, 2 and 3 in the Eighth Concession, all of Lot 2 in the Ninth Concession of the Township of Buchanan, part of Lot 1 in the Ninth Concession, part of Lot 2 in the Tenth Concession, part of Lot 3 in the Ninth Concession of the said Township of Buchanan, part of Lot 1 in the Eighth Concession of the Township of Wylie, all of Registered Plan No. 76, being lots 1 to 25 inclusive, Block "A", and all of Elizabeth Street, Peter Street, Albert Street and the Pembroke-Mattawa Road, now known as Highway No. 17; all of Registered Plan No. 113, being lots 1 to 24 inclusive, the School Plot, the 1-acre Plot and the 4-acre Plot and all of Wilson Street, Joseph Street, Mary Street, George Street and Pine Street; all of Registered Plan No. 132, being lots 100 to 110 inclusive, and all of Joseph Street and George Street; all of Registered Plan No. 172, being lots 1 to 69 inclusive, and all of Railway Street, Church Street, Station Street, Ontario Street, and all of the laneway at the rear of lots 1 to 25 inclusive, and all of the laneway at the rear of lots 34 to 57 inclusive; all of Registered Plan No. 233, being lots 70 to 105 inclusive, and all of Church Street, Railway Street, Algoma Street, and Quebec Street; part of Registered Plan No. 344, being all of Lot 13 and part of lots 7, 8, 11, 12, 14, 15, 27 and 28, and part of Block "A", and part of Sidney Street, and part of Spruce Street; all of the allowance for road as laid out in the original survey between lots 1, 2 and 3, Concession VIII, and lots 1, 2 and 3, Concession IX, of the said Township of Buchanan; part of the allowance for road as laid out in the original survey between Lot 1, Concessions VII and VIII, of the Township of Wylie, and Lot 1, Concessions VIII and IX, of the Township of Buchanan; containing a total area of 540 acres, be the same more or less, which said parcels or tracts of land may be more particularly described as follows:

COMMENCING at a survey post planted defining the southeastern angle of Lot 3, Concession VIII, of the said Township of Buchanan;

THENCE northwesterly along the said eastern limit of Lot 3 and continuing northwesterly to and along the eastern limit of Lot 3, Concession IX, in all a distance of 5016.0 feet to a survey post planted in the said eastern limit of Lot 3, Concession IX;

THENCE westerly parallel to the northern limit of said Lot 3, Concession IX, a distance of 660.0 feet to a survey post planted;

THENCE northwesterly parallel to the eastern limit of said Lot 3, Concession IX, a distance of 1650.99 feet, more or less, to a survey post planted in the northern limit of said Lot 3, Concession IX, being the limit between Concessions IX and X;

THENCE westerly thereon a distance of 660.0 feet, more or less, to a survey post planted defining the southeastern angle of Lot 2, Concession X;

THENCE northwesterly along the eastern limit of said Lot 2, Concession X, a distance of 825.0 feet to a survey post planted;

THENCE westerly parallel to the southern limit of said Lot 2, Concession X, a distance of 1221.0 feet, more or less, to the highwater mark along the shore of Black Duck Lake;

THENCE in a general southerly direction following the last-mentioned limit to its intersection with the western limit of Lot 2, Concession IX;

THENCE southeasterly thereon a distance of 1643.4 feet to a survey post planted in the said western limit of Lot 2, said post being distant 970.2 feet measured northerly along the said western limit of Lot 2, from the southwestern angle of said Lot 2;

THENCE westerly parallel to the southern limit of said Lot 1, Concession IX, a distance of 1350.36 feet, more or less, to a survey post planted in the western limit of Lot 1, Concession IX;

THENCE continuing westerly parallel to the southern limit of Lot 1, Concession IX, a distance of 33.0 feet to the centre line of the allowance for road between the townships of Buchanan and Wylie;

THENCE southerly following the last-mentioned limit a distance of 564.96 feet, more or less, to its intersection with a line drawn easterly parallel to the southern limit of Lot 1, Concession VIII, of the Township of Wylie, from a point in the eastern limit of said Lot 1, Concession VIII, distant 1650.0 feet measured northerly along the said eastern limit of Lot 1, Concession VIII, from the southeastern angle of said Lot 1, Concession VIII, of the Township of Wylie;

THENCE westerly parallel to the southern limit of Lot 1, Concession VIII, of the Township of Wylie, a distance of 33.0 feet to a survey post planted;

THENCE continuing westerly parallel to the southern limit of said Lot 1, Concession VIII, of the Township of Wylie, a distance of 660.0 feet to a survey post planted;

THENCE southerly parallel to the eastern limit of said Lot 1, a distance of 1650.0 feet, more or less, to a survey post planted in the southern limit of said Lot 1;

THENCE easterly thereon a distance of 660.0 feet, more or less, to a survey post planted defining the southeastern angle of said Lot 1;

THENCE continuing along the easterly production of the southern limit of said Lot 1, Concession VIII, of the Township of Wylie, a distance of 33.0 feet to the centre line of the allowance for road between the townships of Wylie and Buchanan;

THENCE southerly along the said centre line of the allowance for road a distance of 2112.0 feet, more or less, to its intersection with the westerly production of the southern limit of Lot 1, Concession VIII, of the Township of Buchanan;

THENCE easterly thereon a distance of 33.0 feet to a survey post planted defining the southwestern angle of Lot 1, Concession VIII, of the said Township of Buchanan;

THENCE easterly along the southern limit of lots 1, 2 and 3, Concession VIII, Township of Buchanan, a distance of 3998.28 feet, more or less, to the point of commencement.



An Act respecting
the Village of Chalk River

1st Reading

2nd Reading

3rd Reading

MR. HAMILTON

(Private Bill)

BILL Pr14

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Village of Chalk River

MR. HAMILTON



BILL Pr14

1968

An Act respecting the Village of Chalk River

WHEREAS The Corporation of the Village of Chalk River by its petition has represented that by By-law No. 1549 of The Corporation of the County of Renfrew, passed on the 23rd day of January, 1953, certain lands in the townships of Rolph, Buchanan, Wylie and McKay, as therein described, were erected into a village called the Village of Chalk River; that the effective date of incorporation was the 1st day of January, 1954; that the lands to be erected into the Village of Chalk River were described incorrectly in such by-law, and that it is necessary to correct the description of such lands; and whereas the petitioner has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

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

1. For all purposes, the lands described in the Schedule hereto shall be deemed to be the lands erected into a village called the Village of Chalk River by By-law No. 1549, passed by the council of The Corporation of the County of Renfrew on the 23rd day of January, 1953. Lands erected into village

2. All assessments made and rates charged, collected or to be collected by The Corporation of the Village of Chalk River with respect to the lands described in the Schedule hereto are hereby confirmed and declared to be legal, valid and binding. Assessments, rates and charges confirmed

3. Nothing in section 2 deprives any person of any right of appeal under *The Assessment Act*. Assessment appeals not prejudiced
R.S.O. 1960,
c. 23

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

5. This Act may be cited as *The Village of Chalk River Act, 1968*. Short title

SCHEDULE

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being partially in the Township of Buchanan and partially in the Township of Wylie, in the County of Renfrew, in the Province of Ontario, and being composed of all of lots 1, 2 and 3 in the Eighth Concession, all of Lot 2 in the Ninth Concession of the Township of Buchanan, part of Lot 1 in the Ninth Concession, part of Lot 2 in the Tenth Concession, part of Lot 3 in the Ninth Concession of the said Township of Buchanan, part of Lot 1 in the Eighth Concession of the Township of Wylie, all of Registered Plan No. 76, being lots 1 to 25 inclusive, Block "A", and all of Elizabeth Street, Peter Street, Albert Street and the Pembroke-Mattawa Road, now known as Highway No. 17; all of Registered Plan No. 113, being lots 1 to 24 inclusive, the School Plot, the 1-acre Plot and the 4-acre Plot and all of Wilson Street, Joseph Street, Mary Street, George Street and Pine Street; all of Registered Plan No. 132, being lots 100 to 110 inclusive, and all of Joseph Street and George Street; all of Registered Plan No. 172, being lots 1 to 69 inclusive, and all of Railway Street, Church Street, Station Street, Ontario Street, and all of the laneway at the rear of lots 1 to 25 inclusive, and all of the laneway at the rear of lots 34 to 57 inclusive; all of Registered Plan No. 233, being lots 70 to 105 inclusive, and all of Church Street, Railway Street, Algoma Street, and Quebec Street; part of Registered Plan No. 344, being all of Lot 13 and part of lots 7, 8, 11, 12, 14, 15, 27 and 28, and part of Block "A", and part of Sidney Street, and part of Spruce Street; all of the allowance for road as laid out in the original survey between lots 1, 2 and 3, Concession VIII, and lots 1, 2 and 3, Concession IX, of the said Township of Buchanan; part of the allowance for road as laid out in the original survey between Lot 1, Concessions VII and VIII, of the Township of Wylie, and Lot 1, Concessions VIII and IX, of the Township of Buchanan; containing a total area of 540 acres, be the same more or less, which said parcels or tracts of land may be more particularly described as follows:

COMMENCING at a survey post planted defining the southeastern angle of Lot 3, Concession VIII, of the said Township of Buchanan;

THENCE northwesterly along the said eastern limit of Lot 3 and continuing northwesterly to and along the eastern limit of Lot 3, Concession IX, in all a distance of 5016.0 feet to a survey post planted in the said eastern limit of Lot 3, Concession IX;

THENCE westerly parallel to the northern limit of said Lot 3, Concession IX, a distance of 660.0 feet to a survey post planted;

THENCE northwesterly parallel to the eastern limit of said Lot 3, Concession IX, a distance of 1650.99 feet, more or less, to a survey post planted in the northern limit of said Lot 3, Concession IX, being the limit between Concessions IX and X;

THENCE westerly thereon a distance of 660.0 feet, more or less, to a survey post planted defining the southeastern angle of Lot 2, Concession X;

THENCE northwesterly along the eastern limit of said Lot 2, Concession X, a distance of 825.0 feet to a survey post planted;

THENCE westerly parallel to the southern limit of said Lot 2, Concession X, a distance of 1221.0 feet, more or less, to the highwater mark along the shore of Black Duck Lake;

THENCE in a general southerly direction following the last-mentioned limit to its intersection with the western limit of Lot 2, Concession IX;

THENCE southeasterly thereon a distance of 1643.4 feet to a survey post planted in the said western limit of Lot 2, said post being distant 970.2 feet measured northerly along the said western limit of Lot 2, from the southwestern angle of said Lot 2;

THENCE westerly parallel to the southern limit of said Lot 1, Concession IX, a distance of 1350.36 feet, more or less, to a survey post planted in the western limit of Lot 1, Concession IX;

THENCE continuing westerly parallel to the southern limit of Lot 1, Concession IX, a distance of 33.0 feet to the centre line of the allowance for road between the townships of Buchanan and Wylie;

THENCE southerly following the last-mentioned limit a distance of 564.96 feet, more or less, to its intersection with a line drawn easterly parallel to the southern limit of Lot 1, Concession VIII, of the Township of Wylie, from a point in the eastern limit of said Lot 1, Concession VIII, distant 1650.0 feet measured northerly along the said eastern limit of Lot 1, Concession VIII, from the southeastern angle of said Lot 1, Concession VIII, of the Township of Wylie;

THENCE westerly parallel to the southern limit of Lot 1, Concession VIII, of the Township of Wylie, a distance of 33.0 feet to a survey post planted;

THENCE continuing westerly parallel to the southern limit of said Lot 1, Concession VIII, of the Township of Wylie, a distance of 660.0 feet to a survey post planted;

THENCE southerly parallel to the eastern limit of said Lot 1, a distance of 1650.0 feet, more or less, to a survey post planted in the southern limit of said Lot 1;

THENCE easterly thereon a distance of 660.0 feet, more or less, to a survey post planted defining the southeastern angle of said Lot 1;

THENCE continuing along the easterly production of the southern limit of said Lot 1, Concession VIII, of the Township of Wylie, a distance of 33.0 feet to the centre line of the allowance for road between the townships of Wylie and Buchanan;

THENCE southerly along the said centre line of the allowance for road a distance of 2112.0 feet, more or less, to its intersection with the westerly production of the southern limit of Lot 1, Concession VIII, of the Township of Buchanan;

THENCE easterly thereon a distance of 33.0 feet to a survey post planted defining the southwestern angle of Lot 1, Concession VIII, of the said Township of Buchanan;

THENCE easterly along the southern limit of lots 1, 2 and 3, Concession VIII, Township of Buchanan, a distance of 3998.28 feet, more or less, to the point of commencement.



An Act respecting
the Village of Chalk River

1st Reading

February 22nd, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 9th, 1968

MR. HAMILTON

BILL Pr15

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting The Board of Trustees of the
Combined Roman Catholic Separate Schools of Renfrew**

MR. YAKABUSKI

(PRIVATE BILL)



BILL Pr15

1968

**An Act respecting
The Board of Trustees of the Combined
Roman Catholic Separate Schools of Renfrew**

WHEREAS The Board of Trustees of the Combined Preamble
Roman Catholic Separate Schools of Renfrew by its
petition has prayed for special legislation in respect of the
matters hereinafter set forth; and whereas it is expedient
to grant the prayer of the petition;

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

1. The Board of Trustees of the Combined Roman Catholic By-law authorized
Separate Schools of Renfrew is hereby authorized to pass
a by-law authorizing the borrowing of \$350,000, upon debentures
of the Board, payable in not more than twenty years,
to defray the cost of constructing and equipping eleven
additional classrooms and for other expenses incidental
thereto, and the said by-law when duly passed is legal,
valid and binding upon the said Board and the ratepayers
of the school zone.

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal* Application of
Board Act apply in respect of a by-law passed under section 1 R.S.O. 1960,
and the debentures to be issued thereunder. c. 274,
ss. 55-58

3. For the purposes of every Act, the Ontario Municipal Order of
Board shall be deemed to have issued an order under section 64 O.M.B.
of *The Ontario Municipal Board Act* authorizing The Board deemed
of Trustees of the Combined Roman Catholic Separate issued
Schools of Renfrew to undertake the constructing and equip- R.S.O. 1960,
ping and to issue debentures under section 1. c. 274

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

5. This Act may be cited as *The Board of Trustees of the* Short title
Combined Roman Catholic Separate Schools of Renfrew Act,
1968.

An Act respecting the Board
of Trustees of the Combined Roman
Catholic Separate Schools of Renfrew

1st Reading

2nd Reading

3rd Reading

MR. YAKABUSKI

(Private Bill)

BILL Pr15

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting The Board of Trustees of the
Combined Roman Catholic Separate Schools of Renfrew**

MR. YAKABUSKI



BILL Pr15

1968

**An Act respecting
The Board of Trustees of the Combined
Roman Catholic Separate Schools of Renfrew**

WHEREAS The Board of Trustees of the Combined Preamble
Roman Catholic Separate Schools of Renfrew by its
petition has prayed for special legislation in respect of the
matters hereinafter set forth; and whereas it is expedient
to grant the prayer of the petition;

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

1. The Board of Trustees of the Combined Roman Catholic By-law
authorized
Separate Schools of Renfrew is hereby authorized to pass
a by-law authorizing the borrowing of \$350,000, upon debentures
of the Board, payable in not more than twenty years,
to defray the cost of constructing and equipping eleven
additional classrooms and for other expenses incidental
thereto, and the said by-law when duly passed is legal,
valid and binding upon the said Board and the ratepayers
of the school zone.

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal* Application
of
Board Act apply in respect of a by-law passed under section 1 R.S.O. 1960,
c. 274,
ss. 55-58
and the debentures to be issued thereunder.

3. For the purposes of every Act, the Ontario Municipal Order of
O.M.B.
deemed
issued
Board shall be deemed to have issued an order under section 64 R.S.O. 1960,
c. 274
of *The Ontario Municipal Board Act* authorizing The Board
of Trustees of the Combined Roman Catholic Separate
Schools of Renfrew to undertake the constructing and equip-
ping and to issue debentures under section 1.

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

5. This Act may be cited as *The Board of Trustees of the* Short title
Combined Roman Catholic Separate Schools of Renfrew Act,
1968.

An Act respecting The Board
of Trustees of the Combined Roman
Catholic Separate Schools of Renfrew

1st Reading

March 5th, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 11th, 1968

MR. YAKABUSKI

BILL Pr16

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the County of Ontario

MR. NEWMAN (Ontario South)

(PRIVATE BILL)



BILL Pr16

1968

An Act respecting the County of Ontario

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

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

1. In this Act,

Interpre-
tation

- (a) "Council" means the council of the County;
- (b) "County" means The Corporation of the County of Ontario;
- (c) "local municipality" means a town, not being a separated town, or a village or township in the County;
- (d) "municipal electors" means the persons entitled to vote at a municipal election.

2.—(1) In addition to the votes provided for by sub-section 2 of section 26 of *The Municipal Act*,

Additional
votes of
reeve and
deputy
reeve
R.S.O. 1960,
c. 249

- (a) where a local municipality has more than 5,000 and not more than 8,000 municipal electors, the reeve as a member of the Council has one additional vote; or
- (b) where a local municipality has more than 8,000 municipal electors, the reeve and deputy reeve as members of the Council have one additional vote each.

(2) Subsections 2, 3 and 4 of section 33 of *The Municipal Act* apply to this section.

Application
of
R.S.O. 1960,
c. 249, s. 33,
subss. 2-4

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 County of Ontario Act, 1968*.





1871

An Act respecting the County of Ontario

1st Reading

2nd Reading

3rd Reading

MR. NEWMAN (Ontario South)

(Private Bill)

BILL Pr16

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the County of Ontario

MR. NEWMAN (Ontario South)



An Act respecting the County of Ontario

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

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

1. In this Act,

Interpre-
tation

- (a) "Council" means the council of the County;
- (b) "County" means The Corporation of the County of Ontario;
- (c) "local municipality" means a town, not being a separated town, or a village or township in the County;
- (d) "municipal electors" means the persons entitled to vote at a municipal election.

2.—(1) In addition to the votes provided for by sub-section 2 of section 26 of *The Municipal Act*,

Additional
votes of
reeve and
deputy
reeve
R.S.O. 1960,
c. 249

- (a) where a local municipality has more than 5,000 and not more than 8,000 municipal electors, the reeve as a member of the Council has one additional vote;
or
- (b) where a local municipality has more than 8,000 municipal electors, the reeve and deputy reeve as members of the Council have one additional vote each.

(2) Subsections 2, 3 and 4 of section 33 of *The Municipal Act* apply to this section.

Application
of
R.S.O. 1960,
c. 249, s. 33,
subss. 2-4

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 County of Ontario Act, 1968*.





1st Reading

February 22nd, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 9th, 1968

MR. NEWMAN (Ontario South)

BILL Pr17

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Barrie

MR. EVANS

(PRIVATE BILL)

THE UNIVERSITY OF CHICAGO

BILL Pr17

1968

An Act respecting the City of Barrie

WHEREAS The Corporation of the City of Barrie by ^{Preamble} its petition has represented that it is desirous of establishing a parks and recreation Commission for the better development and supervision of its public parks and recreation facilities, and for such purposes to charge the Commission with the duties and responsibilities and give it the powers and privileges of Barrie Recreation Committee, established under *The Department of Education Act*, and of ^{R.S.O. 1960,} ^{cc. 94, 329} The Barrie Board of Park Management, established under *The Public Parks Act*; and whereas the petitioner has prayed for special legislation in respect of such matters; and whereas it is expedient to grant the prayer of the petition;

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

1. In this Act,

Interpre-
tation

- (a) "City" means The Corporation of the City of Barrie;
- (b) "Commission" means The Parks and Recreation Commission of the City of Barrie;
- (c) "Council" means the council of the City.

2.—(1) Notwithstanding *The Department of Education Act* ^{Parks and Recreation Commission} and the regulations made thereunder and *The Public Parks Act*, there shall be a commission with the name of The Parks and Recreation Commission of the City of Barrie, and shall be composed of,

- (a) the head of the Council or his appointee;
- (b) one member of Council to be appointed by Council; and
- (c) five other persons appointed by the Council who shall be residents or ratepayers of the municipality but not members of Council.

Substitute
for head of
Council

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

Term of
office

(3) The members of the Commission who are not members of the Council shall hold office for three years except in the case of such members of the first Commission, and the Council shall designate who shall hold office,

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

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

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

respectively, so that as nearly as possible one third of such members shall retire each year, and the member of the Commission who is a member of Council shall be appointed annually.

Re-appoint-
ment

(4) The members of the Commission shall hold office until their successors are appointed, and are eligible for re-appointment.

Vacancies

(5) 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 the term and until his successor is appointed.

First
appoint-
ment

(6) The first appointments of members of the Commission made by the Council at its first regular meeting after the 1968 inaugural meeting are ratified and confirmed, and hereafter the appointments shall be made annually at the first meeting of the Council held after its organization, and any vacancy arising from any cause other than expiration of the time for which the member was appointed shall be filled at the first meeting of the Council held after the occurrence of the vacancy.

Quorum

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

Officers

(8) 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 shall appoint a secretary who may, but need not be, a member of the Commission.

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

(10) When the chairman and vice-chairman or secretary are absent or unable to act, the Commission may appoint a chairman or secretary *pro tempore*. Chairman and secretary pro tempore

(11) The Commission may engage such employees and consultants as it deems expedient. Employees, etc.

(12) The Treasurer of the City shall be the treasurer of the Commission. Treasurer

3. Except as otherwise provided in this Act, *The Department of Education 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. Powers and duties of Commission, R.S.O. 1960, cc. 94, 329

4.—(1) When the first members of the Commission have been appointed, The Barrie Board of Park Management and The Barrie Recreation Committee are dissolved, and the assets and liabilities thereof become the assets and liabilities of the City. Dissolution of former bodies

(2) By-law No. 714 of the Town of Barrie and any by-laws amending the provisions of such by-law are repealed. By-laws repealed

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. Power to contract and sue

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

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

Remunera-
tion

7. The Council may pay the members of the Commission for their services annually such amount as the Council may determine, but such amount shall not exceed the annual amount allowed to the members of the Council.

Commence-
ment

8. This Act shall be deemed to have come into force on the 1st day of January, 1968.

Short title

9. This Act may be cited as *The City of Barrie Act, 1968*.



1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. EVANS

(Private Bill)

BILL Pr17

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Barrie

MR. EVANS

(Reprinted as amended by the Committee on Private Bills)



BILL Pr17

1968

An Act respecting the City of Barrie

WHEREAS The Corporation of the City of Barrie by ^{Preamble} its petition has represented that it is desirous of establishing a parks and recreation Commission for the better development and supervision of its public parks and recreation facilities, and for such purposes to charge the Commission with the duties and responsibilities and give it the powers and privileges of Barrie Recreation Committee, established under *The Department of Education Act*, and of ^{R.S.O. 1960. cc. 94, 329} The Barrie Board of Park Management, established under *The Public Parks Act*; and whereas the petitioner has prayed for special legislation in respect of such matters; and whereas it is expedient to grant the prayer of the petition;

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

1. In this Act,

Interpre-
tation

- (a) "City" means The Corporation of the City of Barrie;
- (b) "Commission" means The Parks and Recreation Commission of the City of Barrie;
- (c) "Council" means the council of the City.

2.—(1) Notwithstanding *The Department of Education Act* ^{Parks and Recreation Commission} and the regulations made thereunder and *The Public Parks Act*, there shall be a commission with the name of The Parks and Recreation Commission of the City of Barrie, and shall be composed of,

- (a) the head of the Council or his appointee;
- (b) one member of Council to be appointed by Council; and
- (c) five other persons appointed by the Council who shall be residents or ratepayers of the municipality but not members of Council.

Substitute
for head of
Council

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

Term of
office

(3) The members of the Commission who are not members of the Council shall hold office for three years except in the case of such members of the first Commission, and the Council shall designate who shall hold office,

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

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

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

respectively, so that as nearly as possible one third of such members shall retire each year, and the member of the Commission who is a member of Council shall be appointed annually.

Re-appoint-
ment

(4) The members of the Commission shall hold office until their successors are appointed, and are eligible for re-appointment.

Vacancies

(5) 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 the term and until his successor is appointed.

First
appoint-
ment

(6) The first appointments of members of the Commission made by the Council at its first regular meeting after the 1968 inaugural meeting are ratified and confirmed, and hereafter the appointments shall be made annually at the first meeting of the Council held after its organization, and any vacancy arising from any cause other than expiration of the time for which the member was appointed shall be filled at the first meeting of the Council held after the occurrence of the vacancy.

Quorum

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

Officers

(8) 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 shall appoint a secretary who may, but need not be, a member of the Commission.

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

(10) When the chairman and vice-chairman or secretary are absent or unable to act, the Commission may appoint a chairman or secretary *pro tempore*. Chairman and secretary *pro tempore*

(11) The Commission may engage such employees and consultants as it deems expedient. Employees, etc.

(12) The Treasurer of the City shall be the treasurer of the Commission. Treasurer

3. Except as otherwise provided in this Act, *The Department of Education 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. Powers and duties of Commission, R.S.O. 1960, cc. 94, 329

4.—(1) When the first members of the Commission have been appointed, The Barrie Board of Park Management and The Barrie Recreation Committee are dissolved, and the assets and liabilities thereof become the assets and liabilities of the City. Dissolution of former bodies

(2) By-law No. 714 of the Town of Barrie and any by-laws amending the provisions of such by-law are repealed. By-laws repealed

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. Power to contract and sue

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

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

Commence- ment	7. This Act shall be deemed to have come into force on the 1st day of January, 1968.
Short title	8. This Act may be cited as <i>The City of Barrie Act, 1968</i> .

111 You + read + about the life of Jesus

An Act respecting the City of Barrie

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. EVANS

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

BILL Pr17

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Barrie

MR. EVANS

An Act of the Legislature of the City of St. Louis

BILL Pr17

1968

An Act respecting the City of Barrie

WHEREAS The Corporation of the City of Barrie by ^{Preamble} its petition has represented that it is desirous of establishing a parks and recreation Commission for the better development and supervision of its public parks and recreation facilities, and for such purposes to charge the Commission with the duties and responsibilities and give it the powers and privileges of Barrie Recreation Committee, established under *The Department of Education Act*, and of ^{R.S.O. 1960, cc. 94, 329} The Barrie Board of Park Management, established under *The Public Parks Act*; and whereas the petitioner has prayed for special legislation in respect of such matters; and whereas it is expedient to grant the prayer of the petition;

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

1. In this Act,

Interpre-
tation

- (a) "City" means The Corporation of the City of Barrie;
- (b) "Commission" means The Parks and Recreation Commission of the City of Barrie;
- (c) "Council" means the council of the City.

2.—(1) Notwithstanding *The Department of Education Act* ^{Parks and Recreation Commission} and the regulations made thereunder and *The Public Parks Act*, there shall be a commission with the name of The Parks and Recreation Commission of the City of Barrie, and shall be composed of,

- (a) the head of the Council or his appointee;
- (b) one member of Council to be appointed by Council; and
- (c) five other persons appointed by the Council who shall be residents or ratepayers of the municipality but not members of Council.

Substitute
for head of
Council

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

Term of
office

(3) The members of the Commission who are not members of the Council shall hold office for three years except in the case of such members of the first Commission, and the Council shall designate who shall hold office,

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

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

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

respectively, so that as nearly as possible one third of such members shall retire each year, and the member of the Commission who is a member of Council shall be appointed annually.

Re-appoint-
ment

(4) The members of the Commission shall hold office until their successors are appointed, and are eligible for re-appointment.

Vacancies

(5) 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 the term and until his successor is appointed.

First
appoint-
ment

(6) The first appointments of members of the Commission made by the Council at its first regular meeting after the 1968 inaugural meeting are ratified and confirmed, and hereafter the appointments shall be made annually at the first meeting of the Council held after its organization, and any vacancy arising from any cause other than expiration of the time for which the member was appointed shall be filled at the first meeting of the Council held after the occurrence of the vacancy.

Quorum

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

Officers

(8) 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 shall appoint a secretary who may, but need not be, a member of the Commission.

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

(10) When the chairman and vice-chairman or secretary are absent or unable to act, the Commission may appoint a chairman or secretary *pro tempore*. Chairman and secretary pro tempore

(11) The Commission may engage such employees and consultants as it deems expedient. Employees, etc.

(12) The Treasurer of the City shall be the treasurer of the Commission. Treasurer

3. Except as otherwise provided in this Act, *The Department of Education 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. Powers and duties of Commission, R.S.O. 1960, cc. 94, 329

4.—(1) When the first members of the Commission have been appointed, The Barrie Board of Park Management and The Barrie Recreation Committee are dissolved, and the assets and liabilities thereof become the assets and liabilities of the City. Dissolution of former bodies

(2) By-law No. 714 of the Town of Barrie and any by-laws amending the provisions of such by-law are repealed. By-laws repealed

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. Power to contract and sue

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

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

**Commence-
ment** **7.** This Act shall be deemed to have come into force on
the 1st day of January, 1968.

Short title **8.** This Act may be cited as *The City of Barrie Act, 1968.*

An Act respecting the City of Barrie

1st Reading

February 22nd, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 9th, 1968

MR. EVANS

BILL Pr18

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting the Trustees of the
Toronto General Burying Grounds**

MR. PRICE

(PRIVATE BILL)



BILL Pr18

1968

An Act respecting the Trustees of the Toronto General Burying Grounds

WHEREAS the Trustees of the Toronto General ^{Preamble} Burying Grounds by its petition has represented that it is a body corporate empowered by *The Toronto General Burying Grounds Act, 1925* ^{1925, c. 132} to acquire and hold lands for its purposes within the County of York; that, because of the expansion of the metropolitan area of Toronto beyond the easterly and westerly limits of the southerly townships in the County of York, lands beyond the limits of the County of York may be required for such purposes; and whereas the petitioner has prayed for special legislation relating thereto; and whereas it is expedient to grant the prayer of the petition;

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

1. The Trustees of the Toronto General Burying Grounds ^{Power to acquire lands} may acquire and hold lands within the limits of the Township of Pickering in the County of Ontario and within the limits of the Town of Mississauga and the Township of Toronto Gore in the County of Peel and may exercise all its corporate powers with reference thereto.

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

3. This Act may be cited as *The Toronto General Burying* ^{Short title} *Grounds Act, 1968*.

An Act respecting the Trustees of the
Toronto General Burying Grounds

1st Reading

2nd Reading

3rd Reading

MR. PRICE

(Private Bill)

BILL Pr18

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting the Trustees of the
Toronto General Burying Grounds**

MR. PRICE



BILL Pr18

1968

An Act respecting the Trustees of the Toronto General Burying Grounds

WHEREAS the Trustees of the Toronto General Burying Grounds by its petition has represented that it is a body corporate empowered by *The Toronto General Burying Grounds Act, 1925* to acquire and hold lands for its purposes within the County of York; that, because of the expansion of the metropolitan area of Toronto beyond the easterly and westerly limits of the southerly townships in the County of York, lands beyond the limits of the County of York may be required for such purposes; and whereas the petitioner has prayed for special legislation relating thereto; and whereas it is expedient to grant the prayer of the petition;

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

1. The Trustees of the Toronto General Burying Grounds may acquire and hold lands within the limits of the Township of Pickering in the County of Ontario and within the limits of the Town of Mississauga and the Township of Toronto Gore in the County of Peel and may exercise all its corporate powers with reference thereto.
2. This Act comes into force on the day it receives Royal Assent.
3. This Act may be cited as *The Toronto General Burying Grounds Act, 1968*.

Preamble

1925, c. 132

Power to acquire lands

Commencement

Short title

An Act respecting the Trustees of the
Toronto General Burying Grounds

1st Reading

February 22nd, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 9th, 1968

MR. PRICE

BILL Pr19

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Town of Bowmanville

MR. CARRUTHERS

(PRIVATE BILL)

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BILL Pr19

1968

An Act respecting the Town of Bowmanville

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

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

1. By-law No. 1943, passed by The Corporation of the Town of Bowmanville on the 4th day of October, 1965, being a by-law to authorize the construction of certain works as local improvements as set out in Schedule A, is hereby confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof without obtaining the approval of the Ontario Municipal Board, as required by section 8 of *The Local Improvement Act*. By-law confirmed
R.S.O. 1960,
c. 223

2. The council of The Corporation of the Town of Bowmanville may pass a by-law, without obtaining the approval of the Ontario Municipal Board, pursuant to paragraph 52 of subsection 1 of section 379 of *The Municipal Act*, authorizing the works described in Schedule B. By-law authorized
R.S.O. 1960,
c. 249

3. The council of The Corporation of the Town of Bowmanville may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal sum not exceeding \$23,300 payable in not more than twenty years, for the purpose of paying the cost of the works authorized by the by-laws referred to in sections 1 and 2, and such by-law when duly passed shall be legal, valid, and binding on the Corporation and the ratepayers thereof, notwithstanding sections 64 and 65 of *The Ontario Municipal Board Act*. Debentures
R.S.O. 1960,
c. 274

4. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 3 and the debentures issued thereunder. Application of
R.S.O. 1960,
c. 274,
ss. 55-58

Commence-
ment

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

Short title

6. This Act may be cited as *The Town of Bowmanville Act, 1968*.

SCHEDULE A

LOCAL IMPROVEMENT BY-LAW No. 1943

Name of Work	Street	From	To	Total Cost	Corporation's Portion	Owners' Portion
Watermain 6"	Queen Street	Liberty Street	St. George Street	\$5,304.90	\$1,864.46	\$3,440.44

SCHEDULE B

SIMPSON AVENUE WORKS

Name of Work	Street	From	To	Total Cost
Watermain 8"	Simpson Avenue	Base Line	200' north of the 401 Highway	\$20,040.91
Sanitary Sewer 10"	Simpson Avenue	Base Line	200' north of the 401 Highway	2,095.50
			Less winter works grant	
				<u>\$17,944.64</u>



An Act respecting
the Town of Bowmanville

1st Reading

2nd Reading

3rd Reading

MR. CARRUTHERS

(Private Bill)

BILL Pr19

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Town of Bowmanville

MR. CARRUTHERS



An Act respecting the Town of Bowmanville

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

Preamble

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

1. By-law No. 1943, passed by The Corporation of the Town of Bowmanville on the 4th day of October, 1965, being a by-law to authorize the construction of certain works as local improvements as set out in Schedule A, is hereby confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof without obtaining the approval of the Ontario Municipal Board, as required by section 8 of *The Local Improvement Act*.

By-law confirmed

R.S.O. 1960,
c. 223

2. The council of The Corporation of the Town of Bowmanville may pass a by-law, without obtaining the approval of the Ontario Municipal Board, pursuant to paragraph 52 of subsection 1 of section 379 of *The Municipal Act*, authorizing the works described in Schedule B.

By-law authorized

R.S.O. 1960,
c. 249

3. The council of The Corporation of the Town of Bowmanville may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal sum not exceeding \$23,300 payable in not more than twenty years, for the purpose of paying the cost of the works authorized by the by-laws referred to in sections 1 and 2, and such by-law when duly passed shall be legal, valid, and binding on the Corporation and the ratepayers thereof, notwithstanding sections 64 and 65 of *The Ontario Municipal Board Act*.

Debentures

R.S.O. 1960,
c. 274

4. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 3 and the debentures issued thereunder.

Application of
R.S.O. 1960,
c. 274,
ss. 55-58

Commence-
ment **5.** This Act comes into force on the day it receives Royal Assent.

Short title **6.** This Act may be cited as *The Town of Bowmanville Act, 1968*.

SCHEDULE A

LOCAL IMPROVEMENT BY-LAW No. 1943

<u>Name of Work</u>	<u>Street</u>	<u>From</u>	<u>To</u>	<u>Total Cost</u>	<u>Corporation's Portion</u>	<u>Owners' Portion</u>
Watermain 6"	Queen Street	Liberty Street	St. George Street	\$5,304.90	\$1,864.46	\$3,440.44

SCHEDULE B

SIMPSON AVENUE WORKS

<u>Name of Work</u>	<u>Street</u>	<u>From</u>	<u>To</u>	<u>Total Cost</u>
Watermain 8"	Simpson Avenue	Base Line	200' north of the 401 Highway	\$20,040.91
Sanitary Sewer 10"	Simpson Avenue	Base Line	200' north of the 401 Highway	2,095.50
			Less winter works grant	\$17,944.64



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An Act respecting
the Town of Bowmanville

1st Reading

March 5th, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 9th, 1968

MR. CARRUTHERS

BILL Pr20

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting Owen Sound Young Men's
and Young Women's Christian Association**

MR. SARGENT

(PRIVATE BILL)



BILL Pr20

1968

An Act respecting Owen Sound Young Men's and Young Women's Christian Association

WHEREAS Owen Sound Young Men's and Young ^{Preamble}
 Women's Christian Association, herein called the
 Association, by its petition has represented that it was incor-
 porated by letters patent on the 7th day of November, 1966,
 and has acquired certain lands that are about to be assessed
 and taxed by The Corporation of the City of Owen Sound;
 and whereas the petitioner has prayed for special legislation
 to exempt its real property, owned and used or occupied and
 used by it in the City of Owen Sound, from municipal taxation,
 except for local improvement rates; and whereas it is expedient
 to grant the prayer of the petition;

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

1. The council of The Corporation of the City of Owen <sup>Exemption
from
taxation</sup>
 Sound may pass by-laws exempting from taxation for municipi-
 pal or school purposes or both, other than local improvement
 rates, the land, as defined in *The Assessment Act*, of the
 Association, provided that the land is owned and used or <sup>R.S.O. 1960,
c. 23</sup>
 occupied and used solely by and for the purposes of the
 Association, on such conditions as may be set out in 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 Owen Sound Y.M. and* ^{Short title}
Y.W.C.A. Act, 1968.

An Act respecting Owen Sound
Young Men's and Young Women's
Christian Association

1st Reading

2nd Reading

3rd Reading

MR. SARGENT

(Private Bill)

BILL Pr21

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the County of Peel

MR. KENNEDY

(PRIVATE BILL)



BILL Pr21

1968

An Act respecting the County of Peel

WHEREAS The Corporation of the County of Peel, ^{Preamble}
by its petition has prayed for special legislation in
respect of the matters hereinafter set forth; and whereas
it is expedient to grant the prayer of the petition;

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

1. In this Act,

<sup>Interpre-
tation</sup>

- (a) "Committee" means the committee established to administer the sinking fund;
- (b) "Corporation" means The Corporation of the County of Peel;
- (c) "Council" means the council of the Corporation.

2. Notwithstanding the provisions of any general or <sup>Sinking
Fund
Debentures</sup>
special Act,

- (a) the Council may provide in any money by-law that the principal shall be repaid at a fixed date with interest payable annually or semi-annually, in which case the debentures issued under the by-law shall be known as sinking fund debentures;
- (b) when sinking fund debentures are issued, the amount of principal to be raised in each year shall be a specific sum that, with the estimated interest at a rate not exceeding $4\frac{1}{2}$ per cent per annum, capitalized yearly, will be sufficient to pay the principal of the debentures as it becomes due;
- (c) when sinking fund debentures are issued, the Committee shall keep one or more consolidated bank accounts in which,

- (i) the treasurer of the Corporation shall deposit each year during the term of the debentures the moneys raised for the sinking funds of all debts that are to be paid by means of sinking funds, and
 - (ii) there shall be deposited all earnings derived from, and all proceeds of the sale or maturity or redemption prior to maturity of, sinking fund investments;
- (d) when sinking fund debentures are issued, there shall be a sinking fund committee, which shall be composed of the treasurer of the Corporation and two members appointed by the Lieutenant Governor in Council, and the two appointed members shall be paid, out of the current funds of the Corporation, such annual remuneration as the Lieutenant Governor in Council may determine;
- (e) the treasurer of the Corporation shall be the chairman and treasurer of the Committee, and in his absence the appointed members may appoint one of themselves to act as chairman;
- (f) each member of the Committee shall, before entering into the duties of his office, give security for the faithful performance of his duties and for duly accounting for and paying over all moneys and securities that come into his hands, in such amount as the auditors of the Corporation shall determine, and in other respects the provisions of section 234 of *The Municipal Act* apply with respect to such security;
- (g) two members of the Committee shall be a quorum, and all investments and sales of investments must be approved by the treasurer of the Corporation and one other member of the Committee;
- (h) all assets of the sinking funds, including all consolidated bank accounts, shall be under the sole control and management of the Committee;
- (i) all withdrawals from the consolidated bank accounts shall be authorized by the Committee, and all cheques on the consolidated bank accounts shall be signed by the treasurer of the Corporation and one other member of the Committee;

- (j) the Committee shall invest any moneys on deposit from time to time in the consolidated bank accounts and may at any time or times vary any investment;
- (k) the moneys in the consolidated bank accounts shall be invested in debentures of the Corporation or other securities in which a trustee may invest under the provisions of *The Trustee Act* or in securities approved for investments by Municipal Corporations under the provisions of *The Municipal Act*; R.S.O. 1960, cc. 408, 249
- (l) all securities acquired by the Committee as investments for sinking fund purposes shall be deposited for safe-keeping in a chartered bank or trust company until they are sold or mature or are called for redemption prior to maturity;
- (m) all sinking fund debentures issued on the same date, maturing on the same date and payable in the same currency, notwithstanding that they were issued under one or more by-laws, shall be represented by one sinking fund account;
- (n) where there is more than one sinking fund debenture by-law outstanding, the earnings from sinking fund investments in each year shall be apportioned by the Committee among all the sinking funds in the proportion that the increase during that year in the accumulated interest as provided for in clause *b* on the specific amount required to be deposited annually during the currency of each sinking fund debenture by-law bears to the total of all increases during that year in the accumulated interest as provided for in clause *b* on all the specific amounts required to be deposited annually during the currency of all outstanding sinking fund debenture by-laws;
- (o) when the office of the treasurer of the Corporation is vacant or the treasurer is absent or is unable to carry on his duties through illness or otherwise, the deputy treasurer of the Corporation shall act in his place and stead and, when so acting, has all the powers and duties of the treasurer as a member and as the chairman and treasurer of the Committee.

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

4. This Act may be cited as *The County of Peel Act, 1968*. Short title



1875

An Act respecting the County of Peel

1st Reading

2nd Reading

3rd Reading

MR. KENNEDY

(Private Bill)

BILL Pr21

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the County of Peel

MR. KENNEDY

(Reprinted as amended by the Committee on Private Bills)

BILL Pr21

1968

An Act respecting the County of Peel

WHEREAS The Corporation of the County of Peel, ^{Preamble} by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

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

1. In this Act,

Interpre-
tation

- (a) "Committee" means the committee established to administer the sinking fund;
- (b) "Corporation" means The Corporation of the County of Peel;
- (c) "Council" means the council of the Corporation.

2. Notwithstanding the provisions of any general or ^{Sinking Fund} special Act, ^{Debentures}

- (a) the Council may provide in any money by-law that the principal shall be repaid at a fixed date with interest payable annually or semi-annually, in which case the debentures issued under the by-law shall be known as sinking fund debentures;
- (b) when sinking fund debentures are issued, the amount of principal to be raised in each year shall be a specific sum that, with the estimated interest at a rate not exceeding 4 per cent per annum, capitalized yearly, will be sufficient to pay the principal of the debentures as it becomes due;
- (c) when sinking fund debentures are issued, the Committee shall keep one or more consolidated bank accounts in which,

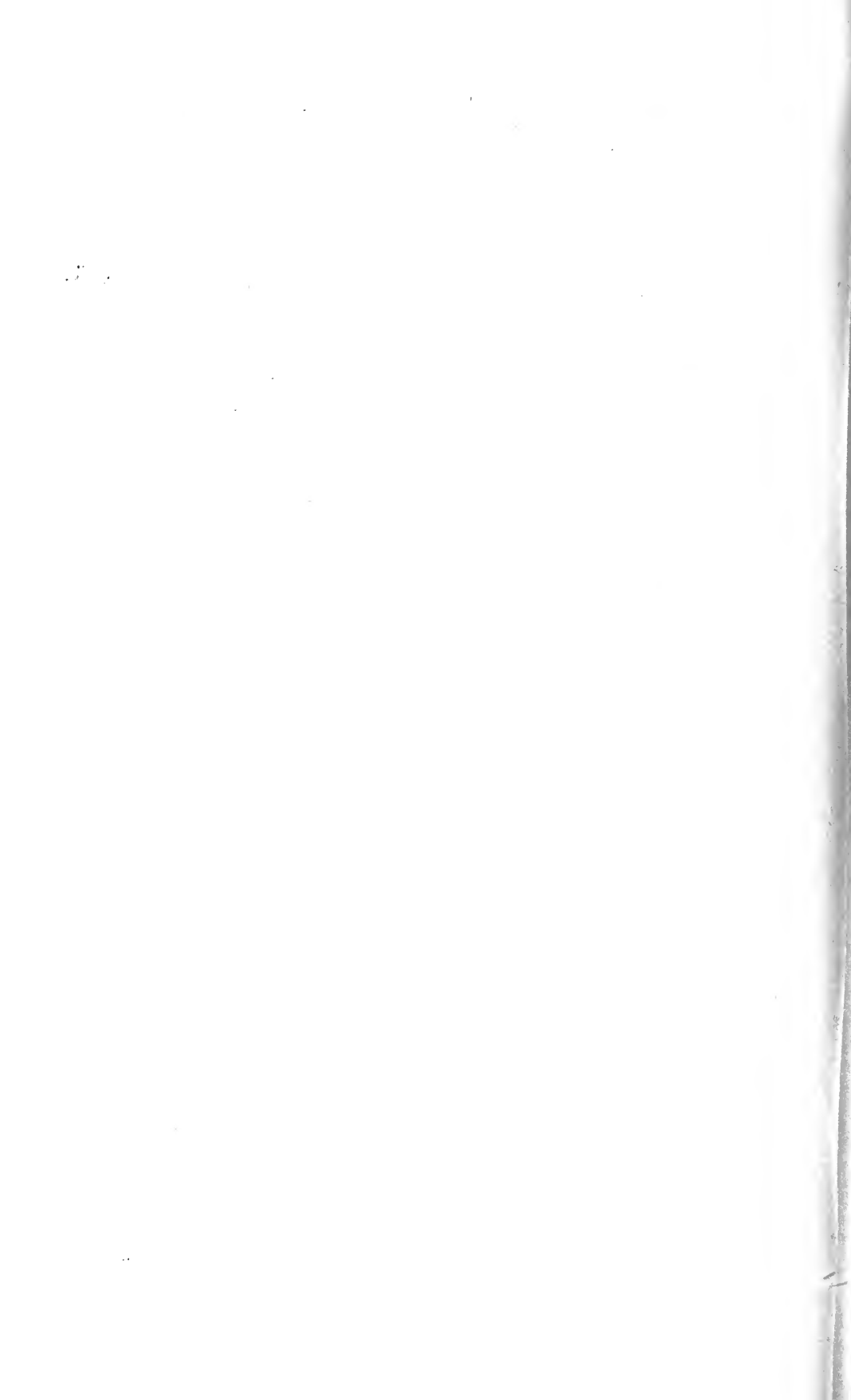
- (i) the treasurer of the Corporation shall deposit each year during the term of the debentures the moneys raised for the sinking funds of all debts that are to be paid by means of sinking funds, and
- (ii) there shall be deposited all earnings derived from, and all proceeds of the sale or maturity or redemption prior to maturity of, sinking fund investments;
- (d) when sinking fund debentures are issued, there shall be a sinking fund committee, which shall be composed of the treasurer of the Corporation and two members appointed by the Lieutenant Governor in Council, and the two appointed members shall be paid, out of the current funds of the Corporation, such annual remuneration as the Lieutenant Governor in Council may determine;
- (e) the treasurer of the Corporation shall be the chairman and treasurer of the Committee, and in his absence the appointed members may appoint one of themselves to act as chairman;
- (f) each member of the Committee shall, before entering into the duties of his office, give security for the faithful performance of his duties and for duly accounting for and paying over all moneys and securities that come into his hands, in such amount as the auditors of the Corporation shall determine, and in other respects the provisions of section 234 of *The Municipal Act* apply with respect to such security;
- (g) two members of the Committee shall be a quorum, and all investments and sales of investments must be approved by the treasurer of the Corporation and one other member of the Committee;
- (h) all assets of the sinking funds, including all consolidated bank accounts, shall be under the sole control and management of the Committee;
- (i) all withdrawals from the consolidated bank accounts shall be authorized by the Committee, and all cheques on the consolidated bank accounts shall be signed by the treasurer of the Corporation and one other member of the Committee;

R.S.O. 1960,
c. 249

- (j) the Committee shall invest any moneys on deposit from time to time in the consolidated bank accounts and may at any time or times vary any investment;
- (k) the moneys in the consolidated bank accounts shall be invested in debentures of the Corporation or other securities in which a trustee may invest under the provisions of *The Trustee Act* or in securities approved for investments by Municipal Corporations under the provisions of *The Municipal Act*; R.S.O. 1960, cc. 408, 249
- (l) all securities acquired by the Committee as investments for sinking fund purposes shall be deposited for safe-keeping in a chartered bank or trust company until they are sold or mature or are called for redemption prior to maturity;
- (m) all sinking fund debentures issued on the same date, maturing on the same date and payable in the same currency, notwithstanding that they were issued under one or more by-laws, shall be represented by one sinking fund account;
- (n) where there is more than one sinking fund debenture by-law outstanding, the earnings from sinking fund investments in each year shall be apportioned by the Committee among all the sinking funds in the proportion that the increase during that year in the accumulated interest as provided for in clause *b* on the specific amount required to be deposited annually during the currency of each sinking fund debenture by-law bears to the total of all increases during that year in the accumulated interest as provided for in clause *b* on all the specific amounts required to be deposited annually during the currency of all outstanding sinking fund debenture by-laws;
- (o) when the office of the treasurer of the Corporation is vacant or the treasurer is absent or is unable to carry on his duties through illness or otherwise, the deputy treasurer of the Corporation shall act in his place and stead and, when so acting, has all the powers and duties of the treasurer as a member and as the chairman and treasurer of the Committee.

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

4. This Act may be cited as *The County of Peel Act, 1968*. Short title



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An Act respecting the County of Peel

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. KENNEDY

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

BILL Pr21

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the County of Peel

MR. KENNEDY

1875

BILL Pr21

1968

An Act respecting the County of Peel

WHEREAS The Corporation of the County of Peel, ^{Preambles}
by its petition has prayed for special legislation in
respect of the matters hereinafter set forth; and whereas
it is expedient to grant the prayer of the petition;

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

1. In this Act,

Interpre-
tation

- (a) "Committee" means the committee established
to administer the sinking fund;
- (b) "Corporation" means The Corporation of the County
of Peel;
- (c) "Council" means the council of the Corporation.

2. Notwithstanding the provisions of any general or <sup>Sinking
Fund
Debentures</sup>
special Act,

- (a) the Council may provide in any money by-law
that the principal shall be repaid at a fixed date
with interest payable annually or semi-annually,
in which case the debentures issued under the by-law
shall be known as sinking fund debentures;
- (b) when sinking fund debentures are issued, the amount
of principal to be raised in each year shall be a
specific sum that, with the estimated interest at a
rate not exceeding 4 per cent per annum, capitalized
yearly, will be sufficient to pay the principal of the
debentures as it becomes due;
- (c) when sinking fund debentures are issued, the Com-
mittee shall keep one or more consolidated bank
accounts in which,

- (i) the treasurer of the Corporation shall deposit each year during the term of the debentures the moneys raised for the sinking funds of all debts that are to be paid by means of sinking funds, and
 - (ii) there shall be deposited all earnings derived from, and all proceeds of the sale or maturity or redemption prior to maturity of, sinking fund investments;
- (d) when sinking fund debentures are issued, there shall be a sinking fund committee, which shall be composed of the treasurer of the Corporation and two members appointed by the Lieutenant Governor in Council, and the two appointed members shall be paid, out of the current funds of the Corporation, such annual remuneration as the Lieutenant Governor in Council may determine;
- (e) the treasurer of the Corporation shall be the chairman and treasurer of the Committee, and in his absence the appointed members may appoint one of themselves to act as chairman;
- (f) each member of the Committee shall, before entering into the duties of his office, give security for the faithful performance of his duties and for duly accounting for and paying over all moneys and securities that come into his hands, in such amount as the auditors of the Corporation shall determine, and in other respects the provisions of section 234 of *The Municipal Act* apply with respect to such security;
- (g) two members of the Committee shall be a quorum, and all investments and sales of investments must be approved by the treasurer of the Corporation and one other member of the Committee;
- (h) all assets of the sinking funds, including all consolidated bank accounts, shall be under the sole control and management of the Committee;
- (i) all withdrawals from the consolidated bank accounts shall be authorized by the Committee, and all cheques on the consolidated bank accounts shall be signed by the treasurer of the Corporation and one other member of the Committee;

- (j) the Committee shall invest any moneys on deposit from time to time in the consolidated bank accounts and may at any time or times vary any investment;
- (k) the moneys in the consolidated bank accounts shall be invested in debentures of the Corporation or other securities in which a trustee may invest under the provisions of *The Trustee Act* or in securities approved for investments by Municipal Corporations under the provisions of *The Municipal Act*; R.S.O. 1960,
cc. 408, 249
- (l) all securities acquired by the Committee as investments for sinking fund purposes shall be deposited for safe-keeping in a chartered bank or trust company until they are sold or mature or are called for redemption prior to maturity;
- (m) all sinking fund debentures issued on the same date, maturing on the same date and payable in the same currency, notwithstanding that they were issued under one or more by-laws, shall be represented by one sinking fund account;
- (n) where there is more than one sinking fund debenture by-law outstanding, the earnings from sinking fund investments in each year shall be apportioned by the Committee among all the sinking funds in the proportion that the increase during that year in the accumulated interest as provided for in clause *b* on the specific amount required to be deposited annually during the currency of each sinking fund debenture by-law bears to the total of all increases during that year in the accumulated interest as provided for in clause *b* on all the specific amounts required to be deposited annually during the currency of all outstanding sinking fund debenture by-laws;
- (o) when the office of the treasurer of the Corporation is vacant or the treasurer is absent or is unable to carry on his duties through illness or otherwise, the deputy treasurer of the Corporation shall act in his place and stead and, when so acting, has all the powers and duties of the treasurer as a member and as the chairman and treasurer of the Committee.

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

4. This Act may be cited as *The County of Peel Act, 1968*. Short title



1911-12 (1911-12) (1911-12) (1911-12)

An Act respecting the County of Peel

1st Reading

February 22nd, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. KENNEDY

BILL Pr22

1ST SESSION, 28TH LEGISLATURE, ONTARIO *
17 ELIZABETH II, 1968

An Act respecting the City of London

MR. WHITE

(PRIVATE BILL)



An Act respecting the City of London

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

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

1. The by-law of the Corporation numbered L.R.C.-2(a)-247 ^{By-law confirmed} respecting the abolishment of the London Railway Commission and set out in Schedule A is hereby authorized and confirmed and declared to be legal, valid and binding.

2. The Corporation is authorized and empowered to pay ^{Allowance for Mrs. John Hunter Christie} from year to year, in the discretion of the council thereof, such sums as to the council may appear proper, not exceeding \$1,200.00 per annum, as a compassionate allowance to Mrs. John Hunter Christie, widow of John Hunter Christie, who was injured in the service of the Corporation.

3.—(1) Lands in the City of London more particularly ^{Lands vested in University of Western Ontario} described in Schedule B are hereby vested in The Board of Governors, The University of Western Ontario.

(2) The clerk of the Corporation shall, within sixty days ^{Registration} after this Act comes into force, register a copy of this Act, certified by the Clerk of the Legislative Assembly, in the registry office for the Registry Division of the East and North Ridings of the County of Middlesex.

4.—(1) By-laws may be passed by the council of the ^{Development control} Corporation for requiring the establishment, construction, preservation and maintenance of the following facilities within the City of London, 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 strip-planting of trees or shrubs, to provide a buffer zone between land use zones.

Idem

(2) Such by-laws may,

- (a) provide that, without cost, easements necessary for public facilities serving only the proposed development shall be conveyed to the City of London;
- (b) prohibit the issuance of building permits until all requirements of the by-laws have been met 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-laws 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 City of London.

Idem

(3) Such by-laws may provide that,

- (a) the construction and maintenance of any works, including curbs, pavements, plantings and other improvements, shall at all times be at the sole risk and expense of the owner of the lands being developed;
- (b) 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 first lien and charge upon such lands and shall be collectable in like manner as municipal taxes.

(4) The following provisions apply, *mutatis mutandis*, to any by-law passed under this section: Application of R.S.O. 1960, cc. 296, 249

1. Section 30 of *The Planning Act*, except subsections 1, 2, 4, 5, 7, 8, 18, 26, 27, 28 and 29 thereof.
2. Section 32*b* of *The Planning Act*, except subsections 2, 2*a*, 9*a*, 9*b* and 19 thereof.
3. Part XXI of *The Municipal Act*, except section 485 thereof.
5. Section 2 of *The City of London Act, 1965*, as amended by section 1 of *The City of London Act, 1967*, is repealed. 1965, c. 156, s. 2, repealed
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, 1968*. Short title

SCHEDULE A

BY-LAW No. L.R.C.-2(a)-247

A BY-LAW to repeal By-law No. L.Ry.C.-2-28 and to provide for the winding up of the affairs of the London Railway Commission.

WHEREAS by virtue of Section 1 of Chapter 108, Statutes of Ontario, 1956, all lands and premises of the London and Port Stanley Railway are vested in the Corporation; and

WHEREAS the Corporation has by By-law No. L.Ry.C.-2-28 appointed a Commission known as the London Railway Commission which has the whole management and control of the London and Port Stanley Railway under the authority of Chapter 103, Statutes of Ontario, 1913, as amended by Chapter 104, Statutes of Ontario, 1955; and

WHEREAS the Corporation has sold the entire railway undertaking of the London and Port Stanley Railway to the Canadian National Railway Company with the exception of a few properties not directly connected with the said railway undertaking; and

WHEREAS, because of said sale, a Commission for the management and operation of the said railway undertaking is no longer required;

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the City of London, as follows:

1. By-law No. L.Ry.C.-2-28 is hereby repealed.
2. The said London Railway Commission shall cease to exist and the Commissioners thereof shall cease to hold office on the day this By-law becomes effective.
3. The secretary of the said Commission shall and is hereby directed to deliver to the City Clerk of the Corporation all books, records and documents pertaining to the London and Port Stanley Railway undertaking, and shall cause to be transferred to the Corporation all assets and liabilities thereof.
4. The Finance Commissioner of the Corporation is hereby empowered to take any and all steps necessary for the finalization of all outstanding accounts and financial matters of the said London and Port Stanley Railway and is hereby directed after completion of the said winding up to render a full report to the Council of the Corporation.
5. This by-law shall come into force and take effect on the day of the final passing thereof.

PASSED in open Council this 23rd day of May, 1967.

F. G. STRONACH,
Mayor.

R. H. COOPER,
City Clerk.

SCHEDULE B

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, in the County of Middlesex, and being composed of that part of the original road allowance between lots 16 and 17 in the Third Concession in the Township of London and now in the City of London, which was unopened and now lies within the campus of The University of Western Ontario and lies south of that portion thereof described as follows:

COMMENCING at the northeast angle of Lot 17, in the Third Concession of the said Township of London;

THENCE southerly along the easterly limit of said Lot 17, 221 feet 10 inches;

THENCE south 87 degrees 20 minutes east 72.34 feet, more or less, to the westerly limit of Lot 16 in the said Third Concession;

THENCE northerly therealong 251.96 feet, more or less, to the northwest angle of said Lot No. 16;

AND THENCE southerly 67 degrees 25 minutes 30 seconds west, 66.01 feet to the place of beginning.

SUBJECT TO any existing easements, leases, or agreements, made by The Board of Governors, The University of Western Ontario.

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. WHITE

(*Private Bill*)

BILL Pr22

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of London

MR. WHITE

(Reprinted as amended by the Committee on Private Bills)



BILL Pr22

1968

An Act respecting the City of London

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

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

1. The by-law of the Corporation numbered L.R.C.-2(a)-247 ^{By-law confirmed} respecting the abolition of the London Railway Commission and set out in Schedule A is hereby authorized and confirmed and declared to be legal, valid and binding.

2. The Corporation is authorized and empowered to pay ^{Allowance for Mrs. John Hunter Christie} from year to year, in the discretion of the council thereof, such sums as to the council may appear proper, not exceeding \$1,200.00 per annum, as a compassionate allowance to Mrs. John Hunter Christie, widow of John Hunter Christie, who was injured in the service of the Corporation.

3.—(1) Lands in the City of London more particularly described in Schedule B are hereby vested in The Board of ^{Lands vested in University of Western Ontario} Governors, The University of Western Ontario.

(2) The clerk of the Corporation shall, within sixty days ^{Registration} after this Act comes into force, register a copy of this Act, certified by the Clerk of the Legislative Assembly, in the registry office for the Registry Division of the East and North Ridings of the County of Middlesex.

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

5. This Act may be cited as *The City of London Act, 1968*. ^{Short title}

SCHEDULE A

BY-LAW NO. L.R.C.-2(a)-247

A BY-LAW to repeal By-law No. L.Ry.C.-2-28 and to provide for the winding up of the affairs of the London Railway Commission.

WHEREAS by virtue of Section 1 of Chapter 108, Statutes of Ontario, 1956, all lands and premises of the London and Port Stanley Railway are vested in the Corporation; and

WHEREAS the Corporation has by By-law No. L.Ry.C.-2-28 appointed a Commission known as the London Railway Commission which has the whole management and control of the London and Port Stanley Railway under the authority of Chapter 103, Statutes of Ontario, 1913, as amended by Chapter 104, Statutes of Ontario, 1955; and

WHEREAS the Corporation has sold the entire railway undertaking of the London and Port Stanley Railway to the Canadian National Railway Company with the exception of a few properties not directly connected with the said railway undertaking; and

WHEREAS, because of said sale, a Commission for the management and operation of the said railway undertaking is no longer required;

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the City of London, as follows:

1. By-law No. L.Ry.C.-2-28 is hereby repealed.
2. The said London Railway Commission shall cease to exist and the Commissioners thereof shall cease to hold office on the day this By-law becomes effective.
3. The secretary of the said Commission shall and is hereby directed to deliver to the City Clerk of the Corporation all books, records and documents pertaining to the London and Port Stanley Railway undertaking, and shall cause to be transferred to the Corporation all assets and liabilities thereof.
4. The Finance Commissioner of the Corporation is hereby empowered to take any and all steps necessary for the finalization of all outstanding accounts and financial matters of the said London and Port Stanley Railway and is hereby directed after completion of the said winding up to render a full report to the Council of the Corporation.
5. This by-law shall come into force and take effect on the day of the final passing thereof.

PASSED in open Council this 23rd day of May, 1967.

F. G. STRONACH,
Mayor.

R. H. COOPER,
City Clerk.

SCHEDULE B

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, in the County of Middlesex, and being composed of that part of the original road allowance between lots 16 and 17 in the Third Concession in the Township of London and now in the City of London, which was unopened and now lies within the campus of The University of Western Ontario and lies south of that portion thereof described as follows:

COMMENCING at the northeast angle of Lot 17, in the Third Concession of the said Township of London;

THENCE southerly along the easterly limit of said Lot 17, 221 feet 10 inches;

THENCE south 87 degrees 20 minutes east 72.34 feet, more or less, to the westerly limit of Lot 16 in the said Third Concession;

THENCE northerly therealong 251.96 feet, more or less, to the northwest angle of said Lot No. 16;

AND THENCE southerly 67 degrees 25 minutes 30 seconds west, 66.01 feet to the place of beginning.

SUBJECT TO any existing easements, leases, or agreements, made by The Board of Governors, The University of Western Ontario.



An Act respecting the City of London

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. WHITE

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

BILL Pr22

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of London

MR. WHITE



BILL Pr22

1968

An Act respecting the City of London

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

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

1. The by-law of the Corporation numbered L.R.C.-2(a)-247 By-law confirmed
 respecting the abolition of the London Railway Commis-
 sion and set out in Schedule A is hereby authorized and
 confirmed and declared to be legal, valid and binding.

2. The Corporation is authorized and empowered to pay Allowance for Mrs. John Hunter Christie
 from year to year, in the discretion of the council thereof,
 such sums as to the council may appear proper, not exceeding
 \$1,200.00 per annum, as a compassionate allowance to Mrs.
 John Hunter Christie, widow of John Hunter Christie, who
 was injured in the service of the Corporation.

3.—(1) Lands in the City of London more particularly Lands vested in University of Western Ontario
 described in Schedule B are hereby vested in The Board of
 Governors, The University of Western Ontario.

(2) The clerk of the Corporation shall, within sixty days Registration
 after this Act comes into force, register a copy of this Act,
 certified by the Clerk of the Legislative Assembly, in the
 registry office for the Registry Division of the East and
 North Ridings of the County of Middlesex.

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

5. This Act may be cited as *The City of London Act, 1968*. Short title

SCHEDULE A

BY-LAW NO. L.R.C.-2(a)-247

A BY-LAW to repeal By-law No. L.Ry.C.-2-28 and to provide for the winding up of the affairs of the London Railway Commission.

WHEREAS by virtue of Section 1 of Chapter 108, Statutes of Ontario, 1956, all lands and premises of the London and Port Stanley Railway are vested in the Corporation; and

WHEREAS the Corporation has by By-law No. L.Ry.C.-2-28 appointed a Commission known as the London Railway Commission which has the whole management and control of the London and Port Stanley Railway under the authority of Chapter 103, Statutes of Ontario, 1913, as amended by Chapter 104, Statutes of Ontario, 1955; and

WHEREAS the Corporation has sold the entire railway undertaking of the London and Port Stanley Railway to the Canadian National Railway Company with the exception of a few properties not directly connected with the said railway undertaking; and

WHEREAS, because of said sale, a Commission for the management and operation of the said railway undertaking is no longer required;

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the City of London, as follows:

1. By-law No. L.Ry.C.-2-28 is hereby repealed.
2. The said London Railway Commission shall cease to exist and the Commissioners thereof shall cease to hold office on the day this By-law becomes effective.
3. The secretary of the said Commission shall and is hereby directed to deliver to the City Clerk of the Corporation all books, records and documents pertaining to the London and Port Stanley Railway undertaking, and shall cause to be transferred to the Corporation all assets and liabilities thereof.
4. The Finance Commissioner of the Corporation is hereby empowered to take any and all steps necessary for the finalization of all outstanding accounts and financial matters of the said London and Port Stanley Railway and is hereby directed after completion of the said winding up to render a full report to the Council of the Corporation.
5. This by-law shall come into force and take effect on the day of the final passing thereof.

PASSED in open Council this 23rd day of May, 1967.

F. G. STRONACH,
Mayor.

R. H. COOPER,
City Clerk

SCHEDULE B

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, in the County of Middlesex, and being composed of that part of the original road allowance between lots 16 and 17 in the Third Concession in the Township of London and now in the City of London, which was unopened and now lies within the campus of The University of Western Ontario and lies south of that portion thereof described as follows:

COMMENCING at the northeast angle of Lot 17, in the Third Concession of the said Township of London;

THENCE southerly along the easterly limit of said Lot 17, 221 feet 10 inches;

THENCE south 87 degrees 20 minutes east 72.34 feet, more or less, to the westerly limit of Lot 16 in the said Third Concession;

THENCE northerly therealong 251.96 feet, more or less, to the northwest angle of said Lot No. 16;

AND THENCE southerly 67 degrees 25 minutes 30 seconds west, 66.01 feet to the place of beginning.

SUBJECT TO any existing easements, leases, or agreements, made by The Board of Governors, The University of Western Ontario.





1st Reading

February 22nd, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. WHITE

BILL Pr23

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Township of Vaughan

MR. DEACON

(PRIVATE BILL)



BILL Pr23

1968

An Act respecting the Township of Vaughan

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

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

1. All street lighting areas in the Township heretofore created by a by-law passed under the authority of section 85 of *The Power Commission Act*, or a predecessor thereof, shall be deemed to have been validly created by a by-law passed under the authority of paragraph 52 of subsection 1 of section 379 of *The Municipal Act*.

Preamble
Street
lighting
areas
confirmed

R.S.O. 1960,
cc. 249, 300

2. The Township may, without petition and without the assent of electors, pass by-laws to enlarge, reduce, dissolve or amalgamate any street lighting areas in the Township created by a by-law passed under section 85 of *The Power Commission Act*.

By-laws
re street
lighting
areas

3. The Township may, without petition and without the assent of the electors, pass a by-law to provide that the cost of managing and maintaining the street lighting works in any street lighting area in the Township and the cost of power supplied for such street lighting shall be assessed and levied on the rateable property in the area or provide that such part of the cost as the council of the Township deems proper shall be paid by the Township, and that the remainder of the cost shall be assessed and levied on the rateable property in the area or provide that the entire cost shall be paid by the Township.

Maintain-
ence

4. The lands described in the Schedule are designated as the Kleinburg Sewer Area.

Kleinburg
Sewer
Area

Persons
deemed
users

5. An owner or occupant of a building erected upon lands that are situate in the Kleinburg Sewer Area and that front or abut upon a sanitary sewer main shall be deemed to be a user of the sewage works for the purposes of a by-law passed under subsection 15 of section 380 of *The Municipal Act*.

R.S.O. 1960,
c. 249

Commence-
ment

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

Short title

7. This Act may be cited as *The Township of Vaughan Act, 1968*.

SCHEDULE

The lands situate in the Township of Vaughan in the County of York, being:

Firstly:

All of the lands contained in Plan 6087 filed in the Registry Office for Registry Division of the East and West Riding of the County of York.

Secondly:

Those parts of Lot 23 in the Eighth Concession described in registered instruments 31784 Vaughan and 48427 Vaughan.

Thirdly:

That part of Lot 21 in the Eighth Concession as described in registered instrument 56970 Vaughan.



and request for...

An Act respecting
the Township of Vaughan

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. DEACON

(*Private Bill*)

BILL Pr23

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Township of Vaughan

MR. DEACON

(Reprinted as amended by the Committee on Private Bills)



BILL Pr23

1968

An Act respecting the Township of Vaughan

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

Preamble

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

1. All street lighting areas in the Township heretofore created by a by-law passed under the authority of section 85 of *The Power Commission Act*, or a predecessor thereof, shall be deemed to have been validly created by a by-law passed under the authority of paragraph 52 of subsection 1 of section 379 of *The Municipal Act*.

Street
lighting
areas
confirmedR.S.O. 1960,
cc. 249, 300

2. The Township may, without petition and without the assent of electors, pass by-laws to enlarge, reduce, dissolve or amalgamate any street lighting areas in the Township created by a by-law passed under section 85 of *The Power Commission Act*.

By-laws
re street
lighting
areas

3. The Township may, without petition and without the assent of the electors, pass a by-law to provide that the cost of managing and maintaining the street lighting works in any street lighting area in the Township and the cost of power supplied for such street lighting shall be assessed and levied on the rateable property in the area or provide that such part of the cost as the council of the Township deems proper shall be paid by the Township, and that the remainder of the cost shall be assessed and levied on the rateable property in the area or provide that the entire cost shall be paid by the Township.

Maintain-
ence

4. The lands described in the Schedule are designated as the Kleinburg Sewer Area.

Kleinburg
Sewer
Area

Persons
deemed
users

5. An owner or occupant of lands that are situate in the Kleinburg Sewer Area and that front or abut upon a sanitary sewer main shall be deemed to be a user of the sewage works for the purposes of a by-law passed under subsection 15 of section 380 of *The Municipal Act*.

R.S.O. 1960,
c. 249

Commence-
ment

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

Short title

7. This Act may be cited as *The Township of Vaughan Act, 1968*.

SCHEDULE

The lands situate in the Township of Vaughan in the County of York, being:

Firstly:

All of the lands contained in Plan 6087 filed in the Registry Office for Registry Division of the East and West Riding of the County of York.

Secondly:

Those parts of Lot 23 in the Eighth Concession described in registered instruments 31784 Vaughan and 48427 Vaughan.

Thirdly:

That part of Lot 21 in the Eighth Concession as described in registered instrument 56970 Vaughan.



7/11/1911

An Act respecting
the Township of Vaughan

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. DEACON

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

BILL Pr23

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Township of Vaughan

MR. DEACON



An Act respecting the Township of Vaughan

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

Preamble

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

1. All street lighting areas in the Township heretofore created by a by-law passed under the authority of section 85 of *The Power Commission Act*, or a predecessor thereof, shall be deemed to have been validly created by a by-law passed under the authority of paragraph 52 of subsection 1 of section 379 of *The Municipal Act*.

Street lighting areas confirmed

R.S.O. 1960, cc. 249, 300

2. The Township may, without petition and without the assent of electors, pass by-laws to enlarge, reduce, dissolve or amalgamate any street lighting areas in the Township created by a by-law passed under section 85 of *The Power Commission Act*.

By-laws re street lighting areas

3. The Township may, without petition and without the assent of the electors, pass a by-law to provide that the cost of managing and maintaining the street lighting works in any street lighting area in the Township and the cost of power supplied for such street lighting shall be assessed and levied on the rateable property in the area or provide that such part of the cost as the council of the Township deems proper shall be paid by the Township, and that the remainder of the cost shall be assessed and levied on the rateable property in the area or provide that the entire cost shall be paid by the Township.

Maintenance

4. The lands described in the Schedule are designated as the Kleinburg Sewer Area.

Kleinburg Sewer Area

Persons
deemed
users

5. An owner or occupant of lands that are situate in the Kleinburg Sewer Area and that front or abut upon a sanitary sewer main shall be deemed to be a user of the sewage works for the purposes of a by-law passed under subsection 15 of section 380 of *The Municipal Act*.

R.S.O. 1960,
c. 249

Commence-
ment

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

Short title

7. This Act may be cited as *The Township of Vaughan Act, 1968*.

SCHEDULE

The lands situate in the Township of Vaughan in the County of York, being:

Firstly:

All of the lands contained in Plan 6087 filed in the Registry Office for Registry Division of the East and West Riding of the County of York.

Secondly:

Those parts of Lot 23 in the Eighth Concession described in registered instruments 31784 Vaughan and 48427 Vaughan.

Thirdly:

That part of Lot 21 in the Eighth Concession as described in registered instrument 56970 Vaughan.



An Act respecting
the Township of Vaughan

1st Reading

March 5th, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. DEACON

BILL Pr24

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Oshawa

MR. PILKEY

(PRIVATE BILL)



BILL Pr24

1968

An Act respecting the City of Oshawa

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

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

1. Section 8 of *The City of Oshawa Act, 1960* is repealed ^{1960,} and the following substituted therefor: ^{c. 160, s. 8,} ^{re-enacted}

8.—(1) The Council is responsible for the payment of ^{Operating} any net operating deficit of the system and shall ^{deficits} provide in its estimates each year for the estimated ^{provided for} net operating deficit for the year as submitted by ^{in estimates} the Commission,

(a) plus the sum required to pay any amount by which the actual deficit for the preceding year exceeded the estimated net operating deficit provided for in that year; and

(b) less any amount by which the estimated net operating deficit provided for in the preceding year exceeded the actual deficit in that year.

(2) The Council shall transfer to the Commission at ^{Payment to} its request from time to time, whether or not the ^{Commission} estimates have been approved, such sums as are required to meet the net operating deficit for that part of the year ending with the Commission's request, but not exceeding in total the amount of the estimated net operating deficit included in the Council's estimates for that year.

(3) Any amount added to the estimates in a year under ^{Idem} clause *a* of subsection 1 shall be paid to the Commission before the 1st day of March in that year.

By-laws

2. The council of The Corporation of the City of Oshawa may pass by-laws,

- (a) to authorize the execution of an agreement between The Corporation of the City of Oshawa and Canadian National Railway Company to provide and pay for the construction of a railway spur line, some 8,000 feet in length, from the main line of the said Canadian National Railway Company in the City of Oshawa to the Oshawa Harbour, and to provide and pay for the maintenance of the railway spur line and to provide for the sale or conveyance of the said spur line to Canadian National Railway Company upon such terms and conditions as the council of the Corporation may deem fit;
- (b) to authorize The Corporation of the City of Oshawa, subject to the approval of the Ontario Municipal Board, to issue debentures for the whole or any part of the original cost of constructing the said spur line to be borne by the City of Oshawa as a result of such agreement; and
- (c) to acquire by expropriation or otherwise any lands required for the construction of the said spur line.

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 Oshawa Act, 1968*.





1848

An Act respecting the City of Oshawa

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. PUKEY

(Private Bill)

BILL Pr24

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Oshawa

MR. PILKEY



BILL Pr24

1968

An Act respecting the City of Oshawa

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

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

1. Section 8 of *The City of Oshawa Act, 1960* is repealed ^{1960, c. 160, s. 8, re-enacted} and the following substituted therefor:

8.—(1) The Council is responsible for the payment of any net operating deficit of the system and shall provide in its estimates each year for the estimated net operating deficit for the year as submitted by the Commission, ^{Operating deficits provided for in estimates}

(a) plus the sum required to pay any amount by which the actual deficit for the preceding year exceeded the estimated net operating deficit provided for in that year; and

(b) less any amount by which the estimated net operating deficit provided for in the preceding year exceeded the actual deficit in that year.

(2) The Council shall transfer to the Commission at its request from time to time, whether or not the estimates have been approved, such sums as are required to meet the net operating deficit for that part of the year ending with the Commission's request, but not exceeding in total the amount of the estimated net operating deficit included in the Council's estimates for that year. ^{Payment to Commission}

(3) Any amount added to the estimates in a year under clause *a* of subsection 1 shall be paid to the Commission before the 1st day of March in that year. ^{Idem}

By-laws

2. The council of The Corporation of the City of Oshawa may pass by-laws,

- (a) to authorize the execution of an agreement between The Corporation of the City of Oshawa and Canadian National Railway Company to provide and pay for the construction of a railway spur line, some 8,000 feet in length, from the main line of the said Canadian National Railway Company in the City of Oshawa to the Oshawa Harbour, and to provide and pay for the maintenance of the railway spur line and to provide for the sale or conveyance of the said spur line to Canadian National Railway Company upon such terms and conditions as the council of the Corporation may deem fit;
- (b) to authorize The Corporation of the City of Oshawa, subject to the approval of the Ontario Municipal Board, to issue debentures for the whole or any part of the original cost of constructing the said spur line to be borne by the City of Oshawa as a result of such agreement; and
- (c) to acquire by expropriation or otherwise any lands required for the construction of the said spur line.

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 Oshawa Act, 1968*.



1st Reading

February 22nd, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. PILKEY

BILL Pr25

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Wool and Gift Shops (Toronto) Limited

MR. DEACON

(PRIVATE BILL)

126

THE NEW YORK PUBLIC LIBRARY

**An Act respecting
Wool and Gift Shops (Toronto) Limited**

WHEREAS Lilith Standish, Thomas T. Standish and Preamble
Gerrard S. MacLean by their petition have represented
that Wool and Gift Shops (Toronto) Limited, herein called
the Corporation, was incorporated by letters patent dated
the 22nd day of August, 1955; that the Provincial Secretary,
by Order dated the 21st day of September, 1959, and made
under the authority of subsection 2 of section 325 of *The* 1953, c. 19
Corporations Act, 1953 cancelled the letters patent of the
Corporation and declared it to be dissolved on the 26th day
of October, 1959; that the petitioners were all the directors
and holders of all 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 325
of *The Corporations Act, 1953* were sent to the persons of
record on the files of the Department of the Provincial
Secretary, none of whom were the petitioners; that none
of the petitioners was aware of the dissolution of the Cor-
poration until more than one year after the date thereof;
that the Corporation at the time of its dissolution was reg-
istered as the owner of a lease on real property in the County
of York in the Province of Ontario and at the present time
is carrying on an active business; and whereas the petitioners
have prayed for special legislation reviving the Corporation;
and whereas it is expedient to grant the prayer of the petition;

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

1. Wool and Gift Shops (Toronto) Limited, incorporated Wool and
Gift Shops
(Toronto)
Limited
revived
by letters patent dated the 22nd day of August, 1955, is
hereby revived and is, subject to any rights acquired by any
person after its dissolution, hereby restored to its legal posi-
tion 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 Wool and Gift Shops (Toronto) Limited Act, 1968*.





any other people than the boys

An Act respecting
Wool and Gift Shops (Toronto) Limited

1st Reading

2nd Reading

3rd Reading

MR. DEACON

(Private Bill)

BILL Pr25

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Wool and Gift Shops (Toronto) Limited

MR. DEACON

THE UNIVERSITY OF CHICAGO
LIBRARY

BILL Pr25

1968

**An Act respecting
Wool and Gift Shops (Toronto) Limited**

WHEREAS Lilith Standish, Thomas T. Standish and Preamble
Gerrard S. MacLean by their petition have represented
that Wool and Gift Shops (Toronto) Limited, herein called
the Corporation, was incorporated by letters patent dated
the 22nd day of August, 1955; that the Provincial Secretary,
by Order dated the 21st day of September, 1959, and made
under the authority of subsection 2 of section 325 of *The* 1953, c. 19
Corporations Act, 1953 cancelled the letters patent of the
Corporation and declared it to be dissolved on the 26th day
of October, 1959; that the petitioners were all the directors
and holders of all 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 325
of *The Corporations Act, 1953* were sent to the persons of
record on the files of the Department of the Provincial
Secretary, none of whom were the petitioners; that none
of the petitioners was aware of the dissolution of the Cor-
poration until more than one year after the date thereof;
that the Corporation at the time of its dissolution was reg-
istered as the owner of a lease on real property in the County
of York in the Province of Ontario and at the present time
is carrying on an active business; and whereas the petitioners
have prayed for special legislation reviving the Corporation;
and whereas it is expedient to grant the prayer of the petition;

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

1. Wool and Gift Shops (Toronto) Limited, incorporated Wool and
Gift Shops
(Toronto)
Limited
revived
by letters patent dated the 22nd day of August, 1955, is
hereby revived and is, subject to any rights acquired by any
person after its dissolution, hereby restored to its legal posi-
tion 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 Wool and Gift Shops (Toronto) Limited Act, 1968*.



1/2 in. paper 12 1/2 x 17 1/2

An Act respecting
Wool and Gift Shops (Toronto) Limited

1st Reading

February 22nd, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 9th, 1968

MR. DEACON

BILL Pr26

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Township of Nepean

MR. JOHNSTON (Carleton)

(PRIVATE BILL)

BILL Pr26

1968

An Act respecting the Township of Nepean

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

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

1. Notwithstanding paragraph 99 of subsection 1 of section 379 of *The Municipal Act*, the council of the Corporation may pass by-laws for entering into agreements with suppliers and distributors of cable television or community television systems for the use by them of any highway, street or public place and to erect and maintain thereon poles, towers, wires, cables, amplifiers and other accessory equipment, and to construct and lay down proper ducts and conduits for enclosing wires, cables, amplifiers and other accessory equipment for the purpose of transmitting electrical or electric impulses, signals and messages of every nature and kind, including those of alarm and protection systems, radio programmes or part thereof and television programmes or part thereof and for such consideration and on such terms and conditions as may be agreed upon.

Agreements for cable TV on public lands
R.S.O. 1960, c. 249

2. By-law No. 105/67 of the Corporation, being "A by-law of the Township of Nepean for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the Township of Nepean for the purpose of maintaining and operating in the Township of Nepean a community television system for the interception, sale and distribution of television signals", set forth in the Schedule hereto, is hereby validated and confirmed and declared to be legal.

By-law confirmed

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

Commencement

4. This Act may be cited as *The Township of Nepean Act*, 1968.

Short title

SCHEDULE

BY-LAW NO. 105/67

Being a by-law of the Township of Nepean for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the Township of Nepean for the purpose of maintaining and operating in the Township of Nepean a community television system for the interception, sale and distribution of television signals.

WHEREAS the Council of the Corporation of the Township of Nepean is by paragraph 99 of section 379 (1) of *The Municipal Act* authorized to pass by-laws for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the Township of Nepean for the purpose of maintaining and operating in the Township of Nepean a community television system for the interception, sale and distribution of television signals;

AND WHEREAS it is expedient to enact as hereinafter set forth;

THEREFORE the Council of The Corporation of the Township of Nepean enacts as follows:

1. No person shall construct, erect, operate or maintain in, upon, along, across, above, over and under any highway in the Township of Nepean any service wires, underground conduits, manholes, amplifiers and other television conductors and fixtures necessary for the maintenance and operation of a community television system for the interception, sale and distribution of television signals without first obtaining a permit from the Township Engineer of the Corporation.

2. No person shall be granted a permit referred to in paragraph 1 of this by-law unless and until he procures a licence from the Department of Transport of the Government of Canada which licence permits him to install and operate a community antenna television system in a defined area in the Township of Nepean.

3. No permit shall be issued to an applicant unless and until he has entered into an agreement with the Township of Nepean prescribing the consideration, terms and conditions of the grant of user by the Township to the applicant of any portion of a highway in the Township of Nepean.

4. Every person who contravenes any of the provisions of this by-law shall, upon conviction thereof, forfeit and pay at the discretion of the convicting magistrate a penalty not exceeding the sum of \$300.00 (exclusive of costs) for each offence.

GIVEN under the corporate seal of The Corporation of the Township of Nepean, this 4th day of December, 1967.

D. A. MOODIE,
Reeve.

D. E. HOBBS,
Clerk.





of the

An Act respecting the Township of Nepean

1st Reading

2nd Reading

3rd Reading

MR. JOHNSTON (Carleton)

(Private Bill)

BILL Pr26

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Township of Nepean

MR. JOHNSTON (Carleton)

(Reprinted as amended by the Committee on Private Bills)



BILL Pr26

1968

An Act respecting the Township of Nepean

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

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

1. Notwithstanding paragraph 99 of subsection 1 of section 379 of *The Municipal Act*, the council of the Corporation may pass by-laws for entering into agreements with suppliers and distributors of cable television or community television systems for the use by them of any highway, street or public place and to erect and maintain thereon poles, towers, wires, cables, amplifiers and other accessory equipment, and to construct and lay down proper ducts and conduits for enclosing wires, cables, amplifiers and other accessory equipment for the purpose of transmitting electrical or electric impulses, signals and messages of every nature and kind, including those of alarm and protection systems, radio programmes or part thereof and television programmes or part thereof and for such consideration and on such terms and conditions as may be agreed upon. Agreements
for cable TV
on public
lands
R.S.O. 1960,
c. 249

2. By-law No. 105/67 of the Corporation, being "A by-law of the Township of Nepean for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the Township of Nepean for the purpose of maintaining and operating in the Township of Nepean a community television system for the interception, sale and distribution of television signals", set forth in the Schedule hereto, is hereby validated and confirmed. By-law
confirmed

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

4. This Act may be cited as *The Township of Nepean Act*, 1968. Short title

SCHEDULE

BY-LAW NO. 105/67

Being a by-law of the Township of Nepean for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the Township of Nepean for the purpose of maintaining and operating in the Township of Nepean a community television system for the interception, sale and distribution of television signals.

WHEREAS the Council of the Corporation of the Township of Nepean is by paragraph 99 of section 379 (1) of *The Municipal Act* authorized to pass by-laws for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the Township of Nepean for the purpose of maintaining and operating in the Township of Nepean a community television system for the interception, sale and distribution of television signals;

AND WHEREAS it is expedient to enact as hereinafter set forth;

THEREFORE the Council of The Corporation of the Township of Nepean enacts as follows:

1. No person shall construct, erect, operate or maintain in, upon, along, across, above, over and under any highway in the Township of Nepean any service wires, underground conduits, manholes, amplifiers and other television conductors and fixtures necessary for the maintenance and operation of a community television system for the interception, sale and distribution of television signals without first obtaining a permit from the Township Engineer of the Corporation.

2. No person shall be granted a permit referred to in paragraph 1 of this by-law unless and until he procures a licence from the Department of Transport of the Government of Canada which licence permits him to install and operate a community antenna television system in a defined area in the Township of Nepean.

3. No permit shall be issued to an applicant unless and until he has entered into an agreement with the Township of Nepean prescribing the consideration, terms and conditions of the grant of user by the Township to the applicant of any portion of a highway in the Township of Nepean.

4. Every person who contravenes any of the provisions of this by-law shall, upon conviction thereof, forfeit and pay at the discretion of the convicting magistrate a penalty not exceeding the sum of \$300.00 (exclusive of costs) for each offence.

GIVEN under the corporate seal of The Corporation of the Township of Nepean, this 4th day of December, 1967.

D. A. MOODIE,
Reeve.

D. E. HOBBS,
Clerk.





1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. JOHNSTON (Carleton)

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

BILL Pr26

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Township of Nepean

MR. JOHNSTON (Carleton)

An Act respecting the Township of Nepean

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

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

1. Notwithstanding paragraph 99 of subsection 1 of section 379 of *The Municipal Act*, the council of the Corporation may pass by-laws for entering into agreements with suppliers and distributors of cable television or community television systems for the use by them of any highway, street or public place and to erect and maintain thereon poles, towers, wires, cables, amplifiers and other accessory equipment, and to construct and lay down proper ducts and conduits for enclosing wires, cables, amplifiers and other accessory equipment for the purpose of transmitting electrical or electric impulses, signals and messages of every nature and kind, including those of alarm and protection systems, radio programmes or part thereof and television programmes or part thereof and for such consideration and on such terms and conditions as may be agreed upon.

Agreements
for cable TV
on public
lands
R.S.O. 1960,
c. 249

2. By-law No. 105/67 of the Corporation, being "A by-law of the Township of Nepean for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the Township of Nepean for the purpose of maintaining and operating in the Township of Nepean a community television system for the interception, sale and distribution of television signals", set forth in the Schedule hereto, is hereby validated and confirmed.

By-law
confirmed

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

Commence-
ment

4. This Act may be cited as *The Township of Nepean Act*, 1968.

Short title

SCHEDULE

BY-LAW NO. 105/67

Being a by-law of the Township of Nepean for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the Township of Nepean for the purpose of maintaining and operating in the Township of Nepean a community television system for the interception, sale and distribution of television signals.

WHEREAS the Council of the Corporation of the Township of Nepean is by paragraph 99 of section 379 (1) of *The Municipal Act* authorized to pass by-laws for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the Township of Nepean for the purpose of maintaining and operating in the Township of Nepean a community television system for the interception, sale and distribution of television signals;

AND WHEREAS it is expedient to enact as hereinafter set forth;

THEREFORE the Council of The Corporation of the Township of Nepean enacts as follows:

1. No person shall construct, erect, operate or maintain in, upon, along, across, above, over and under any highway in the Township of Nepean any service wires, underground conduits, manholes, amplifiers and other television conductors and fixtures necessary for the maintenance and operation of a community television system for the interception, sale and distribution of television signals without first obtaining a permit from the Township Engineer of the Corporation.

2. No person shall be granted a permit referred to in paragraph 1 of this by-law unless and until he procures a licence from the Department of Transport of the Government of Canada which licence permits him to install and operate a community antenna television system in a defined area in the Township of Nepean.

3. No permit shall be issued to an applicant unless and until he has entered into an agreement with the Township of Nepean prescribing the consideration, terms and conditions of the grant of user by the Township to the applicant of any portion of a highway in the Township of Nepean.

4. Every person who contravenes any of the provisions of this by-law shall, upon conviction thereof, forfeit and pay at the discretion of the convicting magistrate a penalty not exceeding the sum of \$300.00 (exclusive of costs) for each offence.

GIVEN under the corporate seal of The Corporation of the Township of Nepean, this 4th day of December, 1967.

D. A. MOODIE,
Reeve.

D. E. HOBBS,
Clerk.







An Act respecting the Township of Nepean

1st Reading

February 22nd, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 9th, 1968

MR. JOHNSTON (Carleton)

BILL Pr27

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Town of Palmerston

MR. ROOT

(PRIVATE BILL)



BILL Pr27

1968

An Act respecting the Town of Palmerston

WHEREAS The Corporation of the Town of Palmerston ^{Preamble}
 by its petition has represented that the Palmerston
 Hospital Commission established under *The Town of Pal-* ^{1927, c. 121}
merston Hospital Act, 1927, is no longer required to control
 and manage a hospital under the said Act; and whereas the
 said Palmerston Hospital Commission has certain personal
 property assets and liabilities acquired and incurred in the
 name of the Commission; and whereas the petitioner has
 prayed for special legislation dissolving the said Palmerston
 Hospital Commission and transferring its said assets and
 liabilities to Palmerston General Hospital, a corporation
 without share capital incorporated under the laws of Ontario
 by letters patent dated the 2nd day of January, 1968; and
 whereas it is expedient to grant the prayer of the petition;

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

1. The Palmerston Hospital Commission established under <sup>Palmerston
Hospital
Commission
dissolved</sup>
The Town of Palmerston Hospital Act, 1927 is dissolved and
 all the assets and liabilities of the Commission are vested
 in and become the assets and liabilities of the Palmerston
 General Hospital, a corporation incorporated under the laws
 of Ontario by letters patent dated the 2nd day of January,
 1968.

2. *The Town of Palmerston Hospital Act, 1927*, and *The* <sup>1927, c. 121;
1954, c. 121,
repealed</sup>
Town of Palmerston Hospital Act, 1954 are repealed.

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

4. This Act may be cited as *The Town of Palmerston Act*, ^{Short title}
 1968.

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

Mr. ROOF

(*Private Bill*)

BILL Pr27

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Town of Palmerston

MR. ROOT



BILL Pr27

1968

An Act respecting the Town of Palmerston

WHEREAS The Corporation of the Town of Palmerston ^{Preamble} by its petition has represented that the Palmerston Hospital Commission established under *The Town of Palmerston Hospital Act, 1927* is no longer required to control and manage a hospital under the said Act; and whereas the said Palmerston Hospital Commission has certain personal property assets and liabilities acquired and incurred in the name of the Commission; and whereas the petitioner has prayed for special legislation dissolving the said Palmerston Hospital Commission and transferring its said assets and liabilities to Palmerston General Hospital, a corporation without share capital incorporated under the laws of Ontario by letters patent dated the 2nd day of January, 1968; and whereas it is expedient to grant the prayer of the petition; ^{1927, c. 121}

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

1. The Palmerston Hospital Commission established under *The Town of Palmerston Hospital Act, 1927* is dissolved and all the assets and liabilities of the Commission are vested in and become the assets and liabilities of the Palmerston General Hospital, a corporation incorporated under the laws of Ontario by letters patent dated the 2nd day of January, 1968. ^{Palmerston Hospital Commission dissolved}

2. *The Town of Palmerston Hospital Act, 1927* and *The Town of Palmerston Hospital Act, 1954* are repealed. ^{1927, c. 121; 1954, c. 121, repealed}

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

4. This Act may be cited as *The Town of Palmerston Act, 1968*. ^{Short title}

An Act respecting the Town of Palmerston

1st Reading

March 5th, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

Mr. Root

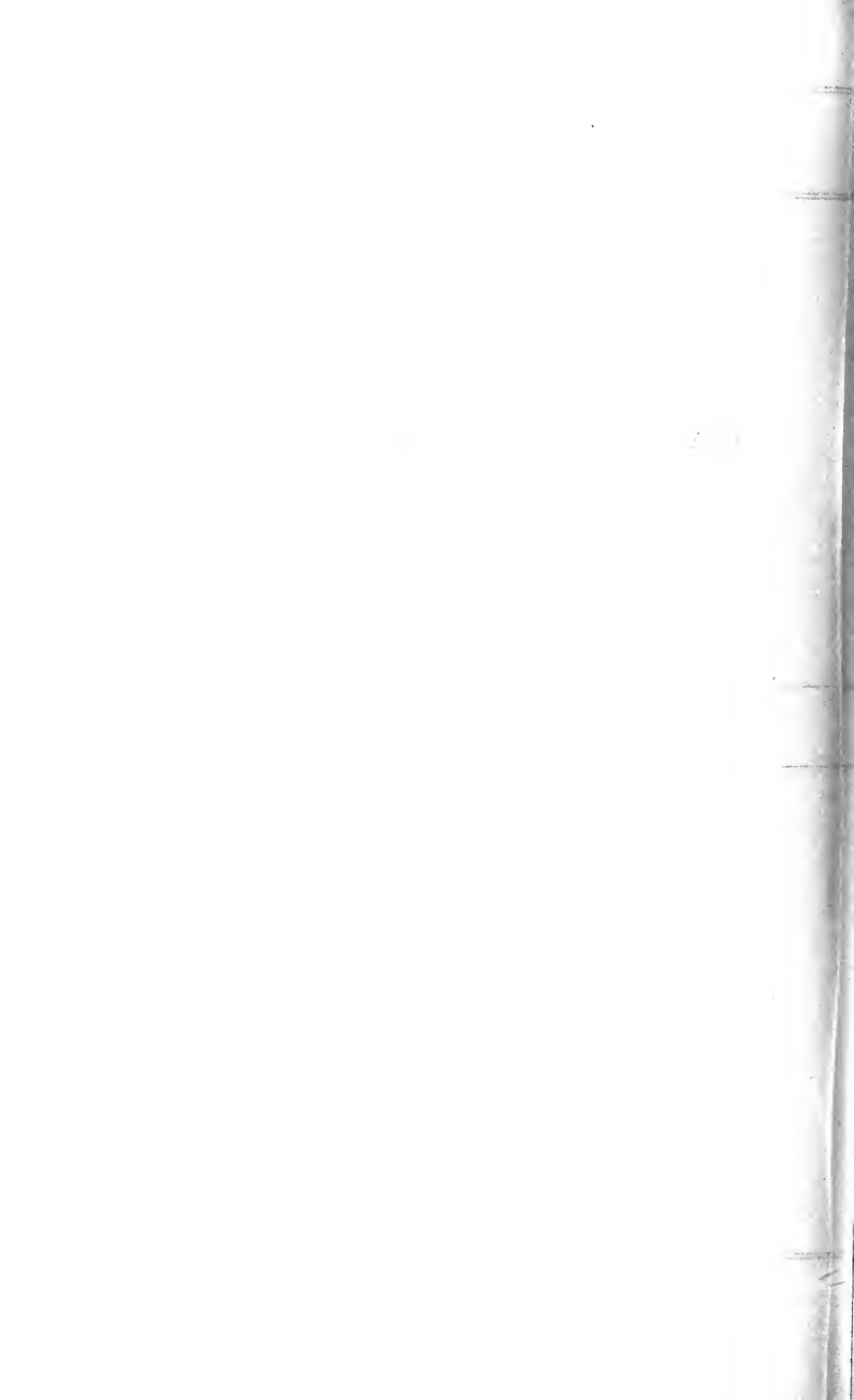
BILL Pr29

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Niagara Falls

MR. BUKATOR

(PRIVATE BILL)



BILL Pr29

1968

An Act respecting the City of Niagara Falls

WHEREAS The Corporation of the City of Niagara Falls ^{Preamble} by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

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

1. The Greater Niagara Transit Commission as established by by-laws of The Corporation of the City of Niagara Falls and The Corporation of the Township of Stamford under subsection 1 of section 2 of *The Greater Niagara Transit Commission Act, 1960-61* is hereby continued. <sup>Greater
Niagara
Transit
Commission
continued</sup>

2. Section 1 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by adding thereto the following clauses: <sup>1960-61,
c. 112, s. 1,
amended</sup>

(ba) "compensation" includes any rate, remuneration, reimbursement or reward of any kind paid, payable or promised or received or demanded, directly or indirectly;

(bb) "highway" means a highway as defined in *The Highway Traffic Act*; <sup>R.S.O. 1960,
c. 172</sup>

(bc) "limits of the City of Niagara Falls" means the limits of the said City as they may be from time to time;

(ca) "taxi" means a motor vehicle as defined in *The Highway Traffic Act*, having a seating capacity of not more than six persons, exclusive of the driver, hired for one specific trip for the transportation

exclusively of one person or group of persons, one fare or charge only being collected or made for the trip.

1960-61,
c. 112, s. 3,
subs. 1,
re-enacted

3.—(1) Subsection 1 of section 3 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor:

Commission
members

(1) The Commission is a body corporate and shall consist of five members, as follows:

1. The mayor of the City, during his term of office.
2. Four members appointed by the council of the City, two of whom shall be appointed each year for a term of two years.

1960-61,
c. 112, s. 3,
subs. 3,
amended

(2) Subsection 3 of the said section 3 is amended by striking out "or reeve" in the first and second lines.

1960-61,
c. 112, s. 3,
subs. 4,
amended

(3) Subsection 4 of the said section 3 is amended by striking out "councils of the City and the Township" in the fourth line and inserting in lieu thereof "council of the City".

1960-61,
c. 112, s. 3,
subs. 6,
re-enacted

(4) Subsection 6 of the said section 3 is repealed and the following substituted therefor:

Vacancies

(6) Where a vacancy occurs from any cause in the office of a member of the Commission, except that of the mayor of the City, the council of the City shall appoint a qualified person to be a member for the remainder of the term for which his immediate predecessor was appointed.

1960-61,
c. 112, s. 4,
subs. 1,
cl. a,
re-enacted

4. Clause *a* of subsection 1 of section 4 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor:

(a) is a householder residing in the City of Niagara Falls or is rated on the last revised assessment roll of the City of Niagara Falls for land held in his own right for an amount sufficient to entitle him to be entered on the voters' list in the City of Niagara Falls and resides in or within five miles of the City of Niagara Falls.

1960-61,
c. 112, s. 5,
subs. 1,
para. 1,
re-enacted

5.—(1) Paragraph 1 of subsection 1 of section 5 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor:

1. A member of the council of the City, other than the mayor, during his term of office or, in the event that for any reason he ceases to be a member of the council, during the unexpired term for which he was elected.

(2) Paragraph 2 of subsection 1 of the said section 5 is amended by striking out "or the Township" in the third line. 1960-61, c. 112, s. 5, subs. 1, para. 2, amended

(3) Paragraph 3 of subsection 1 of the said section 5 is amended by striking out "heads" in the second line and inserting in lieu thereof "head", by striking out "councils" in the third line and inserting in lieu thereof "council" and by striking out "or the Township" in the sixth line. 1960-61, c. 112, s. 5, subs. 1, para. 3, amended

(4) Paragraph 4 of subsection 1 of the said section 5 is amended by striking out "Township" in the fourth line and in the fifth and sixth lines. 1960-61, c. 112, s. 5, subs. 1, para. 4, amended

(5) Paragraph 5 of subsection 1 of the said section 5 is amended by striking out "or Township" in the third line, by striking out "Township" in the fourth line and in the sixth line, and by striking out "or Township" in the ninth line. 1960-61, c. 112, s. 5, subs. 1, para. 5, amended

(6) Paragraph 6 of subsection 1 of the said section 5 is amended by striking out "Township" in the third line. 1960-61, c. 112, s. 5, subs. 1, para. 6, amended

(7) Subsection 2 of the said section 5 is amended by striking out "the Township" in the third line. 1960-61, c. 112, s. 5, subs. 2, amended

6.—(1) Clause *e* of section 6 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "councils" in the fourth line and inserting in lieu thereof "council" and by striking out "and the Township" in the fifth line. 1960-61, c. 112, s. 6, cl. e, amended

(2) Clause *f* of the said section 6 is amended by striking out "and the Township" in the second line. 1960-61, c. 112, s. 6, cl. f, amended

7. Section 7 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor: 1960-61, c. 112, s. 7, re-enacted

7.—(1) Notwithstanding the provisions of any other Act, no person other than the Commission shall, after the 1st day of July, 1968, Exclusive rights

- (a) operate a local passenger transportation service on any highway within the limits of the City of Niagara Falls;

- (b) take on passengers within the limits of the City of Niagara Falls in any vehicle operated on any highway within the said limits for the conveyance of passengers for compensation and discharge such passengers within the said limits.

Application
of sub-
section 1

(2) Subsection 1 does not apply to persons operating,

- (a) steam or electric railways running only upon rails;
- (b) taxis;
- (c) buses owned and operated by a board of education, school board or a licensed private school;
- (d) buses when hired by a board of education, school board or a licensed private school for the purpose of and while actually engaged in transporting school children from or near their homes to school, from school to or near their homes and from one school to another school only;
- (e) buses when operated upon sightseeing tours where all passengers upon the particular tour are picked up, returned to and discharged at the same place, such place being situate upon private property;
- (f) buses when operated upon sight-seeing tours wholly upon lands vested in or under the control of The Niagara Parks Commission; and
- (g) buses owned and operated by any corporation or any organization solely for the purpose of such corporation or organization where no fare or fee is charged for transportation or paid directly or indirectly for the use of any such bus or for the leasing thereof.

Duty
to comply

(3) No person who owns a vehicle to which this section applies shall permit the vehicle to be operated contrary to the provisions of this section.

Offence

(4) Every person who contravenes any of the provisions of this section is guilty of an offence and on summary conviction is liable for the first offence to a

fine of not less than \$25 and not more than \$100, exclusive of costs, and for any subsequent offence to a fine of not less than \$100 and not more than \$300, exclusive of costs.

- (5) In addition to any penalty imposed by subsection 4 of this section, any contravention of this section may be restrained by action at the instance of the Commission or the City.

8. Section 8 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "or the Township" in the sixth line.

9. Section 11 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "councils of the City and the Township" in the fifth line and inserting in lieu thereof "council of the City".

10. Section 12 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor:

12. The Commission shall, before the 15th day of February in each year, submit to the council of the City a statement or an estimate of any moneys required to pay any estimated deficit of the system as at the end of the preceding calendar year, and the council shall include the same in its estimates for the year and shall pay over to the Commission on or before the 1st day of April of the same year the amount of any such net operating deficit, as shown by the auditor's statement, for such calendar year.

11.—(1) Subsection 1 of section 13 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor:

- (1) The Commission shall not undertake the purchase of land, equipment or any extension or improvement of the system, the cost or any part of the cost of which is to be or may be provided for by the City, unless an estimate of the expenditure required is first submitted to the council of the City and such expenditure is approved by the council.

(2) Subsection 2 of the said section 13 is amended by striking out "councils of the City and the Township" in the first line and inserting in lieu thereof "council of the City".

12. Section 14 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "and the Township" in equal proportions" in the second line.

1960-61,
c. 112, s. 15,
amended

13. Section 15 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "or by the Township" in the second and third lines.

1960-61,
c. 112, s. 16,
amended

14. Section 16 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "councils" in the first line and inserting in lieu thereof "council" and by striking out "and the Township" in the second line.

Develop-
ment
control

15.—(1) By-laws may be passed by the council of The Corporation of the City of Niagara Falls for requiring the establishment, construction, preservation and maintenance of the following facilities or any of them within the City of Niagara Falls, 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 the maintenance and use of such facilities:

1. Subject to *The Highway Traffic Act*, access ramps between private land and the travelled portion of a public street, lane or highway, the number, location and width of such access ramps and the direction of traffic thereon.
2. The grading of private land and the disposal of storm and waste water from such land and from any buildings or structures erected thereon.
3. The floodlighting of any buildings, structures and land.
4. Garbage vaults, central garbage storage and collection areas, and other facilities and enclosures for storage of garbage.
5. The surfacing of parking areas and access driveways.
6. Walls, fences, hedges and strip-planting of trees or shrubs to provide a buffer zone between lands used for different purposes.

Interpre-
tation

- (2) For the purposes of subsections 3 and 4,
- (a) "apartment building" means a building or part thereof consisting of more than three dwelling units;
 - (b) "dwelling unit" means a room or suite of rooms occupied or capable of being occupied as an independent and separate housekeeping establishment;

- (c) "motel" and "hotel" mean one building or two or more connected or detached buildings used mainly for the purpose of catering to the needs of the travelling public by providing sleeping accommodation and which may or may not supply food and include any inn, public house, motor court and auto court but do not include premises commonly known as boarding houses, rooming houses and tourists homes.

(3) Where land is being developed or redeveloped to permit the erection or use of buildings for the purpose of apartment buildings, motels or hotels, the council of The Corporation of the City of Niagara Falls has the same powers with respect to the passing of a by-law under subsection 1 to impose the conditions referred to in subsections 5 and 8 of section 28 of *The Planning Act*, as a committee of adjustment has under subsection 9a of section 32b of the said Act, to impose such conditions with respect to the granting of a consent.

Condition

R.S.O. 1960,
c. 296

(4) Such by-laws may,

Content of
by-laws

(a) provide that, without cost, easements necessary for the maintenance and improvement of any existing watercourses, ditches and land drainage works situated on the land to be developed or redeveloped shall be conveyed to The Corporation of the City of Niagara Falls;

(b) prohibit the issuance of building permits until,

(i) all requirements of the by-laws have been met,

(ii) site plans have been submitted to and approved by the Corporation, and

(iii) in the case of apartment buildings, motels and hotels, all conditions imposed pursuant to subsection 2 have been fulfilled;

(c) prohibit the installation, maintenance and use of,

(i) facilities for the floodlighting of any buildings, structures and land, and

(ii) garbage grinders and other types of garbage disposal units which are connected directly or indirectly to or have an outlet in any sewer, sewer system or sewage works of the Corporation;

- (d) provide that all works required by the by-laws or of any nature incidental or necessary to the development or redevelopment shall be carried out by the owner of the land being developed or redeveloped at his risk and expense and where such works are on a road allowance, to the satisfaction of the Corporation.

Idem

(5) Such by-laws may provide that,

- (a) the construction and maintenance of any works, including curbs, pavements, plantings and other improvements, shall at all times be at the sole risk and expense of the owner of the land being developed or redeveloped and in default of such owner performing any such work of construction or maintenance, the same may be performed by the Corporation at the expense of such owner;

- (b) 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 any such works, shall constitute a first lien or charge upon such land and shall be collectable in the same manner and with the same remedies as provided by *The Assessment Act* and *The Department of Municipal Affairs Act* for the collection of real property taxes.

R.S.O. 1960,
cc. 23, 98Application
of
R.S.O. 1960,
cc. 296, 249(6) The following provisions apply, *mutatis mutandis*, to any by-law passed under this section:

1. Section 30 of *The Planning Act*, except subsections 1, 2, 4, 6, 7, 8, 18, 26, 27, 28 and 29 thereof.
2. Section 32b of *The Planning Act*, except subsections 2, 2a, 9a, 9b and 19 thereof.
3. Part XXI of *The Municipal Act*, except section 485 thereof.

Commence-
ment**16.**—(1) This Act, except sections 1, 3, 4, 5, 6 and 8 to 14, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1, 3, 4, 5, 6 and 8 to 14 shall be deemed to have come into force on the 1st day of January, 1963.

Short title

17. This Act may be cited as *The City of Niagara Falls Act, 1968*.

THE UNIVERSITY OF MICHIGAN LIBRARY

An Act respecting the City of Niagara Falls

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. BUKATOR

(Private Bill)

BILL Pr29

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Niagara Falls

MR. BUKATOR

(Reprinted as amended by the Committee on Private Bills)



BILL Pr29

1968

An Act respecting the City of Niagara Falls

WHEREAS The Corporation of the City of Niagara Falls ^{Preamble} by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

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

1. The Greater Niagara Transit Commission as established by by-laws of The Corporation of the City of Niagara Falls and The Corporation of the Township of Stamford under subsection 1 of section 2 of *The Greater Niagara Transit Commission Act, 1960-61* is hereby continued. <sup>Greater
Niagara
Transit
Commission
continued</sup>

2. Section 1 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by adding thereto the following clauses: <sup>1960-61,
c. 112, s. 1,
amended</sup>

(ba) "compensation" includes any rate, remuneration, reimbursement or reward of any kind paid, payable or promised or received or demanded, directly or indirectly;

(bb) "highway" means a highway as defined in *The Highway Traffic Act*; <sup>R.S.O. 1960,
c. 172</sup>

(bc) "limits of the City of Niagara Falls" means the limits of the said City as they may be from time to time;

(ca) "taxi" means a motor vehicle as defined in *The Highway Traffic Act*, having a seating capacity of not more than six persons, exclusive of the driver, hired for one specific trip for the transportation

exclusively of one person or group of persons, one fare or charge only being collected or made for the trip.

1960-61,
c. 112, s. 3,
subs. 1,
re-enacted

3.—(1) Subsection 1 of section 3 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor:

Commission
members

(1) The Commission is a body corporate and shall consist of five members, as follows:

1. The mayor of the City, during his term of office.
2. Four members appointed by the council of the City, two of whom shall be appointed each year for a term of two years.

1960-61,
c. 112, s. 3,
subs. 3,
amended

(2) Subsection 3 of the said section 3 is amended by striking out "or reeve" in the first and second lines.

1960-61,
c. 112, s. 3,
subs. 4,
amended

(3) Subsection 4 of the said section 3 is amended by striking out "councils of the City and the Township" in the fourth line and inserting in lieu thereof "council of the City".

1960-61,
c. 112, s. 3,
subs. 6,
re-enacted

(4) Subsection 6 of the said section 3 is repealed and the following substituted therefor:

Vacancies

(6) Where a vacancy occurs from any cause in the office of a member of the Commission, except that of the mayor of the City, the council of the City shall appoint a qualified person to be a member for the remainder of the term for which his immediate predecessor was appointed.

1960-61,
c. 112, s. 4,
subs. 1,
cl. a,
re-enacted

4. Clause *a* of subsection 1 of section 4 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor:

(a) is a householder residing in the City of Niagara Falls or is rated on the last revised assessment roll of the City of Niagara Falls for land held in his own right for an amount sufficient to entitle him to be entered on the voters' list in the City of Niagara Falls and resides in or within five miles of the City of Niagara Falls.

1960-61,
c. 112, s. 5,
subs. 1,
para. 1,
re-enacted

5.—(1) Paragraph 1 of subsection 1 of section 5 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor:

1. A member of the council of the City, other than the mayor, during his term of office or, in the event that for any reason he ceases to be a member of the council, during the unexpired term for which he was elected.

(2) Paragraph 2 of subsection 1 of the said section 5 is amended by striking out "or the Township" in the third line. ^{1960-61, c. 112, s. 5, subs. 1, para. 2, amended}

(3) Paragraph 3 of subsection 1 of the said section 5 is amended by striking out "heads" in the second line and inserting in lieu thereof "head", by striking out "councils" in the third line and inserting in lieu thereof "council" and by striking out "or the Township" in the sixth line. ^{1960-61, c. 112, s. 5, subs. 1, para. 3, amended}

(4) Paragraph 4 of subsection 1 of the said section 5 is amended by striking out "Township" in the fourth line and in the fifth and sixth lines. ^{1960-61, c. 112, s. 5, subs. 1, para. 4, amended}

(5) Paragraph 5 of subsection 1 of the said section 5 is amended by striking out "or Township" in the third line, by striking out "Township" in the fourth line and in the sixth line, and by striking out "or Township" in the ninth line. ^{1960-61, c. 112, s. 5, subs. 1, para. 5, amended}

(6) Paragraph 6 of subsection 1 of the said section 5 is amended by striking out "Township" in the third line. ^{1960-61, c. 112, s. 5, subs. 1, para. 6, amended}

(7) Subsection 2 of the said section 5 is amended by striking out "the Township" in the third line. ^{1960-61, c. 112, s. 5, subs. 2, amended}

6.—(1) Clause *e* of section 6 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "councils" in the fourth line and inserting in lieu thereof "council" and by striking out "and the Township" in the fifth line. ^{1960-61, c. 112, s. 6, cl. e, amended}

(2) Clause *f* of the said section 6 is amended by striking out "and the Township" in the second line. ^{1960-61, c. 112, s. 6, cl. f, amended}

7. Section 7 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor: ^{1960-61, c. 112, s. 7, re-enacted}

7.—(1) Notwithstanding the provisions of any other Act, no person other than the Commission shall, after the 1st day of July, 1968, ^{Exclusive rights}

- (a) operate a local passenger transportation service on any highway within the limits of the City of Niagara Falls;

- (b) take on passengers within the limits of the City of Niagara Falls in any vehicle operated on any highway within the said limits for the conveyance of passengers for compensation and discharge such passengers within the said limits.

Application
of sub-
section 1

(2) Subsection 1 does not apply to the operation of,

- (a) steam or electric railways running only upon rails;
- (b) taxis;
- (c) buses owned and operated by a board of education, school board or a licensed private school;
- (d) buses when hired by a board of education, school board or a licensed private school for the purpose of and while actually engaged in transporting school children from or near their homes to school, from school to or near their homes and from one school to another school only;
- (e) buses when operated upon sightseeing tours where all passengers upon the particular tour are picked up, returned to and discharged at the same place, such place being situate upon private property;
- (f) buses when operated upon sight-seeing tours wholly upon lands vested in or under the control of The Niagara Parks Commission; and
- (g) buses owned or leased by any person, firm, corporation or organization and operated solely for the purpose of such person, firm, corporation or organization where no fare or fee is charged or paid directly or indirectly for transportation therein.

Duty
to comply

(3) No person who owns a vehicle to which this section applies shall permit the vehicle to be operated contrary to the provisions of this section.

Offence

(4) Every person who contravenes any of the provisions of this section is guilty of an offence and on summary conviction is liable for the first offence to a

fine of not less than \$25 and not more than \$100, exclusive of costs, and for any subsequent offence to a fine of not less than \$100 and not more than \$300, exclusive of costs.

- (5) In addition to any penalty imposed by subsection 4 ^{Restraining action} of this section, any contravention of this section may be restrained by action at the instance of the Commission or the City.

8. Section 8 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "or the Township" ^{1960-61, c. 112, s. 8, amended} in the sixth line.

9. Section 11 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "councils of the City and the Township" ^{1960-61, c. 112, s. 11, amended} in the fifth line and inserting in lieu thereof "council of the City".

10. Section 12 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor: ^{1960-61, c. 112, s. 12, re-enacted}

12. The Commission shall, before the 15th day of February ^{Payment of deficit} in each year, submit to the council of the City a statement or an estimate of any moneys required to pay any estimated deficit of the system as at the end of the preceding calendar year, and the council shall include the same in its estimates for the year and shall pay over to the Commission on or before the 1st day of April of the same year the amount of any such net operating deficit, as shown by the auditor's statement, for such calendar year.

11.—(1) Subsection 1 of section 13 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following ^{1960-61, c. 112, s. 13, subs. 1, re-enacted} substituted therefor:

- (1) The Commission shall not undertake the purchase ^{Costs of extension or improvement} of land, equipment or any extension or improvement of the system, the cost or any part of the cost of which is to be or may be provided for by the City, unless an estimate of the expenditure required is first submitted to the council of the City and such expenditure is approved by the council.

(2) Subsection 2 of the said section 13 is amended by ^{1960-61, c. 112, s. 13, subs. 2, amended} striking out "councils of the City and the Township" in the first line and inserting in lieu thereof "council of the City".

12. Section 14 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "and the Township" ^{1960-61, c. 112, s. 14, amended} in equal proportions" in the second line.

1960-61,
c. 112, s. 15,
amended

13. Section 15 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "or by the Township" in the second and third lines.

1960-61,
c. 112, s. 16,
amended

14. Section 16 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "councils" in the first line and inserting in lieu thereof "council" and by striking out "and the Township" in the second line.

Commence-
ment

15.—(1) This Act, except sections 1, 3, 4, 5, 6 and 8 to 14, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1, 3, 4, 5, 6 and 8 to 14 shall be deemed to have come into force on the 1st day of January, 1963.

Short title

16. This Act may be cited as *The City of Niagara Falls Act, 1968*.





An Act respecting the City of Niagara Falls

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. BURKATOR

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

BILL Pr29

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Niagara Falls

MR. BUKATOR



BILL Pr29

1968

An Act respecting the City of Niagara Falls

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

Preamble

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

1. The Greater Niagara Transit Commission as established by by-laws of The Corporation of the City of Niagara Falls and The Corporation of the Township of Stamford under subsection 1 of section 2 of *The Greater Niagara Transit Commission Act, 1960-61* is hereby continued.

Greater
Niagara
Transit
Commission
continued

2. Section 1 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by adding thereto the following clauses:

1960-61,
c. 112, s. 1,
amended

(ba) "compensation" includes any rate, remuneration, reimbursement or reward of any kind paid, payable or promised or received or demanded, directly or indirectly;

(bb) "highway" means a highway as defined in *The Highway Traffic Act*;

R.S.O. 1960,
c. 172

(bc) "limits of the City of Niagara Falls" means the limits of the said City as they may be from time to time;

(ca) "taxi" means a motor vehicle as defined in *The Highway Traffic Act*, having a seating capacity of not more than six persons, exclusive of the driver, hired for one specific trip for the transportation

exclusively of one person or group of persons, one fare or charge only being collected or made for the trip.

1960-61,
c. 112, s. 3,
subs. 1,
re-enacted

3.—(1) Subsection 1 of section 3 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor:

Commission
members

(1) The Commission is a body corporate and shall consist of five members, as follows:

1. The mayor of the City, during his term of office.
2. Four members appointed by the council of the City, two of whom shall be appointed each year for a term of two years.

1960-61,
c. 112, s. 3,
subs. 3,
amended

(2) Subsection 3 of the said section 3 is amended by striking out "or reeve" in the first and second lines.

1960-61,
c. 112, s. 3,
subs. 4,
amended

(3) Subsection 4 of the said section 3 is amended by striking out "councils of the City and the Township" in the fourth line and inserting in lieu thereof "council of the City".

1960-61,
c. 112, s. 3,
subs. 6,
re-enacted

(4) Subsection 6 of the said section 3 is repealed and the following substituted therefor:

Vacancies

(6) Where a vacancy occurs from any cause in the office of a member of the Commission, except that of the mayor of the City, the council of the City shall appoint a qualified person to be a member for the remainder of the term for which his immediate predecessor was appointed.

1960-61,
c. 112, s. 4,
subs. 1,
cl. a,
re-enacted

4. Clause *a* of subsection 1 of section 4 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor:

(a) is a householder residing in the City of Niagara Falls or is rated on the last revised assessment roll of the City of Niagara Falls for land held in his own right for an amount sufficient to entitle him to be entered on the voters' list in the City of Niagara Falls and resides in or within five miles of the City of Niagara Falls.

1960-61,
c. 112, s. 5,
subs. 1,
para. 1,
re-enacted

5.—(1) Paragraph 1 of subsection 1 of section 5 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor:

1. A member of the council of the City, other than the mayor, during his term of office or, in the event that for any reason he ceases to be a member of the council, during the unexpired term for which he was elected.

(2) Paragraph 2 of subsection 1 of the said section 5 is amended by striking out "or the Township" in the third line. 1960-61, c. 112, s. 5, subs. 1, para. 2, amended

(3) Paragraph 3 of subsection 1 of the said section 5 is amended by striking out "heads" in the second line and inserting in lieu thereof "head", by striking out "councils" in the third line and inserting in lieu thereof "council" and by striking out "or the Township" in the sixth line. 1960-61, c. 112, s. 5, subs. 1, para. 3, amended

(4) Paragraph 4 of subsection 1 of the said section 5 is amended by striking out "Township" in the fourth line and in the fifth and sixth lines. 1960-61, c. 112, s. 5, subs. 1, para. 4, amended

(5) Paragraph 5 of subsection 1 of the said section 5 is amended by striking out "or Township" in the third line, by striking out "Township" in the fourth line and in the sixth line, and by striking out "or Township" in the ninth line. 1960-61, c. 112, s. 5, subs. 1, para. 5, amended

(6) Paragraph 6 of subsection 1 of the said section 5 is amended by striking out "Township" in the third line. 1960-61, c. 112, s. 5, subs. 1, para. 6, amended

(7) Subsection 2 of the said section 5 is amended by striking out "the Township" in the third line. 1960-61, c. 112, s. 5, subs. 2, amended

6.—(1) Clause *e* of section 6 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "councils" in the fourth line and inserting in lieu thereof "council" and by striking out "and the Township" in the fifth line. 1960-61, c. 112, s. 6, cl. e, amended

(2) Clause *f* of the said section 6 is amended by striking out "and the Township" in the second line. 1960-61, c. 112, s. 6, cl. f, amended

7. Section 7 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor: 1960-61, c. 112, s. 7, re-enacted

7.—(1) Notwithstanding the provisions of any other Act, no person other than the Commission shall, after the 1st day of July, 1968, Exclusive rights

(a) operate a local passenger transportation service on any highway within the limits of the City of Niagara Falls;

- (b) take on passengers within the limits of the City of Niagara Falls in any vehicle operated on any highway within the said limits for the conveyance of passengers for compensation and discharge such passengers within the said limits.

Application
of sub-
section 1

- (2) Subsection 1 does not apply to the operation of,
 - (a) steam or electric railways running only upon rails;
 - (b) taxis;
 - (c) buses owned and operated by a board of education, school board or a licensed private school;
 - (d) buses when hired by a board of education, school board or a licensed private school for the purpose of and while actually engaged in transporting school children from or near their homes to school, from school to or near their homes and from one school to another school only;
 - (e) buses when operated upon sightseeing tours where all passengers upon the particular tour are picked up, returned to and discharged at the same place, such place being situate upon private property;
 - (f) buses when operated upon sight-seeing tours wholly upon lands vested in or under the control of The Niagara Parks Commission; and
 - (g) buses owned or leased by any person, firm, corporation or organization and operated solely for the purpose of such person, firm, corporation or organization where no fare or fee is charged or paid directly or indirectly for transportation therein.

Duty
to comply

- (3) No person who owns a vehicle to which this section applies shall permit the vehicle to be operated contrary to the provisions of this section.

Offence

- (4) Every person who contravenes any of the provisions of this section is guilty of an offence and on summary conviction is liable for the first offence to a

fine of not less than \$25 and not more than \$100, exclusive of costs, and for any subsequent offence to a fine of not less than \$100 and not more than \$300, exclusive of costs.

- (5) In addition to any penalty imposed by subsection 4 ^{Restraining action} of this section, any contravention of this section may be restrained by action at the instance of the Commission or the City.

8. Section 8 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "or the Township" ^{1960-61, c. 112, s. 8, amended} in the sixth line.

9. Section 11 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "councils of the City and the Township" ^{1960-61, c. 112, s. 11, amended} in the fifth line and inserting in lieu thereof "council of the City".

10. Section 12 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor: ^{1960-61, c. 112, s. 12, re-enacted}

12. The Commission shall, before the 15th day of February in each year, submit to the council of the City a statement or an estimate of any moneys required to pay any estimated deficit of the system as at the end of the preceding calendar year, and the council shall include the same in its estimates for the year and shall pay over to the Commission on or before the 1st day of April of the same year the amount of any such net operating deficit, as shown by the auditor's statement, for such calendar year. ^{Payment of deficit}

11.—(1) Subsection 1 of section 13 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following ^{1960-61, c. 112, s. 13, subs. 1, re-enacted} substituted therefor:

- (1) The Commission shall not undertake the purchase of land, equipment or any extension or improvement of the system, the cost or any part of the cost of which is to be or may be provided for by the City, unless an estimate of the expenditure required is first submitted to the council of the City and such expenditure is approved by the council. ^{Costs of extension or improvement}

(2) Subsection 2 of the said section 13 is amended by striking out "councils of the City and the Township" ^{1960-61, c. 112, s. 13, subs. 2, amended} in the first line and inserting in lieu thereof "council of the City".

12. Section 14 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "and the Township" ^{1960-61, c. 112, s. 14, amended} in equal proportions" in the second line.

1960-61,
o. 112, s. 15,
amended **13.** Section 15 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "or by the Township" in the second and third lines.

1960-61,
o. 112, s. 16,
amended **14.** Section 16 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "councils" in the first line and inserting in lieu thereof "council" and by striking out "and the Township" in the second line.

Commence-
ment **15.**—(1) This Act, except sections 1, 3, 4, 5, 6 and 8 to 14, comes into force on the day it receives Royal Assent.

Idem (2) Sections 1, 3, 4, 5, 6 and 8 to 14 shall be deemed to have come into force on the 1st day of January, 1963.

Short title **16.** This Act may be cited as *The City of Niagara Falls Act, 1968*.







1st Reading

March 5th, 1968

2nd Reading

April 8th, 1968

3rd Reading

April 11th, 1968

MR. BUKATOR

BILL Pr30

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Kitchener

MR. BREITHAUPT

(PRIVATE BILL)



BILL Pr30

1968

An Act respecting the City of Kitchener

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

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

1.—(1) The Corporation has the power to acquire all or ^{Acquisition of lands} any of the lands described in Schedule A.

(2) The agreement dated the 15th day of November, ^{Agreement authorized} 1967, between the Corporation and the Conestoga College of Applied Arts and Technology, set out in Schedule B, is hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder.

2.—(1) For the purpose of paying part of the cost of ^{Debentures authorized} acquiring the lands referred to in subsection 1 of section 1, the council of the Corporation is authorized to pass a by-law authorizing the borrowing of not more than \$200,000 by the issue and sale of debentures without obtaining the approval of the Ontario Municipal Board or the assent of the electors of the City of Kitchener or of those electors entitled to vote on money by-laws.

(2) Any debentures issued pursuant to subsection 1 of this ^{Repayment} section shall be repayable in not more than fifteen years on the instalment plan and shall bear interest at such rate as council determines.

(3) Sections 55, 56 and 57 of *The Ontario Municipal Board Act* apply in respect of such by-law and debentures. <sup>Applica-
tion of
R.S.O. 1960,
c. 274,
ss. 55-57</sup>

Applica-
tion of
R.S.O. 1960,
c. 249

3.—(1) Until and unless otherwise ordered by the Ontario Municipal Board, section 201 of *The Municipal Act* does not apply to the City of Kitchener.

Idem

(2) Upon the application of the Corporation or upon a petition in writing signed by not fewer than ten electors of the City of Kitchener qualified to vote on money by-laws, the Ontario Municipal Board may make an order that section 201 of *The Municipal Act* shall apply to the City.

Interpre-
tation

4.—(1) In this section, “special sale” means any sale or intended sale at retail described by the use of any of the following words or expressions, or any enlargement, contraction or combination thereof:

bankrupt	moving out	fire
insolvent	selling out	smoke
trustee	lease expiring	water damage
receiver	closing out	creditor
liquidation	discontinuing	forced

or any other similar word or words that represent, hold out or advertise that any goods, wares or merchandise are to be disposed of in a manner that is not in the ordinary course of retail business.

By-laws
regulating
special sales

(2) The council of the Corporation may pass by-laws,

- (a) for licensing and regulating special sales of goods and persons conducting such sales, and for prohibiting special sales of goods without a licence;
- (b) prescribing the conditions on which licences may be issued and revoked, and providing for the revocation of such licences;
- (c) fixing a fee for such licences; and
- (d) for appointing inspectors and providing for the inspection of such goods.

Exemptions

(3) A by-law under this section does not apply to a sale by or under the authority of,

R.S.C. 1952,
cc. 14, 296

- (a) a receiver or trustee under the *Bankruptcy Act* (Canada) or a liquidator under the *Winding-up Act* (Canada);

- (b) a court or a receiver appointed by a court;
- (c) a bailiff, sheriff, executor or administrator; or
- (d) a receiver, liquidator or trustee under any general or special Act.

(4) The provisions of Part XXI of *The Municipal Act* apply *mutatis mutandis* to any by-law passed under this section. Enforcement
R.S.O. 1960,
c. 249

5.—(1) The council of the Corporation may pass by-laws for regulating the crossing of curb-lines, sidewalks or paved boulevards by vehicles delivering materials to or removing materials from abutting lands on which any building is being erected, altered, repaired or demolished, and for requiring the owners of such abutting lands, upon any application for the issuing of a permit certifying to the approval of plans of buildings to be erected, altered, repaired or demolished thereon, to pay to the Corporation a sum of money not to exceed \$5 per foot of the limit of the lot abutting directly on such sidewalk, curbing or paved boulevard as a deposit to meet the cost of repairing any damage to the sidewalk, curbing or paved boulevard or to any water service box or other service therein caused by the crossing thereof by such vehicles. Deposit re
damages to
sidewalks,
etc., upon
issue of
building
permit

(2) Where a by-law passed under this section requires the payment of a deposit to cover the cost of damage to a sidewalk, curbing or paved boulevard, or to any water service box or other service therein, the by-law shall provide that, upon the completion of the erection, alteration, repair or demolition of the building or buildings on the lands abutting such sidewalk, curbing or paved boulevard and upon application by the person by whom the deposit was paid, the amount by which the sum deposited exceeds the cost of such repairs shall forthwith be refunded. Refund

(3) Where any moneys heretofore or hereafter paid to the Corporation to cover the cost of repairs to curbings, sidewalks or paved boulevards or to any water service box or other service therein remain unclaimed in the hands of the Treasurer of the Corporation for a period of six years, the Treasurer of the Corporation may insert in any newspaper having general circulation in the City of Kitchener a notice containing a list of such unclaimed moneys and stating that all persons having any claim to any of such moneys are required to prove their claims within ninety days from the publication of the notice, and, upon the expiration of ninety days from the publication of such notice, the Treasurer of Unclaimed
deposits

the Corporation may transfer all of such moneys against which no claim has been made to the general funds of the Corporation free of and from any and all claims of any kind whatsoever.

Cost of prevention

(4) Without limiting the generality of subsection 1, a by-law passed under this section may require that the owner or occupier of the lands take all necessary steps to prevent building material, waste or soil from being spilled or tracked onto the public streets by vehicles going to or coming from the lands during the course of the erection, alteration, repair or demolition and may provide that, in addition to any penalty otherwise provided by law, the owner or occupier shall be responsible to the Corporation for the cost of removing such, and such cost may be deducted from the deposit.

Development control

6.—(1) By-laws may be passed by the council of the Corporation for requiring the establishment, construction, preservation and maintenance of the following facilities within the City of Kitchener, 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 buildings or structures.
4. Garbage vaults and central storage and collection areas.
5. Surfacing of parking areas.
6. Walls, fences, hedges and strip-planting of trees or shrubs, to provide a buffer zone between land use zones.

Idem

(2) Such by-law may,

- (a) provide that, without cost, easements necessary for public facilities serving only the proposed developments shall be conveyed to the City of Kitchener;
- (b) prohibit the issuance of building permits until all requirements of the by-laws have been met 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; and

- (c) provide that all works required by the by-laws or of any nature incidental or necessary to the developments shall be carried out by the owner of the lands being developed at his sole risk and expense and, where such works are on a road allowance, to the satisfaction of the City of Kitchener.

(3) A by-law shall not be passed under subsection 1 until at least seven days after notice of the intention to pass the by-law has been published twice, the publications being at least seven days apart. Notice of intention

(4) Such by-laws may provide that, Content of by-law

(a) the construction and maintenance of any works, including curbs, pavements, plantings and other improvements, shall at all times be at the sole risk and expense of the owner of the lands being developed;

(b) any loss, cost or damage that the Corporation may suffer for or by reason of or on account of the construction, maintenance or existence of such work, constitutes a first lien and charge upon the lands and shall be collectable in like manner as municipal taxes.

(5) The following provisions apply, *mutatis mutandis*, to any by-law passed under this section: Application of R.S.O. 1960, cc. 296, 249

1. Section 30 of *The Planning Act*, except subsections 1, 2, 4, 5, 7, 8, 18, 26, 27, 28 and 29 thereof.
2. Section 32b of *The Planning Act*, except subsections 2, 2a, 9a, 9b and 19 thereof.
3. Part XXI of *The Municipal Act*, except section 485 thereof.

7. The council of the Corporation may by by-law provide for the granting of the sum of \$6,000 to Minnie Anne Lautenslager. Grant

8.—(1) This Act, except subsection 1 of section 1, comes into force on the day it receives Royal Assent. Commencement

Idem (2) Subsection 1 of section 1 shall be deemed to have come into force on the 1st day of January, 1967.

Short title **9.** This Act may be cited as *The City of Kitchener Act, 1968*.

SCHEDULE A

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being:

Firstly:

In the City of Kitchener, formerly in the Township of Waterloo, in the County of Waterloo and Province of Ontario, and being composed of parts of lots 10 and 11, Beasley's Old Survey, in the Lower Block on the west side of the Grand River and which said parcel may be more particularly described as follows:

COMMENCING at the point in the westerly limit of the Grand River where it is intersected by the northerly limit of the lands of the Ontario Department of Highways according to Deposited Plan No. 339;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the northerly limit of said Highway lands a distance of three thousand, one hundred and fifty-five feet and seven one-hundredths of a foot (3155.07), more or less, to an angle on same;

THENCE South eighty (80) degrees twenty-two (22) minutes thirty (30) seconds West a distance of eighty-eight feet and seventy-one one-hundredths of a foot (88.71), more or less, to an angle in said limit of Highway;

THENCE North seventy-two (72) degrees seven (07) minutes thirty (30) seconds West a distance of two hundred and forty-three feet and twenty-three one-hundredths of a foot (243.23), more or less, to an angle in said limit of Highway;

THENCE North eighty-three (83) degrees forty-two (42) minutes thirty (30) seconds West a distance of two hundred and eighty-one feet and fifty-nine one-hundredths of a foot (281.59), more or less, to the easterly limit of County Road No. 14;

THENCE South thirty-nine (39) degrees four (04) minutes East along the last-mentioned limit a distance of four hundred and thirty-three feet and ninety-three one-hundredths of a foot (433.93), more or less, to a point in the production easterly of the northerly limit of the lands of the Ontario Department of Highways according to Deposited Plan No. 343;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the said production easterly and along the northerly limit of said Department of Highways lands a distance of five hundred and sixty-two feet and four one-hundredths of a foot (562.04), more or less, to a point of curvature in same;

THENCE on a curve to the left of radius five thousand, eight hundred and seventy-nine feet and fifty-eight one-hundredths of a foot (5879.58) a distance of four hundred and fifty-seven feet and sixty-four one-hundredths of a foot (457.64) to a point (which point is in the southerly limit of the lands described in Registered Instrument Nos. 48440 and 316215 for the Township of Waterloo);

THENCE South seventy-six (76) degrees thirty-eight (38) minutes thirty (30) seconds West along the last-mentioned limit a distance of one thousand, eight hundred and eighty-three feet and ninety one-hundredths of a foot (1883.90) to a point (being in the westerly limit of the said lands described in Registered Instrument Nos. 48440 and 316215);

THENCE North twelve (12) degrees thirty (30) minutes forty (40) seconds West along same, a distance of eight hundred and twenty-nine feet and five-tenths of a foot (829.5), more or less, to the southerly limit of County Road No. 14 as widened by Registered Instrument No. 30665;

THENCE North seventy-six (76) degrees fifty-five (55) minutes thirty (30) seconds East along same, a distance of one thousand, three hundred and thirty-six feet and ninety-two one-hundredths of a foot (1336.92) to a point;

THENCE North thirteen (13) degrees four (4) minutes forty (40) seconds West a distance of sixty-six (66) feet to a point in the westerly limit of the aforementioned lands described in Registered Instrument Nos. 48440 and 316215;

THENCE North four (4) degrees forty-seven (47) minutes fifty (50) seconds West along same, a distance of one thousand, three hundred and seventy (1370) feet, more or less, to the southerly bank of the Grand River;

THENCE easterly, northeasterly and southerly along the southerly and westerly bank of the Grand River and its various meanderings, a distance of six thousand, six hundred and fifty (6650) feet, more or less, to the point of commencement.

CONTAINING by admeasurement an area of 175.54 acres, be the same more or less.

EXCEPTING THEREOUT AND THEREFROM, *firstly*, the County Road leading from Blair to Doon (Waterloo County Road No. 14) crossing a part of the said lands, and, *secondly*, those lands containing 1.41 acres, more or less, expropriated by the Department of Highways by, and as shown on, Deposited Plan No. 612.

Secondly:

All that portion of Lot 10, Beasley's Old Survey (Lower Block), and that portion of lots 10 and 11, Beasley's Old Survey (Lower Block), in the Township of Waterloo, in the County of Waterloo, in the Province of Ontario, having a total area of 47.231 acres, more or less, shown marked yellow on D.H.O. Plan of Survey P-3092-113, and more particularly described as follows:—

Premising that all bearings herein are astronomic and are referred to the meridian through the southeast corner of Lot 6, Concession 4, Beasley's Lower Block, in longitude eighty (80) degrees nineteen (19) minutes West.

Portion "A"—being part of Lot 10, having an area of 7.621 acres:

COMMENCING at the intersection, marked by a monument, of a line drawn parallel to and distant one hundred and fifty (150) feet measured southeasterly and perpendicularly from the centre line of construction of the King's Highway as shown on a Plan deposited in the Registry Office for the Registry Division of the County of Waterloo as No. 339, with a line drawn parallel to and distant eighty (80) feet measured northeasterly and perpendicularly from the northeasterly limit of the Old Huron Road as shown on Deposited Plan No. 339, and which said point of intersection may be located by starting at the intersection of the westerly limit of Lot 11 with the north limit of Old Huron Road; thence North seventy-six (76) degrees fifty-three (53) minutes thirty (30) seconds East along the said north limit three thousand and twelve and eight-tenths of a foot (3012.8) to the said northeasterly limit of Old Huron Road; thence South thirty-nine (39) degrees four (4) minutes East along the said northeasterly limit seven hundred and ninety-three and nine one-hundredths (793.09) feet to the said line drawn parallel to the centre line of construction of the King's Highway; thence North fifty-two (52) degrees fifty-three (53) minutes East along the said parallel line eighty feet and five one-hundredths of a foot (80.05) to the point of commencement.

THENCE North fifty-two (52) degrees fifty-three (53) minutes East along the last-mentioned parallel line, five hundred and twelve and eighty one-hundredths of a foot (512.80), more or less, to a monument;

THENCE North fifty-two (52) degrees fifty-three (53) minutes East continuing along the last-mentioned parallel line four hundred (400) feet, more or less, to a monument;

THENCE North fifty-two (52) degrees fifty-three (53) minutes East continuing along the last-mentioned parallel line, one hundred and forty-two feet and sixty-one one-hundredths of a foot (142.61) to the westerly limit of the lands described in Registered Instrument No. 317986;

THENCE South twenty (20) degrees fifty-eight (58) minutes East along the westerly limit of the lands in Registered Instrument No. 317986 a distance of six hundred and eighteen feet and ninety-seven one-hundredths of a foot (618.97);

THENCE South seventy-seven (77) degrees one (1) minute thirty (30) seconds West four hundred and forty-nine feet and forty-six one-hundredths of a foot (449.46) to a point;

THENCE North nineteen (19) degrees nine (9) minutes thirty (30) seconds West two hundred and nine feet and seventy-one one-hundredths (209.71) of a foot to a point;

THENCE South seventy-seven (77) degrees seven (7) minutes thirty (30) seconds West two hundred and ninety feet and eighty one-hundredths of a foot (290.80) to a point;

THENCE South twelve (12) degrees thirty-three (33) minutes East one hundred and seventy-two feet and two one-hundredths of a foot (172.02) to a point;

THENCE South seventy-one (71) degrees fifty-five (55) minutes thirty (30) seconds West two hundred and six feet and twenty one-hundredths of a foot (206.20), more or less, to a monument in the said line drawn parallel to the northeasterly limit of Old Huron Road;

THENCE North thirty-nine (39) degrees four (4) minutes West along the last-mentioned parallel line one hundred and eighty-one feet and twelve one-hundredths of a foot (181.12), more or less, to the point of commencement.

Portion "B"—being part of lots 10 and 11, having an area of 39.610 acres:

COMMENCING at the intersection of the easterly limit of the lands described in Registered Instrument No. 317986 with a line drawn parallel to and distant one hundred and fifty (150) feet measured southeasterly and perpendicularly from the centre line of construction of the King's Highway as shown on a plan deposited in the Registry Office for the Registry Division of the County of Waterloo as No. 339, and which said point of intersection may be located by starting at the intersection of the westerly limit of Lot 11, with the north limit of Old Huron Road; thence North seventy-six (76) degrees fifty-three (53) minutes thirty (30) seconds East along the said north limit three thousand and twelve feet and eight-tenths of a foot (3012.8) to the northeasterly limit of Old Huron Road; thence South thirty-nine (39) degrees four (4) minutes East along the said northeasterly limit seven hundred and ninety-three feet and nine-tenths of a foot (793.90) to the said parallel line; thence North fifty-two (52) degrees fifty-three (53) minutes East along the said parallel line one thousand, two hundred and thirty-nine feet and fifty-seven one-hundredths of a foot (1239.57) to the point of commencement;

THENCE South twenty (20) degrees fifty-eight (58) minutes East along the easterly limit of the lands described in Registered Instrument No. 317986 a distance of six hundred and fifty-eight feet and twenty-one one-hundredths of a foot (658.21) to the southerly limit of the lands described in Registered Instrument Nos. 48440 and 316215;

THENCE North seventy-eight (78) degrees thirty-eight (38) minutes East nine hundred and seventy-nine feet and seventy one-hundredths of a foot (979.70) to a point;

THENCE North seventy-eight (78) degrees thirty-eight (38) minutes East two hundred and fifty feet (250), more or less, to the highwater mark on the westerly bank of the Grand River;

THENCE northerly along the said highwater mark one thousand, six hundred and fifty-five (1655) feet, more or less, to its intersection with the aforesaid parallel line;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the said parallel line fifty-nine (59) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line four hundred (400) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line five hundred (500) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line four hundred (400) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the said parallel line five hundred (500) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line one hundred and fifty-three feet and twenty-eight one-hundredths of a foot (153.28), 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 formerly in the Township of Waterloo, now in the City of Kitchener, in the County of Waterloo and in the Province of Ontario, having an area of 63.616 acres and being composed of a part of Biehn's Unnumbered Tract and a part of Lot No. 10 in Richard Beasley's Old Survey, all in the said Township of Waterloo, and being more particularly described as follows:

COMMENCING at a point in the interior of the said Lot No. 10, which said point may be located as follows: BEGINNING at the southwest angle of the said Lot No. 10 in Richard Beasley's Old Survey;

THENCE North seventy-six (76) degrees fifty-seven (57) minutes East along the southern limit of the said lot, a distance of four hundred and twelve feet and seventy-one one-hundredths of a foot (412.71);

THENCE North thirteen (13) degrees thirty-five (35) minutes and thirty (30) seconds West, along the eastern limit of the lands described in Instrument No. 30449, a distance of eighty-eight feet and seventy-five one-hundredths of a foot (88.75) to a point where an iron bar is planted and which said point is the point of commencement;

THENCE North thirteen (13) degrees thirty-five (35) minutes and thirty (30) seconds West, along the eastern limit of the lands described in Instrument No. 30449, a distance of seven hundred and fifty-five feet and twenty-one one-hundredths of a foot (755.21) to a point where a round iron bar is planted;

THENCE North thirteen (13) degrees thirty-seven (37) minutes and thirty (30) seconds West, continuing along the said eastern limit, a distance of eight hundred and thirty feet and eighty-eight one-hundredths of a foot (830.88) to a point where an iron bar is planted in the southern limit of the Kitchener-Doon Road as widened by Instrument No. 30671;

THENCE South seventy-six (76) degrees forty-five (45) minutes West, along the said southern limit, a distance of four hundred and eleven feet and twenty-two one-hundredths of a foot (411.22) to a point where an iron bar is planted;

THENCE South sixty-six (66) degrees thirty-five (35) minutes West, continuing along the said southern limit, a distance of fifteen hundred and forty-two feet and fifty one-hundredths of a foot (1542.50) to a point where an iron bar is planted in the eastern limit of the lands described in Instrument No. 147747;

THENCE South twenty-three (23) degrees twenty-five (25) minutes East, along the said eastern limit and along the eastern limit of the lands described in Instrument No. 48372, a distance of two hundred and twenty-nine feet (229) to a point where an iron bar is planted;

THENCE South sixty-six (66) degrees thirty-three (33) minutes West, along the southern limit of the lands described in Instrument No. 48372, a distance of two hundred and thirty-seven feet and seventy-two one-hundredths of a foot (237.72) to a point where an iron bar is planted in the eastern limit of the public road;

THENCE South four (4) degrees forty-one (41) minutes East, along the said eastern limit, a distance of three hundred and fifty-five feet and thirty-five one-hundredths of a foot (355.35) to a point where a round iron bar is planted in the northern limit of County Road No. 14 as shown on Deposited Plan No. 556;

THENCE South sixty-eight (68) degrees fifty-three (53) minutes and thirty (30) seconds East, along the said northern limit, a distance of thirteen hundred and eighty-six feet and forty-seven one-hundredths of a foot (1386.47) to a point where an iron bar is planted in the western limit of the land of G. M. Good, as described in Instrument No. 322218;

THENCE North twenty-one (21) degrees six (6) minutes and thirty (30) seconds East, along the said eastern limit, a distance of one hundred and fifteen feet and forty-one one-hundredths of a foot (115.41) to a point;

THENCE North seventy-six (76) degrees twenty-four (24) minutes and thirty (30) seconds East, along the northern limit of the said lands, a distance of nine hundred and fifty-two feet and forty-seven one-hundredths of a foot (952.47) to the point of commencement.

Fourthly:

Having an area of 32.203 acres and being composed of a part of Lot No. 9 and a part of Lot No. 10 in Richard Beasley's Old Survey and part of Biehn's Unnumbered Tract, all in the said Township of Waterloo, more particularly described as follows:

COMMENCING at the northwest angle of Lot No. 9 in Richard Beasley's Old Survey;

THENCE North seventy-six (76) degrees fifty-seven (57) minutes East along the northern limit of the said lot, a distance of four hundred and twelve feet and seventy-one one-hundredths of a foot (412.71) to a point where a standard iron bar is planted;

THENCE North thirteen (13) degrees thirty-five (35) minutes thirty (30) seconds West a distance of eight hundred and forty-three feet and ninety-six one-hundredths of a foot (843.96) to a point where a round iron bar is planted;

THENCE North seventy-six (76) degrees thirty-eight (38) minutes thirty (30) seconds East, a distance of eighteen hundred and thirty-three feet and five-tenths of a foot (1833.50) to a point where an iron bar is planted in the northwestern limit of the King's Highway No. 401 as shown on Expropriation Plan No. 4;

THENCE southwesterly along the said northwestern limit along a curve to the left having a radius of five thousand, nine hundred and four feet and fifty-eight one-hundredths of a foot (5904.58), an arc distance of fourteen hundred and eleven feet and sixteen one-hundredths of a foot (1411.16), the chord of which has a bearing South forty-one (41) degrees

seven (7) minutes forty-two (42) seconds West and a distance of fourteen hundred and seven feet and eight-tenths of a foot (1407.80) to a point where a standard iron bar is planted;

THENCE South forty-four (44) degrees thirteen (13) minutes thirty (30) seconds West continuing along the said northwestern limit, a distance of two hundred and eighty-one feet and twenty-seven one-hundredths of a foot (281.27);

THENCE South eighty-two (82) degrees twenty (20) minutes thirty (30) seconds West along the northern limit of the said lands, a distance of four hundred and thirty-seven feet and eighty-four one-hundredths of a foot (437.84) to a point where an iron bar is planted;

THENCE South sixty-seven (67) degrees twelve (12) minutes thirty (30) seconds West continuing along the said northern limit, a distance of one hundred and fourteen feet and eleven one-hundredths of a foot (114.11) to a point where an iron bar is planted;

THENCE South forty-five (45) degrees forty-five (45) minutes thirty (30) seconds West along the northwestern limit of the said lands, a distance of three hundred and sixty feet and forty-nine one-hundredths of a foot (360.49) to a point where an iron bar is planted;

THENCE South seventy-four (74) degrees fifty-five (55) minutes West along the northern limit of the lands of the King's Highway No. 401 as shown on Deposited Plan No. 551, a distance of one hundred and forty-one feet and forty-nine one-hundredths of a foot (141.49) to a point where an iron bar is planted;

THENCE North seventy-two (72) degrees twenty-four (24) minutes thirty (30) seconds West along the northern limit of the said lands, a distance of five hundred and forty-three feet and twenty-eight one-hundredths of a foot (543.28) to a point where a round iron bar is planted;

THENCE North seventy-five (75) degrees twenty-eight (28) minutes East, a distance of six hundred and five feet and sixty-two one-hundredths of a foot (605.62) to the point of commencement.

Fifthly:

Being composed of a part of Lot No. 10 in Richard Beasley's Old Survey, and a part of Biehn's Unnumbered Tract, all in the said Township of Waterloo, more particularly described as follows:

COMMENCING at the southwest angle of Lot No. 10;

THENCE North seventy-six (76) degrees fifty-seven (57) minutes East along the southern limit of the said lot, a distance of four hundred and twelve feet and seventy-one one-hundredths of a foot (412.71) to a point where a standard iron bar is planted;

THENCE North thirteen (13) degrees thirty-five (35) minutes thirty (30) seconds West, a distance of eighty-eight feet and seventy-five one-hundredths of a foot (88.75) to a point where an iron bar is planted;

THENCE South seventy-six (76) degrees twenty-four (24) minutes thirty (30) seconds West, a distance of nine hundred and fifty-two feet and forty-seven one-hundredths of a foot (952.47) to a point where an iron bar is planted;

THENCE South twenty-one (21) degrees six (6) minutes thirty (30) seconds West, a distance of one hundred and fifteen feet and forty-one one-hundredths of a foot (115.41) to a point where a round iron bar is planted in the northern limit of the King's Highway No. 401 as shown on Deposited Plan No. 551;

THENCE North seventy-five (75) degrees twenty-eight (28) minutes East, a distance of six hundred and five feet and sixty-two one-hundredths of a foot (605.62) to the point of commencement.

SUBJECT to a right-of-way to Richard Harold Slee, personally and for his own use only as long as he owns and farms lands opposite the lands hereinbefore described, being situate on the south side of County Road No. 14, a right-of-way from the said County Road No. 14 to the lands at present owned by him on the north side of said County Road No. 14, and being composed of a part of Biehn's Unnumbered Tract, and which said right-of-way is eighteen feet (18) in perpendicular width east and west of a centre line which is located as follows:

COMMENCING at the northwest angle of Lot No. 9 of Richard Beasley's Old Survey;

THENCE South seventy-six (76) degrees fifty-seven (57) minutes West a distance of four hundred and sixteen feet and sixty-two one-hundredths of a foot (416.62) to a point;

THENCE South twelve (12) degrees fifty-seven (57) minutes West a distance of one hundred feet and seventy-nine one-hundredths of a foot (100.79) to a point in the northerly limit of Deposited Plan No. 551 which said point is the point of commencement to the said centre line;

THENCE North twelve (12) degrees fifty-seven (57) minutes East a distance of two hundred and four feet and ninety-four one-hundredths of a foot (204.94), more or less, to a point in the eastern limit of the lands hereinbefore described.

SCHEDULE B

THIS INDENTURE made the 15th day of November, 1967.

BETWEEN:

THE CORPORATION OF THE CITY OF KITCHENER,

hereinafter called the Optionor,

OF THE FIRST PART,

— and —

THE CONESTOGA COLLEGE OF APPLIED ARTS AND TECHNOLOGY,

hereinafter called the Optionee,

OF THE SECOND PART.

WITNESSETH that in consideration of the sum of Ten Dollars (\$10.00) now paid by the Optionee to the Optionor (the receipt whereof is hereby acknowledged) the Optionor hereby gives to the Optionee an option, irrevocable within the time limited herein for acceptance, to purchase free from encumbrances the following lands and premises at the prices stipulated therefor and at the time as follows: Approximately one hundred and forty-four (144) acres, being the lands outlined in red, blue and green on Schedule "A" attached hereto, of which forty-eight (48) acres shall, in the event the option is exercised, be conveyed to the Optionee without payment therefor. The price for the lands shall be as hereinafter set forth and the said forty-eight (48) acres shall be allocated as to one-half thereof to the lands referred to herein as the "Golf Club Lands" and as to the other one-half firstly the lands referred to herein as the "Good Lands" and the balance, if any, to the "Slee Lands".

The option shall be open for acceptance up to but not after twelve o'clock noon on the sixtieth (60th) day following the date on which the lands are annexed to the Optionor pursuant to an Order of The Ontario Municipal Board (including the time allowed for appeal) which Order has become final and may be accepted by a letter mailed prepaid registered mail or delivered to the Optionor addressed to The City Co-Ordinator, City Hall, Kitchener. In the event no such Order is made prior to the 1st day of January, 1969, then this option shall become null and void when it is ascertained no such Order will be made or January 1, 1969, whichever first occurs.

The Optionor shall forthwith cause to have prepared a survey of the said lands, including any surveys required for road widenings or closing and any by-laws necessary as a result thereof, at its expense, of the lands herein optioned and cause to have delivered to the Optionee copies thereof as soon as received. It is agreed between the Optionor and the Optionee that the Optionor shall have the right to reserve out of the lands herein being optioned such lands, not to exceed fifty (50) feet in depth, as it deems necessary for the widening of the proposed Homer Watson Boulevard, now being the County road extending along the southerly limit of the said lands, it being understood the Optionee shall pay for the lands herein to be paid for in the event of the exercise of the option on an average basis at the varying prices as herein provided.

In the event of the exercise by the Optionee of the option herein this option, together with the letter of acceptance, shall constitute a contract of purchase and sale and this contract shall be completed thirty (30) days after the Optionor obtains proclamation of a Private Act validating the title of the lands in the City of Kitchener, on which date the

Optionor will convey the said lands and premises to the Optionee by a good and sufficient deed therefor in fee simple, free and clear of all encumbrances and dower rights and, as may be applicable, shall deliver vacant possession of the said lands and premises to the Optionee against payment by the Optionee of the purchase price thereof as herein set forth. The Optionee agrees to support the application of the Optionor for such Private Act as requested (other than for the payment of money) and the Optionor agrees as soon as it has title to all the said lands to forthwith apply for such an Act. In the event such an Act is not proclaimed then unless Counsel for the Optionee is prepared to certify title to the said lands the agreement of purchase and sale arising out of this option and its acceptance shall become null and void.

In computing the purchase price for the lands and premises herein optioned, the price per acre therefor shall be as follows:

- (a) As to the lands and premises now or previously owned by one Harold Slee (herein sometimes called the "Slee Lands"), Twenty-Five Hundred Dollars (\$2,500.00) per acre.
- (b) As to the lands and premises previously owned by one Ira Good (herein sometimes called the "Good Lands"), Two Thousand Dollars (\$2,000.00) per acre.
- (c) As to the lands and premises previously owned by Arnold Elmslie and known as Doon Valley Golf Club (herein sometimes called the "Golf Club Lands"), Seventeen Hundred Dollars (\$1,700.00) per acre.

The Optionor further agrees that (a) subject to the order of the Ontario Municipal Board annexing the lands to the City of Kitchener as herein provided, and (b) subject to obtaining a Private Act validating the title to the lands or the opinion of Counsel for the Optionee as herein provided, in the event of the exercise of the within option the said Optionor shall extend and bring into operation municipal services (sewer and water) to the border of the lands acquired by the Optionee pursuant to the terms of this option or construct additional temporary services to meet the needs of the College facilities eighteen (18) months from the date of annexation or the 1st day of September, 1969, whichever date shall be the later, at no expense to the Optionee. The Optionor agrees to diligently prosecute its application for annexation with the intent that such application shall be heard prior to the 1st day of January, 1968, if possible.

Provided that neither the acceptance of this option to purchase nor the payment of any moneys as herein provided for shall bind the Optionee to pay any other instalment but it shall always be at liberty to cancel and rescind the contract by forfeiting the payments already made in respect thereof and upon such cancellation it shall not be in any way liable or responsible for any further payments or for any damages for failure to carry out the contract.

Provided that if the Optionee fails or neglects to comply with the stipulations or provisos herein, or any of them, the Optionor may, at its option, rescind the contract on ten (10) days' notice to be given by a letter delivered to the Optionee at 30 Francis Street South, Kitchener, and upon the expiry of the time limited by the said notice the Optionor may forthwith repossess itself of the said lands and premises.

In the event that such option is not accepted in the manner aforesaid this agreement and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the Optionor shall be entitled to retain the said sum given as consideration for the granting of this option.

The Optionee shall search the title at its own expense and shall have fifteen (15) days from the date of acceptance of the option to examine it and shall then be deemed to have accepted the title as to any written objections made within that period of time. If any objection be made within that time the Optionor shall have a reasonable time to remove it

but if it be unable or unwilling to do so it may, notwithstanding any intermediate correspondence, cancel the contract and return the deposit and shall not be liable to the Optionee for any expenses incurred by it.

In the event of any delay in the Optionor fulfilling any of its obligations hereunder the Optionee shall have the right to extend the time or times, as the case may be, for the doing of any act or the taking of any proceedings hereunder and from time to time and for such period of time as the Optionee may in its sole discretion deem necessary or advisable. The Optionee shall notify the Optionor by letter addressed to the Optionor in the same manner as is herein provided for an acceptance of the option any time prior to the time limited herein which the Optionee by such notice may desire to extend or postpone.

The Optionor, insofar as it may be legally permitted so to do, hereby grants to the Optionee the right and privilege of entering into possession of the lands and premises herein optioned any time after the execution of this option of the lands, subject only to the rights of one Harold Slee and the Victoria and Grey Trust Company under their agreement with the Optionor, for the purposes of erecting temporary buildings, installing septic tanks and necessary tile beds, and drilling wells for water as the Optionee considers necessary and advisable for its development of the lands herein optioned provided, however, that the Optionee shall do so at the sole risk of the Optionee as to title and in the event the purchase and sale of the lands optioned is not completed for any reason the Optionee shall remove any buildings and structures which it has constructed or placed on the lands and so far as practical restore the lands to a reasonable condition at its expense but shall not otherwise be liable to the Optionor for any other claim or demands of any kind. Any action taken by the Optionee pursuant to the rights and privileges granted in this paragraph shall be done without prejudice to any other rights and obligations of the Optionor and Optionee hereunder.

Notwithstanding anything herein contained it is understood and agreed that in view of the relationship that exists between the Board of Governors of the Optionee and the Ontario Council of Regents for the Colleges of Applied Art and Technology, this agreement is subject to confirmation by the Council of Regents.

Time shall be of the essence of this agreement.

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

IN WITNESS WHEREOF the corporate seal of the Optionor has been hereunto affixed under the hands of its Mayor and Clerk and the corporate seal of the Optionee has been hereunto affixed under the hands of its duly authorized officers in that behalf.

[Executed by the Parties to the Agreement]

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. BREITHAUPT

(Private Bill)

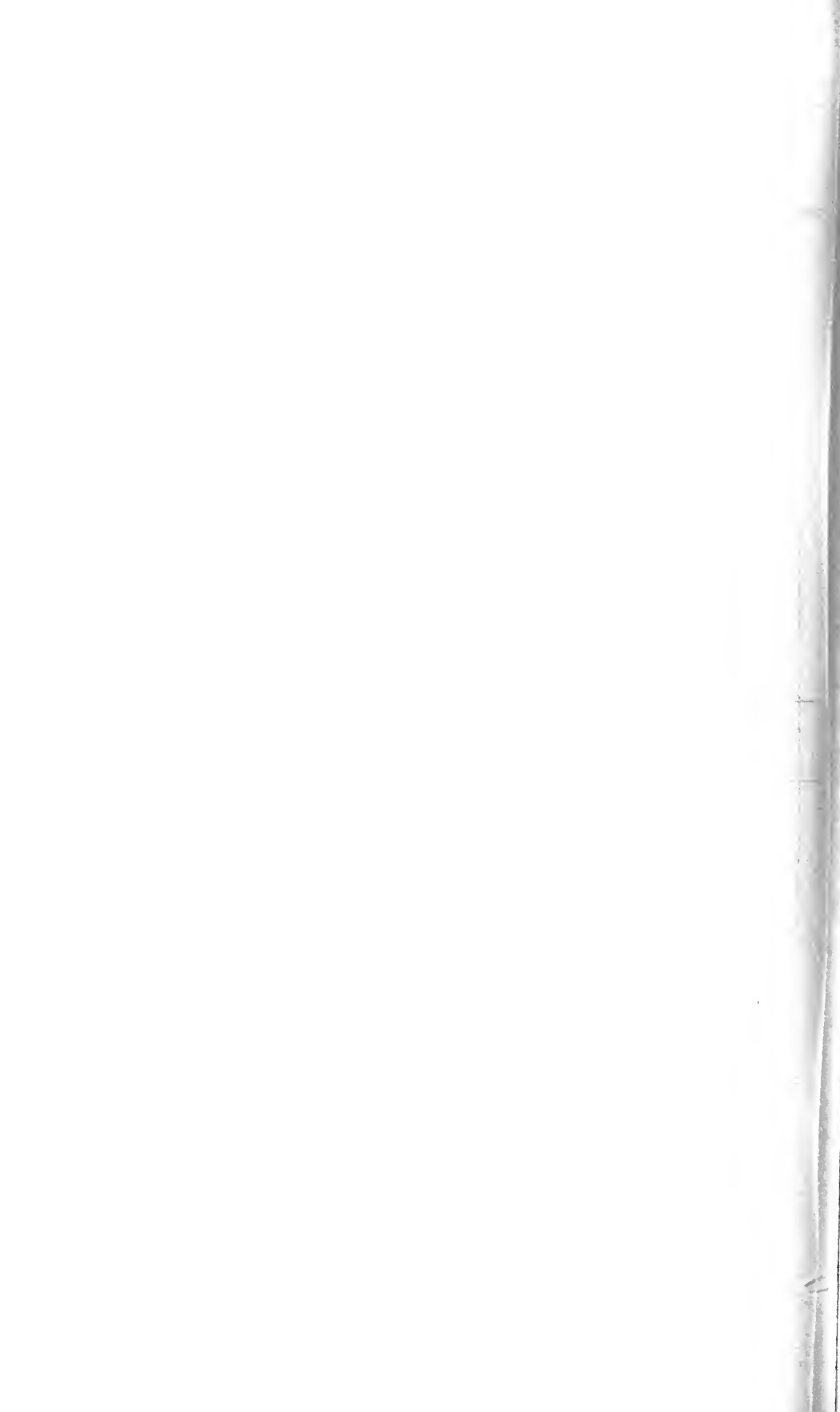
BILL Pr30

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Kitchener

MR. BREITHAUPT

(Reprinted as amended by the Committee on Private Bills)



BILL Pr30

1968

An Act respecting the City of Kitchener

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

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

1.—(1) The Corporation has the power to acquire all or ^{Acquisition of lands} any of the lands described in Schedule A.

(2) The agreement dated the 15th day of November, ^{Agreement authorized} 1967, between the Corporation and the Conestoga College of Applied Arts and Technology, set out in Schedule B, is hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder.

2.—(1) For the purpose of paying part of the cost of ^{Debentures authorized} acquiring the lands referred to in subsection 1 of section 1, the council of the Corporation is authorized to pass a by-law authorizing the borrowing of not more than \$200,000 by the issue and sale of debentures without obtaining the approval of the Ontario Municipal Board or the assent of the electors of the City of Kitchener or of those electors entitled to vote on money by-laws.

(2) Any debentures issued pursuant to subsection 1 of this ^{Repayment} section shall be repayable in not more than fifteen years on the instalment plan and shall bear interest at such rate as council determines.

(3) Sections 55, 56 and 57 of *The Ontario Municipal Board Act* apply in respect of such by-law and debentures. ^{Application of R.S.O. 1960, c. 274, ss. 55-57}

Applica-
tion of
R.S.O. 1960,
c. 249

3.—(1) Until and unless otherwise ordered by the Ontario Municipal Board, section 201 of *The Municipal Act* does not apply to the City of Kitchener.

Idem

(2) Upon the application of the Corporation or upon a petition in writing signed by not fewer than ten electors of the City of Kitchener qualified to vote on money by-laws, the Ontario Municipal Board may make an order that section 201 of *The Municipal Act* shall apply to the City.

Interpre-
tation

4.—(1) In this section, “special sale” means any sale or intended sale at retail described by the use of any of the following words or expressions, or any enlargement, contraction or combination thereof:

bankrupt	moving out	fire
insolvent	selling out	smoke
trustee	lease expiring	water damage
receiver	closing out	creditor
liquidation	discontinuing	forced

or any other similar word or words that represent, hold out or advertise that any goods, wares or merchandise are to be disposed of in a manner that is not in the ordinary course of retail business.

By-laws
regulating
special sales

(2) The council of the Corporation may pass by-laws,

- (a) for licensing and regulating special sales of goods and persons conducting such sales, and for prohibiting special sales of goods without a licence;
- (b) prescribing the conditions on which licences may be issued and revoked, and providing for the revocation of such licences;
- (c) fixing a fee for such licences; and
- (d) for appointing inspectors and providing for the inspection of such goods.

Exemptions

(3) A by-law under this section does not apply to a sale by or under the authority of,

R.S.C. 1952,
cc. 14, 296

- (a) a receiver or trustee under the *Bankruptcy Act* (Canada) or a liquidator under the *Winding-up Act* (Canada);

- (b) a court or a receiver appointed by a court;
- (c) a bailiff, sheriff, executor or administrator; or
- (d) a receiver, liquidator or trustee under any general or special Act.

(4) The provisions of Part XXI of *The Municipal Act* apply *mutatis mutandis* to any by-law passed under this section. Enforcement
R.S.O. 1960,
c. 249

5.—(1) The council of the Corporation may pass by-laws for regulating the crossing of curb-lines, sidewalks or paved boulevards by vehicles delivering materials to or removing materials from abutting lands on which any building is being erected, altered, repaired or demolished, and for requiring the owners of such abutting lands, upon any application for the issuing of a permit certifying to the approval of plans of buildings to be erected, altered, repaired or demolished thereon, to pay to the Corporation a sum of money not to exceed \$5 per foot of the limit of the lot abutting directly on such sidewalk, curbing or paved boulevard as a deposit to meet the cost of repairing any damage to the sidewalk, curbing or paved boulevard or to any water service box or other service therein caused by the crossing thereof by such vehicles. Deposit re
damages to
sidewalks,
etc., upon
issue of
building
permit

(2) Where a by-law passed under this section requires the payment of a deposit to cover the cost of damage to a sidewalk, curbing or paved boulevard, or to any water service box or other service therein, the by-law shall provide that, upon the completion of the erection, alteration, repair or demolition of the building or buildings on the lands abutting such sidewalk, curbing or paved boulevard and upon application by the person by whom the deposit was paid, the amount by which the sum deposited exceeds the cost of such repairs shall forthwith be refunded. Refund

(3) Where any moneys heretofore or hereafter paid to the Corporation to cover the cost of repairs to curbing, sidewalks or paved boulevards or to any water service box or other service therein remain unclaimed in the hands of the Treasurer of the Corporation for a period of six years, the Treasurer of the Corporation may insert in any newspaper having general circulation in the City of Kitchener a notice containing a list of such unclaimed moneys and stating that all persons having any claim to any of such moneys are required to prove their claims within ninety days from the publication of the notice, and, upon the expiration of ninety days from the publication of such notice, the Treasurer of Unclaimed
deposits

the Corporation may transfer all of such moneys against which no claim has been made to the general funds of the Corporation free of and from any and all claims of any kind whatsoever.

Cost of prevention

(4) Without limiting the generality of subsection 1, a by-law passed under this section may require that the owner or occupier of the lands take all necessary steps to prevent building material, waste or soil from being spilled or tracked onto the public streets by vehicles going to or coming from the lands during the course of the erection, alteration, repair or demolition and may provide that, in addition to any penalty otherwise provided by law, the owner or occupier shall be responsible to the Corporation for the cost of removing such, and such cost may be deducted from the deposit.

Grant

6. The council of the Corporation may by by-law provide for the granting of the sum of \$6,000 to Minnie Anne Lautenslager.

Commencement

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

Idem

(2) Subsection 1 of section 1 shall be deemed to have come into force on the 1st day of January, 1967.

Short title

8. This Act may be cited as *The City of Kitchener Act, 1968*.

SCHEDULE A

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being:

Firstly:

In the City of Kitchener, formerly in the Township of Waterloo, in the County of Waterloo and Province of Ontario, and being composed of parts of lots 10 and 11, Beasley's Old Survey, in the Lower Block on the west side of the Grand River and which said parcel may be more particularly described as follows:

COMMENCING at the point in the westerly limit of the Grand River where it is intersected by the northerly limit of the lands of the Ontario Department of Highways according to Deposited Plan No. 339;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the northerly limit of said Highway lands a distance of three thousand, one hundred and fifty-five feet and seven one-hundredths of a foot (3155.07), more or less, to an angle on same;

THENCE South eighty (80) degrees twenty-two (22) minutes thirty (30) seconds West a distance of eighty-eight feet and seventy-one one-hundredths of a foot (88.71), more or less, to an angle in said limit of Highway;

THENCE North seventy-two (72) degrees seven (07) minutes thirty (30) seconds West a distance of two hundred and forty-three feet and twenty-three one-hundredths of a foot (243.23), more or less, to an angle in said limit of Highway;

THENCE North eighty-three (83) degrees forty-two (42) minutes thirty (30) seconds West a distance of two hundred and eighty-one feet and fifty-nine one-hundredths of a foot (281.59), more or less, to the easterly limit of County Road No. 14;

THENCE South thirty-nine (39) degrees four (04) minutes East along the last-mentioned limit a distance of four hundred and thirty-three feet and ninety-three one-hundredths of a foot (433.93), more or less, to a point in the production easterly of the northerly limit of the lands of the Ontario Department of Highways according to Deposited Plan No. 343;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the said production easterly and along the northerly limit of said Department of Highways lands a distance of five hundred and sixty-two feet and four one-hundredths of a foot (562.04), more or less, to a point of curvature in same;

THENCE on a curve to the left of radius five thousand, eight hundred and seventy-nine feet and fifty-eight one-hundredths of a foot (5879.58) a distance of four hundred and fifty-seven feet and sixty-four one-hundredths of a foot (457.64) to a point (which point is in the southerly limit of the lands described in Registered Instrument Nos. 48440 and 316215 for the Township of Waterloo);

THENCE South seventy-six (76) degrees thirty-eight (38) minutes thirty (30) seconds West along the last-mentioned limit a distance of one thousand, eight hundred and eighty-three feet and ninety one-hundredths of a foot (1883.90) to a point (being in the westerly limit of the said lands described in Registered Instrument Nos. 48440 and 316215);

THENCE North twelve (12) degrees thirty (30) minutes forty (40) seconds West along same, a distance of eight hundred and twenty-nine feet and five-tenths of a foot (829.5), more or less, to the southerly limit of County Road No. 14 as widened by Registered Instrument No. 30665;

THENCE North seventy-six (76) degrees fifty-five (55) minutes thirty (30) seconds East along same, a distance of one thousand, three hundred and thirty-six feet and ninety-two one-hundredths of a foot (1336.92) to a point;

THENCE North thirteen (13) degrees four (4) minutes forty (40) seconds West a distance of sixty-six (66) feet to a point in the westerly limit of the aforementioned lands described in Registered Instrument Nos. 48440 and 316215;

THENCE North four (4) degrees forty-seven (47) minutes fifty (50) seconds West along same, a distance of one thousand, three hundred and seventy (1370) feet, more or less, to the southerly bank of the Grand River;

THENCE easterly, northeasterly and southerly along the southerly and westerly bank of the Grand River and its various meanderings, a distance of six thousand, six hundred and fifty (6650) feet, more or less, to the point of commencement.

CONTAINING by admeasurement an area of 175.54 acres, be the same more or less.

EXCEPTING THEREOUT AND THEREFROM, *firstly*, the County Road leading from Blair to Doon (Waterloo County Road No. 14) crossing a part of the said lands, and, *secondly*, those lands containing 1.41 acres, more or less, expropriated by the Department of Highways by, and as shown on, Deposited Plan No. 612.

Secondly:

All that portion of Lot 10, Beasley's Old Survey (Lower Block), and that portion of lots 10 and 11, Beasley's Old Survey (Lower Block), in the Township of Waterloo, in the County of Waterloo, in the Province of Ontario, having a total area of 47.231 acres, more or less, shown marked yellow on D.H.O. Plan of Survey P-3092-113, and more particularly described as follows:—

Premising that all bearings herein are astronomic and are referred to the meridian through the southeast corner of Lot 6, Concession 4, Beasley's Lower Block, in longitude eighty (80) degrees nineteen (19) minutes West.

Portion "A"—being part of Lot 10, having an area of 7.621 acres:

COMMENCING at the intersection, marked by a monument, of a line drawn parallel to and distant one hundred and fifty (150) feet measured southeasterly and perpendicularly from the centre line of construction of the King's Highway as shown on a Plan deposited in the Registry Office for the Registry Division of the County of Waterloo as No. 339, with a line drawn parallel to and distant eighty (80) feet measured northeasterly and perpendicularly from the northeasterly limit of the Old Huron Road as shown on Deposited Plan No. 339, and which said point of intersection may be located by starting at the intersection of the westerly limit of Lot 11 with the north limit of Old Huron Road; thence North seventy-six (76) degrees fifty-three (53) minutes thirty (30) seconds East along the said north limit three thousand and twelve and eight-tenths of a foot (3012.8) to the said northeasterly limit of Old Huron Road; thence South thirty-nine (39) degrees four (4) minutes East along the said northeasterly limit seven hundred and ninety-three and nine one-hundredths (793.09) feet to the said line drawn parallel to the centre line of construction of the King's Highway; thence North fifty-two (52) degrees fifty-three (53) minutes East along the said parallel line eighty feet and five one-hundredths of a foot (80.05) to the point of commencement.

THENCE North fifty-two (52) degrees fifty-three (53) minutes East along the last-mentioned parallel line, five hundred and twelve and eighty one-hundredths of a foot (512.80), more or less, to a monument;

THENCE North fifty-two (52) degrees fifty-three (53) minutes East continuing along the last-mentioned parallel line four hundred (400) feet, more or less, to a monument;

THENCE North fifty-two (52) degrees fifty-three (53) minutes East continuing along the last-mentioned parallel line, one hundred and forty-two feet and sixty-one one-hundredths of a foot (142.61) to the westerly limit of the lands described in Registered Instrument No. 317986;

THENCE South twenty (20) degrees fifty-eight (58) minutes East along the westerly limit of the lands in Registered Instrument No. 317986 a distance of six hundred and eighteen feet and ninety-seven one-hundredths of a foot (618.97);

THENCE South seventy-seven (77) degrees one (1) minute thirty (30) seconds West four hundred and forty-nine feet and forty-six one-hundredths of a foot (449.46) to a point;

THENCE North nineteen (19) degrees nine (9) minutes thirty (30) seconds West two hundred and nine feet and seventy-one one-hundredths (209.71) of a foot to a point;

THENCE South seventy-seven (77) degrees seven (7) minutes thirty (30) seconds West two hundred and ninety feet and eighty one-hundredths of a foot (290.80) to a point;

THENCE South twelve (12) degrees thirty-three (33) minutes East one hundred and seventy-two feet and two one-hundredths of a foot (172.02) to a point;

THENCE South seventy-one (71) degrees fifty-five (55) minutes thirty (30) seconds West two hundred and six feet and twenty one-hundredths of a foot (206.20), more or less, to a monument in the said line drawn parallel to the northeasterly limit of Old Huron Road;

THENCE North thirty-nine (39) degrees four (4) minutes West along the last-mentioned parallel line one hundred and eighty-one feet and twelve one-hundredths of a foot (181.12), more or less, to the point of commencement.

Portion "B"—being part of lots 10 and 11, having an area of 39.610 acres:

COMMENCING at the intersection of the easterly limit of the lands described in Registered Instrument No. 317986 with a line drawn parallel to and distant one hundred and fifty (150) feet measured southeasterly and perpendicularly from the centre line of construction of the King's Highway as shown on a plan deposited in the Registry Office for the Registry Division of the County of Waterloo as No. 339, and which said point of intersection may be located by starting at the intersection of the westerly limit of Lot 11, with the north limit of Old Huron Road; thence North seventy-six (76) degrees fifty-three (53) minutes thirty (30) seconds East along the said north limit three thousand and twelve feet and eight-tenths of a foot (3012.8) to the northeasterly limit of Old Huron Road; thence South thirty-nine (39) degrees four (4) minutes East along the said northeasterly limit seven hundred and ninety-three feet and nine-tenths of a foot (793.90) to the said parallel line; thence North fifty-two (52) degrees fifty-three (53) minutes East along the said parallel line one thousand, two hundred and thirty-nine feet and fifty-seven one-hundredths of a foot (1239.57) to the point of commencement;

THENCE South twenty (20) degrees fifty-eight (58) minutes East along the easterly limit of the lands described in Registered Instrument No. 317986 a distance of six hundred and fifty-eight feet and twenty-one one-hundredths of a foot (658.21) to the southerly limit of the lands described in Registered Instrument Nos. 48440 and 316215;

THENCE North seventy-eight (78) degrees thirty-eight (38) minutes East nine hundred and seventy-nine feet and seventy one-hundredths of a foot (979.70) to a point;

THENCE North seventy-eight (78) degrees thirty-eight (38) minutes East two hundred and fifty feet (250), more or less, to the highwater mark on the westerly bank of the Grand River;

THENCE northerly along the said highwater mark one thousand, six hundred and fifty-five (1655) feet, more or less, to its intersection with the aforesaid parallel line;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the said parallel line fifty-nine (59) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line four hundred (400) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line five hundred (500) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line four hundred (400) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the said parallel line five hundred (500) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line one hundred and fifty-three feet and twenty-eight one-hundredths of a foot (153.28), 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 formerly in the Township of Waterloo, now in the City of Kitchener, in the County of Waterloo and in the Province of Ontario, having an area of 63.616 acres and being composed of a part of Biehn's Unnumbered Tract and a part of Lot No. 10 in Richard Beasley's Old Survey, all in the said Township of Waterloo, and being more particularly described as follows:

COMMENCING at a point in the interior of the said Lot No. 10, which said point may be located as follows: BEGINNING at the southwest angle of the said Lot No. 10 in Richard Beasley's Old Survey;

THENCE North seventy-six (76) degrees fifty-seven (57) minutes East along the southern limit of the said lot, a distance of four hundred and twelve feet and seventy-one one-hundredths of a foot (412.71);

THENCE North thirteen (13) degrees thirty-five (35) minutes and thirty (30) seconds West, along the eastern limit of the lands described in Instrument No. 30449, a distance of eighty-eight feet and seventy-five one-hundredths of a foot (88.75) to a point where an iron bar is planted and which said point is the point of commencement;

THENCE North thirteen (13) degrees thirty-five (35) minutes and thirty (30) seconds West, along the eastern limit of the lands described in Instrument No. 30449, a distance of seven hundred and fifty-five feet and twenty-one one-hundredths of a foot (755.21) to a point where a round iron bar is planted;

THENCE North thirteen (13) degrees thirty-seven (37) minutes and thirty (30) seconds West, continuing along the said eastern limit, a distance of eight hundred and thirty feet and eighty-eight one-hundredths of a foot (830.88) to a point where an iron bar is planted in the southern limit of the Kitchener-Doon Road as widened by Instrument No. 30671;

THENCE South seventy-six (76) degrees forty-five (45) minutes West, along the said southern limit, a distance of four hundred and eleven feet and twenty-two one-hundredths of a foot (411.22) to a point where an iron bar is planted;

THENCE South sixty-six (66) degrees thirty-five (35) minutes West, continuing along the said southern limit, a distance of fifteen hundred and forty-two feet and fifty one-hundredths of a foot (1542.50) to a point where an iron bar is planted in the eastern limit of the lands described in Instrument No. 147747;

THENCE South twenty-three (23) degrees twenty-five (25) minutes East, along the said eastern limit and along the eastern limit of the lands described in Instrument No. 48372, a distance of two hundred and twenty-nine feet (229) to a point where an iron bar is planted;

THENCE South sixty-six (66) degrees thirty-three (33) minutes West, along the southern limit of the lands described in Instrument No. 48372, a distance of two hundred and thirty-seven feet and seventy-two one-hundredths of a foot (237.72) to a point where an iron bar is planted in the eastern limit of the public road;

THENCE South four (4) degrees forty-one (41) minutes East, along the said eastern limit, a distance of three hundred and fifty-five feet and thirty-five one-hundredths of a foot (355.35) to a point where a round iron bar is planted in the northern limit of County Road No. 14 as shown on Deposited Plan No. 556;

THENCE South sixty-eight (68) degrees fifty-three (53) minutes and thirty (30) seconds East, along the said northern limit, a distance of thirteen hundred and eighty-six feet and forty-seven one-hundredths of a foot (1386.47) to a point where an iron bar is planted in the western limit of the land of G. M. Good, as described in Instrument No. 322218;

THENCE North twenty-one (21) degrees six (6) minutes and thirty (30) seconds East, along the said eastern limit, a distance of one hundred and fifteen feet and forty-one one-hundredths of a foot (115.41) to a point;

THENCE North seventy-six (76) degrees twenty-four (24) minutes and thirty (30) seconds East, along the northern limit of the said lands, a distance of nine hundred and fifty-two feet and forty-seven one-hundredths of a foot (952.47) to the point of commencement.

Fourthly:

Having an area of 32.203 acres and being composed of a part of Lot No. 9 and a part of Lot No. 10 in Richard Beasley's Old Survey and part of Biehn's Unnumbered Tract, all in the said Township of Waterloo, more particularly described as follows:

COMMENCING at the northwest angle of Lot No. 9 in Richard Beasley's Old Survey;

THENCE North seventy-six (76) degrees fifty-seven (57) minutes East along the northern limit of the said lot, a distance of four hundred and twelve feet and seventy-one one-hundredths of a foot (412.71) to a point where a standard iron bar is planted;

THENCE North thirteen (13) degrees thirty-five (35) minutes thirty (30) seconds West a distance of eight hundred and forty-three feet and ninety-six one-hundredths of a foot (843.96) to a point where a round iron bar is planted;

THENCE North seventy-six (76) degrees thirty-eight (38) minutes thirty (30) seconds East, a distance of eighteen hundred and thirty-three feet and five-tenths of a foot (1833.50) to a point where an iron bar is planted in the northwestern limit of the King's Highway No. 401 as shown on Expropriation Plan No. 4;

THENCE southwesterly along the said northwestern limit along a curve to the left having a radius of five thousand, nine hundred and four feet and fifty-eight one-hundredths of a foot (5904.58), an arc distance of fourteen hundred and eleven feet and sixteen one-hundredths of a foot (1411.16), the chord of which has a bearing South forty-one (41) degrees

seven (7) minutes forty-two (42) seconds West and a distance of fourteen hundred and seven feet and eight-tenths of a foot (1407.80) to a point where a standard iron bar is planted;

THENCE South forty-four (44) degrees thirteen (13) minutes thirty (30) seconds West continuing along the said northwestern limit, a distance of two hundred and eighty-one feet and twenty-seven one-hundredths of a foot (281.27);

THENCE South eighty-two (82) degrees twenty (20) minutes thirty (30) seconds West along the northern limit of the said lands, a distance of four hundred and thirty-seven feet and eighty-four one-hundredths of a foot (437.84) to a point where an iron bar is planted;

THENCE South sixty-seven (67) degrees twelve (12) minutes thirty (30) seconds West continuing along the said northern limit, a distance of one hundred and fourteen feet and eleven one-hundredths of a foot (114.11) to a point where an iron bar is planted;

THENCE South forty-five (45) degrees forty-five (45) minutes thirty (30) seconds West along the northwestern limit of the said lands, a distance of three hundred and sixty feet and forty-nine one-hundredths of a foot (360.49) to a point where an iron bar is planted;

THENCE South seventy-four (74) degrees fifty-five (55) minutes West along the northern limit of the lands of the King's Highway No. 401 as shown on Deposited Plan No. 551, a distance of one hundred and forty-one feet and forty-nine one-hundredths of a foot (141.49) to a point where an iron bar is planted;

THENCE North seventy-two (72) degrees twenty-four (24) minutes thirty (30) seconds West along the northern limit of the said lands, a distance of five hundred and forty-three feet and twenty-eight one-hundredths of a foot (543.28) to a point where a round iron bar is planted;

THENCE North seventy-five (75) degrees twenty-eight (28) minutes East, a distance of six hundred and five feet and sixty-two one-hundredths of a foot (605.62) to the point of commencement.

Fifthly:

Being composed of a part of Lot No. 10 in Richard Beasley's Old Survey, and a part of Biehn's Unnumbered Tract, all in the said Township of Waterloo, more particularly described as follows:

COMMENCING at the southwest angle of Lot No. 10;

THENCE North seventy-six (76) degrees fifty-seven (57) minutes East along the southern limit of the said lot, a distance of four hundred and twelve feet and seventy-one one-hundredths of a foot (412.71) to a point where a standard iron bar is planted;

THENCE North thirteen (13) degrees thirty-five (35) minutes thirty (30) seconds West, a distance of eighty-eight feet and seventy-five one-hundredths of a foot (88.75) to a point where an iron bar is planted;

THENCE South seventy-six (76) degrees twenty-four (24) minutes thirty (30) seconds West, a distance of nine hundred and fifty-two feet and forty-seven one-hundredths of a foot (952.47) to a point where an iron bar is planted;

THENCE South twenty-one (21) degrees six (6) minutes thirty (30) seconds West, a distance of one hundred and fifteen feet and forty-one one-hundredths of a foot (115.41) to a point where a round iron bar is planted in the northern limit of the King's Highway No. 401 as shown on Deposited Plan No. 551;

THENCE North seventy-five (75) degrees twenty-eight (28) minutes East, a distance of six hundred and five feet and sixty-two one-hundredths of a foot (605.62) to the point of commencement.

SUBJECT to a right-of-way to Richard Harold Slee, personally and for his own use only as long as he owns and farms lands opposite the lands hereinbefore described, being situate on the south side of County Road No. 14, a right-of-way from the said County Road No. 14 to the lands at present owned by him on the north side of said County Road No. 14, and being composed of a part of Biehn's Unnumbered Tract, and which said right-of-way is eighteen feet (18) in perpendicular width east and west of a centre line which is located as follows:

COMMENCING at the northwest angle of Lot No. 9 of Richard Beasley's Old Survey;

THENCE South seventy-six (76) degrees fifty-seven (57) minutes West a distance of four hundred and sixteen feet and sixty-two one-hundredths of a foot (416.62) to a point;

THENCE South twelve (12) degrees fifty-seven (57) minutes West a distance of one hundred feet and seventy-nine one-hundredths of a foot (100.79) to a point in the northerly limit of Deposited Plan No. 551 which said point is the point of commencement to the said centre line;

THENCE North twelve (12) degrees fifty-seven (57) minutes East a distance of two hundred and four feet and ninety-four one-hundredths of a foot (204.94), more or less, to a point in the eastern limit of the lands hereinbefore described.

SCHEDULE B

THIS INDENTURE made the 15th day of November, 1967.

BETWEEN:

THE CORPORATION OF THE CITY OF KITCHENER,

hereinafter called the Optionor,

OF THE FIRST PART,

— and —

THE CONESTOGA COLLEGE OF APPLIED ARTS AND TECHNOLOGY,

hereinafter called the Optionee,

OF THE SECOND PART.

WITNESSETH that in consideration of the sum of Ten Dollars (\$10.00) now paid by the Optionee to the Optionor (the receipt whereof is hereby acknowledged) the Optionor hereby gives to the Optionee an option, irrevocable within the time limited herein for acceptance, to purchase free from encumbrances the following lands and premises at the prices stipulated therefor and at the time as follows: Approximately one hundred and forty-four (144) acres, being the lands outlined in red, blue and green on Schedule "A" attached hereto, of which forty-eight (48) acres shall, in the event the option is exercised, be conveyed to the Optionee without payment therefor. The price for the lands shall be as hereinafter set forth and the said forty-eight (48) acres shall be allocated as to one-half thereof to the lands referred to herein as the "Golf Club Lands" and as to the other one-half firstly the lands referred to herein as the "Good Lands" and the balance, if any, to the "Slee Lands".

The option shall be open for acceptance up to but not after twelve o'clock noon on the sixtieth (60th) day following the date on which the lands are annexed to the Optionor pursuant to an Order of The Ontario Municipal Board (including the time allowed for appeal) which Order has become final and may be accepted by a letter mailed prepaid registered mail or delivered to the Optionor addressed to The City Co-Ordinator, City Hall, Kitchener. In the event no such Order is made prior to the 1st day of January, 1969, then this option shall become null and void when it is ascertained no such Order will be made or January 1, 1969, whichever first occurs.

The Optionor shall forthwith cause to have prepared a survey of the said lands, including any surveys required for road widenings or closing and any by-laws necessary as a result thereof, at its expense, of the lands herein optioned and cause to have delivered to the Optionee copies thereof as soon as received. It is agreed between the Optionor and the Optionee that the Optionor shall have the right to reserve out of the lands herein being optioned such lands, not to exceed fifty (50) feet in depth, as it deems necessary for the widening of the proposed Homer Watson Boulevard, now being the County road extending along the southerly limit of the said lands, it being understood the Optionee shall pay for the lands herein to be paid for in the event of the exercise of the option on an average basis at the varying prices as herein provided.

In the event of the exercise by the Optionee of the option herein this option, together with the letter of acceptance, shall constitute a contract of purchase and sale and this contract shall be completed thirty (30) days after the Optionor obtains proclamation of a Private Act validating the title of the lands in the City of Kitchener, on which date the

Optionor will convey the said lands and premises to the Optionee by a good and sufficient deed therefor in fee simple, free and clear of all encumbrances and dower rights and, as may be applicable, shall deliver vacant possession of the said lands and premises to the Optionee against payment by the Optionee of the purchase price thereof as herein set forth. The Optionee agrees to support the application of the Optionor for such Private Act as requested (other than for the payment of money) and the Optionor agrees as soon as it has title to all the said lands to forthwith apply for such an Act. In the event such an Act is not proclaimed then unless Counsel for the Optionee is prepared to certify title to the said lands the agreement of purchase and sale arising out of this option and its acceptance shall become null and void.

In computing the purchase price for the lands and premises herein optioned, the price per acre therefor shall be as follows:

- (a) As to the lands and premises now or previously owned by one Harold Slee (herein sometimes called the "Slee Lands"), Twenty-Five Hundred Dollars (\$2,500.00) per acre.
- (b) As to the lands and premises previously owned by one Ira Good (herein sometimes called the "Good Lands"), Two Thousand Dollars (\$2,000.00) per acre.
- (c) As to the lands and premises previously owned by Arnold Elmslie and known as Doon Valley Golf Club (herein sometimes called the "Golf Club Lands"), Seventeen Hundred Dollars (\$1,700.00) per acre.

The Optionor further agrees that (a) subject to the order of the Ontario Municipal Board annexing the lands to the City of Kitchener as herein provided, and (b) subject to obtaining a Private Act validating the title to the lands or the opinion of Counsel for the Optionee as herein provided, in the event of the exercise of the within option the said Optionor shall extend and bring into operation municipal services (sewer and water) to the border of the lands acquired by the Optionee pursuant to the terms of this option or construct additional temporary services to meet the needs of the College facilities eighteen (18) months from the date of annexation or the 1st day of September, 1969, whichever date shall be the later, at no expense to the Optionee. The Optionor agrees to diligently prosecute its application for annexation with the intent that such application shall be heard prior to the 1st day of January, 1968, if possible.

Provided that neither the acceptance of this option to purchase nor the payment of any moneys as herein provided for shall bind the Optionee to pay any other instalment but it shall always be at liberty to cancel and rescind the contract by forfeiting the payments already made in respect thereof and upon such cancellation it shall not be in any way liable or responsible for any further payments or for any damages for failure to carry out the contract.

Provided that if the Optionee fails or neglects to comply with the stipulations or provisos herein, or any of them, the Optionor may, at its option, rescind the contract on ten (10) days' notice to be given by a letter delivered to the Optionee at 30 Francis Street South, Kitchener, and upon the expiry of the time limited by the said notice the Optionor may forthwith repossess itself of the said lands and premises.

In the event that such option is not accepted in the manner aforesaid this agreement and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the Optionor shall be entitled to retain the said sum given as consideration for the granting of this option.

The Optionee shall search the title at its own expense and shall have fifteen (15) days from the date of acceptance of the option to examine it and shall then be deemed to have accepted the title as to any written objections made within that period of time. If any objection be made within that time the Optionor shall have a reasonable time to remove it

but if it be unable or unwilling to do so it may, notwithstanding any intermediate correspondence, cancel the contract and return the deposit and shall not be liable to the Optionee for any expenses incurred by it.

In the event of any delay in the Optionor fulfilling any of its obligations hereunder the Optionee shall have the right to extend the time or times, as the case may be, for the doing of any act or the taking of any proceedings hereunder and from time to time and for such period of time as the Optionee may in its sole discretion deem necessary or advisable. The Optionee shall notify the Optionor by letter addressed to the Optionor in the same manner as is herein provided for an acceptance of the option any time prior to the time limited herein which the Optionee by such notice may desire to extend or postpone.

The Optionor, insofar as it may be legally permitted so to do, hereby grants to the Optionee the right and privilege of entering into possession of the lands and premises herein optioned any time after the execution of this option of the lands, subject only to the rights of one Harold Slee and the Victoria and Grey Trust Company under their agreement with the Optionor, for the purposes of erecting temporary buildings, installing septic tanks and necessary tile beds, and drilling wells for water as the Optionee considers necessary and advisable for its development of the lands herein optioned provided, however, that the Optionee shall do so at the sole risk of the Optionee as to title and in the event the purchase and sale of the lands optioned is not completed for any reason the Optionee shall remove any buildings and structures which it has constructed or placed on the lands and so far as practical restore the lands to a reasonable condition at its expense but shall not otherwise be liable to the Optionor for any other claim or demands of any kind. Any action taken by the Optionee pursuant to the rights and privileges granted in this paragraph shall be done without prejudice to any other rights and obligations of the Optionor and Optionee hereunder.

Notwithstanding anything herein contained it is understood and agreed that in view of the relationship that exists between the Board of Governors of the Optionee and the Ontario Council of Regents for the Colleges of Applied Art and Technology, this agreement is subject to confirmation by the Council of Regents.

Time shall be of the essence of this agreement.

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

IN WITNESS WHEREOF the corporate seal of the Optionor has been hereunto affixed under the hands of its Mayor and Clerk and the corporate seal of the Optionee has been hereunto affixed under the hands of its duly authorized officers in that behalf.

[Executed by the Parties to the Agreement]



1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. BREITHAUF

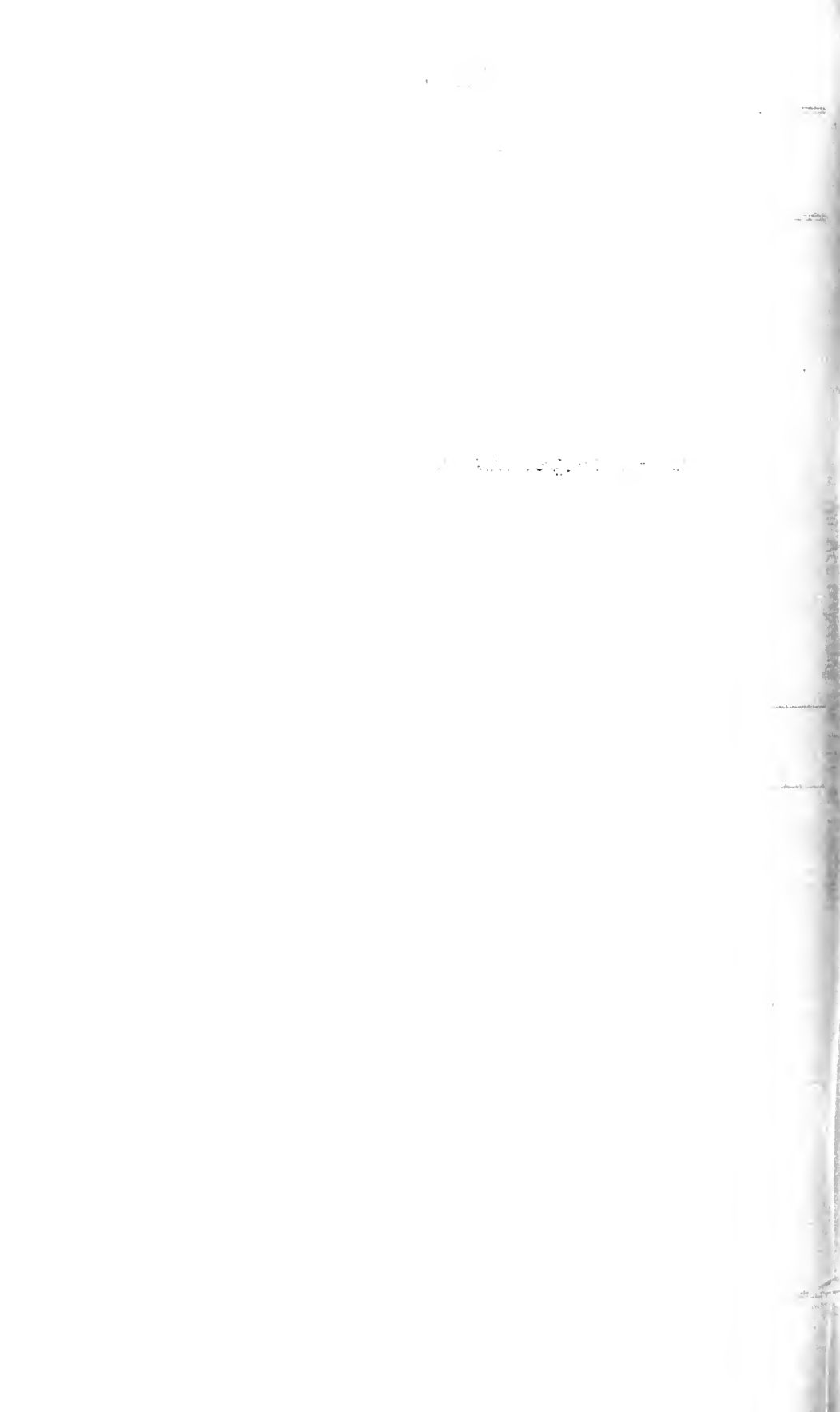
*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr30

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Kitchener

MR. BREITHAAPT



BILL Pr30

1968

An Act respecting the City of Kitchener

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

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

1.—(1) The Corporation has the power to acquire all or ^{Acquisition of lands} any of the lands described in Schedule A.

(2) The agreement dated the 15th day of November, ^{Agreement authorized} 1967, between the Corporation and the Conestoga College of Applied Arts and Technology, set out in Schedule B, is hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder.

2.—(1) For the purpose of paying part of the cost of ^{Debentures authorized} acquiring the lands referred to in subsection 1 of section 1, the council of the Corporation is authorized to pass a by-law authorizing the borrowing of not more than \$200,000 by the issue and sale of debentures without obtaining the approval of the Ontario Municipal Board or the assent of the electors of the City of Kitchener or of those electors entitled to vote on money by-laws.

(2) Any debentures issued pursuant to subsection 1 of this ^{Repayment} section shall be repayable in not more than fifteen years on the instalment plan and shall bear interest at such rate as council determines.

(3) Sections 55, 56 and 57 of *The Ontario Municipal Board Act* apply in respect of such by-law and debentures.

Applica-
tion of
R.S.O. 1960,
c. 274,
ss. 55-57

Applica-
tion of
R.S.O. 1960,
c. 249

3.—(1) Until and unless otherwise ordered by the Ontario Municipal Board, section 201 of *The Municipal Act* does not apply to the City of Kitchener.

Idem

(2) Upon the application of the Corporation or upon a petition in writing signed by not fewer than ten electors of the City of Kitchener qualified to vote on money by-laws, the Ontario Municipal Board may make an order that section 201 of *The Municipal Act* shall apply to the City.

Interpre-
tation

4.—(1) In this section, "special sale" means any sale or intended sale at retail described by the use of any of the following words or expressions, or any enlargement, contraction or combination thereof:

bankrupt	moving out	fire
insolvent	selling out	smoke
trustee	lease expiring	water damage
receiver	closing out	creditor
liquidation	discontinuing	forced

or any other similar word or words that represent, hold out or advertise that any goods, wares or merchandise are to be disposed of in a manner that is not in the ordinary course of retail business.

By-laws
regulating
special sales

(2) The council of the Corporation may pass by-laws,

- (a) for licensing and regulating special sales of goods and persons conducting such sales, and for prohibiting special sales of goods without a licence;
- (b) prescribing the conditions on which licences may be issued and revoked, and providing for the revocation of such licences;
- (c) fixing a fee for such licences; and
- (d) for appointing inspectors and providing for the inspection of such goods.

Exemptions

(3) A by-law under this section does not apply to a sale by or under the authority of,

R.S.C. 1952,
cc. 14, 296

- (a) a receiver or trustee under the *Bankruptcy Act* (Canada) or a liquidator under the *Winding-up Act* (Canada);

- (b) a court or a receiver appointed by a court;
- (c) a bailiff, sheriff, executor or administrator; or
- (d) a receiver, liquidator or trustee under any general or special Act.

(4) The provisions of Part XXI of *The Municipal Act* apply *mutatis mutandis* to any by-law passed under this section. Enforcement
R.S.O. 1960,
c. 249

5.—(1) The council of the Corporation may pass by-laws for regulating the crossing of curb-lines, sidewalks or paved boulevards by vehicles delivering materials to or removing materials from abutting lands on which any building is being erected, altered, repaired or demolished, and for requiring the owners of such abutting lands, upon any application for the issuing of a permit certifying to the approval of plans of buildings to be erected, altered, repaired or demolished thereon, to pay to the Corporation a sum of money not to exceed \$5 per foot of the limit of the lot abutting directly on such sidewalk, curbing or paved boulevard as a deposit to meet the cost of repairing any damage to the sidewalk, curbing or paved boulevard or to any water service box or other service therein caused by the crossing thereof by such vehicles. Deposit re
damages to
sidewalks,
etc., upon
issue of
building
permit

(2) Where a by-law passed under this section requires the payment of a deposit to cover the cost of damage to a sidewalk, curbing or paved boulevard, or to any water service box or other service therein, the by-law shall provide that, upon the completion of the erection, alteration, repair or demolition of the building or buildings on the lands abutting such sidewalk, curbing or paved boulevard and upon application by the person by whom the deposit was paid, the amount by which the sum deposited exceeds the cost of such repairs shall forthwith be refunded. Refund

(3) Where any moneys heretofore or hereafter paid to the Corporation to cover the cost of repairs to curbings, sidewalks or paved boulevards or to any water service box or other service therein remain unclaimed in the hands of the Treasurer of the Corporation for a period of six years. the Treasurer of the Corporation may insert in any newspaper having general circulation in the City of Kitchener a notice containing a list of such unclaimed moneys and stating that all persons having any claim to any of such moneys are required to prove their claims within ninety days from the publication of the notice, and, upon the expiration of ninety days from the publication of such notice, the Treasurer of Unclaimed
deposits

the Corporation may transfer all of such moneys against which no claim has been made to the general funds of the Corporation free of and from any and all claims of any kind whatsoever.

Cost of
prevention

(4) Without limiting the generality of subsection 1, a by-law passed under this section may require that the owner or occupier of the lands take all necessary steps to prevent building material, waste or soil from being spilled or tracked onto the public streets by vehicles going to or coming from the lands during the course of the erection, alteration, repair or demolition and may provide that, in addition to any penalty otherwise provided by law, the owner or occupier shall be responsible to the Corporation for the cost of removing such, and such cost may be deducted from the deposit.

Grant

6. The council of the Corporation may by by-law provide for the granting of the sum of \$6,000 to Minnie Anne Lautenslager.

Commence-
ment

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

Idem

(2) Subsection 1 of section 1 shall be deemed to have come into force on the 1st day of January, 1967.

Short title

8. This Act may be cited as *The City of Kitchener Act, 1968*.

SCHEDULE A

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being:

Firstly:

In the City of Kitchener, formerly in the Township of Waterloo, in the County of Waterloo and Province of Ontario, and being composed of parts of lots 10 and 11, Beasley's Old Survey, in the Lower Block on the west side of the Grand River and which said parcel may be more particularly described as follows:

COMMENCING at the point in the westerly limit of the Grand River where it is intersected by the northerly limit of the lands of the Ontario Department of Highways according to Deposited Plan No. 339;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the northerly limit of said Highway lands a distance of three thousand, one hundred and fifty-five feet and seven one-hundredths of a foot (3155.07), more or less, to an angle on same;

THENCE South eighty (80) degrees twenty-two (22) minutes thirty (30) seconds West a distance of eighty-eight feet and seventy-one one-hundredths of a foot (88.71), more or less, to an angle in said limit of Highway;

THENCE North seventy-two (72) degrees seven (07) minutes thirty (30) seconds West a distance of two hundred and forty-three feet and twenty-three one-hundredths of a foot (243.23), more or less, to an angle in said limit of Highway;

THENCE North eighty-three (83) degrees forty-two (42) minutes thirty (30) seconds West a distance of two hundred and eighty-one feet and fifty-nine one-hundredths of a foot (281.59), more or less, to the easterly limit of County Road No. 14;

THENCE South thirty-nine (39) degrees four (04) minutes East along the last-mentioned limit a distance of four hundred and thirty-three feet and ninety-three one-hundredths of a foot (433.93), more or less, to a point in the production easterly of the northerly limit of the lands of the Ontario Department of Highways according to Deposited Plan No. 343;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the said production easterly and along the northerly limit of said Department of Highways lands a distance of five hundred and sixty-two feet and four one-hundredths of a foot (562.04), more or less, to a point of curvature in same;

THENCE on a curve to the left of radius five thousand, eight hundred and seventy-nine feet and fifty-eight one-hundredths of a foot (5879.58) a distance of four hundred and fifty-seven feet and sixty-four one-hundredths of a foot (457.64) to a point (which point is in the southerly limit of the lands described in Registered Instrument Nos. 48440 and 316215 for the Township of Waterloo);

THENCE South seventy-six (76) degrees thirty-eight (38) minutes thirty (30) seconds West along the last-mentioned limit a distance of one thousand, eight hundred and eighty-three feet and ninety one-hundredths of a foot (1883.90) to a point (being in the westerly limit of the said lands described in Registered Instrument Nos. 48440 and 316215);

THENCE North twelve (12) degrees thirty (30) minutes forty (40) seconds West along same, a distance of eight hundred and twenty-nine feet and five-tenths of a foot (829.5), more or less, to the southerly limit of County Road No. 14 as widened by Registered Instrument No. 30665;

THENCE North seventy-six (76) degrees fifty-five (55) minutes thirty (30) seconds East along same, a distance of one thousand, three hundred and thirty-six feet and ninety-two one-hundredths of a foot (1336.92) to a point;

THENCE North thirteen (13) degrees four (4) minutes forty (40) seconds West a distance of sixty-six (66) feet to a point in the westerly limit of the aforementioned lands described in Registered Instrument Nos. 48440 and 316215;

THENCE North four (4) degrees forty-seven (47) minutes fifty (50) seconds West along same, a distance of one thousand, three hundred and seventy (1370) feet, more or less, to the southerly bank of the Grand River;

THENCE easterly, northeasterly and southerly along the southerly and westerly bank of the Grand River and its various meanderings, a distance of six thousand, six hundred and fifty (6650) feet, more or less, to the point of commencement.

CONTAINING by admeasurement an area of 175.54 acres, be the same more or less.

EXCEPTING THEREOUT AND THEREFROM, *firstly*, the County Road leading from Blair to Doon (Waterloo County Road No. 14) crossing a part of the said lands, and, *secondly*, those lands containing 1.41 acres, more or less, expropriated by the Department of Highways by, and as shown on, Deposited Plan No. 612.

Secondly:

All that portion of Lot 10, Beasley's Old Survey (Lower Block), and that portion of lots 10 and 11, Beasley's Old Survey (Lower Block), in the Township of Waterloo, in the County of Waterloo, in the Province of Ontario, having a total area of 47.231 acres, more or less, shown marked yellow on D.H.O. Plan of Survey P-3092-113, and more particularly described as follows:—

Premising that all bearings herein are astronomic and are referred to the meridian through the southeast corner of Lot 6, Concession 4, Beasley's Lower Block, in longitude eighty (80) degrees nineteen (19) minutes West.

Portion "A"—being part of Lot 10, having an area of 7.621 acres:

COMMENCING at the intersection, marked by a monument, of a line drawn parallel to and distant one hundred and fifty (150) feet measured southeasterly and perpendicularly from the centre line of construction of the King's Highway as shown on a Plan deposited in the Registry Office for the Registry Division of the County of Waterloo as No. 339, with a line drawn parallel to and distant eighty (80) feet measured northeasterly and perpendicularly from the northeasterly limit of the Old Huron Road as shown on Deposited Plan No. 339, and which said point of intersection may be located by starting at the intersection of the westerly limit of Lot 11 with the north limit of Old Huron Road; thence North seventy-six (76) degrees fifty-three (53) minutes thirty (30) seconds East along the said north limit three thousand and twelve and eight-tenths of a foot (3012.8) to the said northeasterly limit of Old Huron Road; thence South thirty-nine (39) degrees four (4) minutes East along the said northeasterly limit seven hundred and ninety-three and nine one-hundredths (793.09) feet to the said line drawn parallel to the centre line of construction of the King's Highway; thence North fifty-two (52) degrees fifty-three (53) minutes East along the said parallel line eighty feet and five one-hundredths of a foot (80.05) to the point of commencement.

THENCE North fifty-two (52) degrees fifty-three (53) minutes East along the last-mentioned parallel line, five hundred and twelve and eighty one-hundredths of a foot (512.80), more or less, to a monument;

THENCE North fifty-two (52) degrees fifty-three (53) minutes East continuing along the last-mentioned parallel line four hundred (400) feet, more or less, to a monument;

THENCE North fifty-two (52) degrees fifty-three (53) minutes East continuing along the last-mentioned parallel line, one hundred and forty-two feet and sixty-one one-hundredths of a foot (142.61) to the westerly limit of the lands described in Registered Instrument No. 317986;

THENCE South twenty (20) degrees fifty-eight (58) minutes East along the westerly limit of the lands in Registered Instrument No. 317986 a distance of six hundred and eighteen feet and ninety-seven one-hundredths of a foot (618.97);

THENCE South seventy-seven (77) degrees one (1) minute thirty (30) seconds West four hundred and forty-nine feet and forty-six one-hundredths of a foot (449.46) to a point;

THENCE North nineteen (19) degrees nine (9) minutes thirty (30) seconds West two hundred and nine feet and seventy-one one-hundredths (209.71) of a foot to a point;

THENCE South seventy-seven (77) degrees seven (7) minutes thirty (30) seconds West two hundred and ninety feet and eighty one-hundredths of a foot (290.80) to a point;

THENCE South twelve (12) degrees thirty-three (33) minutes East one hundred and seventy-two feet and two one-hundredths of a foot (172.02) to a point;

THENCE South seventy-one (71) degrees fifty-five (55) minutes thirty (30) seconds West two hundred and six feet and twenty one-hundredths of a foot (206.20), more or less, to a monument in the said line drawn parallel to the northeasterly limit of Old Huron Road;

THENCE North thirty-nine (39) degrees four (4) minutes West along the last-mentioned parallel line one hundred and eighty-one feet and twelve one-hundredths of a foot (181.12), more or less, to the point of commencement.

Portion "B"—being part of lots 10 and 11, having an area of 39.610 acres:

COMMENCING at the intersection of the easterly limit of the lauds described in Registered Instrument No. 317986 with a line drawn parallel to and distant one hundred and fifty (150) feet measured southeasterly and perpendicularly from the centre line of construction of the King's Highway as shown on a plan deposited in the Registry Office for the Registry Division of the County of Waterloo as No. 339, and which said point of intersection may be located by starting at the intersection of the westerly limit of Lot 11, with the north limit of Old Huron Road; thence North seventy-six (76) degrees fifty-three (53) minutes thirty (30) seconds East along the said north limit three thousand and twelve feet and eight-tenths of a foot (3012.8) to the northeasterly limit of Old Huron Road; thence South thirty-nine (39) degrees four (4) minutes East along the said northeasterly limit seven hundred and ninety-three feet and nine-tenths of a foot (793.90) to the said parallel line; thence North fifty-two (52) degrees fifty-three (53) minutes East along the said parallel line one thousand, two hundred and thirty-nine feet and fifty-seven one-hundredths of a foot (1239.57) to the point of commencement;

THENCE South twenty (20) degrees fifty-eight (58) minutes East along the easterly limit of the lands described in Registered Instrument No. 317986 a distance of six hundred and fifty-eight feet and twenty-one one-hundredths of a foot (658.21) to the southerly limit of the lands described in Registered Instrument Nos. 48440 and 316215;

THENCE North seventy-eight (78) degrees thirty-eight (38) minutes East nine hundred and seventy-nine feet and seventy one-hundredths of a foot (979.70) to a point;

THENCE North seventy-eight (78) degrees thirty-eight (38) minutes East two hundred and fifty feet (250), more or less, to the highwater mark on the westerly bank of the Grand River;

THENCE northerly along the said highwater mark one thousand, six hundred and fifty-five (1655) feet, more or less, to its intersection with the aforesaid parallel line;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the said parallel line fifty-nine (59) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line four hundred (400) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line five hundred (500) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line four hundred (400) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the said parallel line five hundred (500) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line one hundred and fifty-three feet and twenty-eight one-hundredths of a foot (153.28), 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 formerly in the Township of Waterloo, now in the City of Kitchener, in the County of Waterloo and in the Province of Ontario, having an area of 63.616 acres and being composed of a part of Biehn's Unnumbered Tract and a part of Lot No. 10 in Richard Beasley's Old Survey, all in the said Township of Waterloo, and being more particularly described as follows:

COMMENCING at a point in the interior of the said Lot No. 10, which said point may be located as follows: BEGINNING at the southwest angle of the said Lot No. 10 in Richard Beasley's Old Survey;

THENCE North seventy-six (76) degrees fifty-seven (57) minutes East along the southern limit of the said lot, a distance of four hundred and twelve feet and seventy-one one-hundredths of a foot (412.71);

THENCE North thirteen (13) degrees thirty-five (35) minutes and thirty (30) seconds West, along the eastern limit of the lands described in Instrument No. 30449, a distance of eighty-eight feet and seventy-five one-hundredths of a foot (88.75) to a point where an iron bar is planted and which said point is the point of commencement;

THENCE North thirteen (13) degrees thirty-five (35) minutes and thirty (30) seconds West, along the eastern limit of the lands described in Instrument No. 30449, a distance of seven hundred and fifty-five feet and twenty-one one-hundredths of a foot (755.21) to a point where a round iron bar is planted;

THENCE North thirteen (13) degrees thirty-seven (37) minutes and thirty (30) seconds West, continuing along the said eastern limit, a distance of eight hundred and thirty feet and eighty-eight one-hundredths of a foot (830.88) to a point where an iron bar is planted in the southern limit of the Kitchener-Doon Road as widened by Instrument No. 30671;

THENCE South seventy-six (76) degrees forty-five (45) minutes West, along the said southern limit, a distance of four hundred and eleven feet and twenty-two one-hundredths of a foot (411.22) to a point where an iron bar is planted;

THENCE South sixty-six (66) degrees thirty-five (35) minutes West, continuing along the said southern limit, a distance of fifteen hundred and forty-two feet and fifty one-hundredths of a foot (1542.50) to a point where an iron bar is planted in the eastern limit of the lands described in Instrument No. 147747;

THENCE South twenty-three (23) degrees twenty-five (25) minutes East, along the said eastern limit and along the eastern limit of the lands described in Instrument No. 48372, a distance of two hundred and twenty-nine feet (229) to a point where an iron bar is planted;

THENCE South sixty-six (66) degrees thirty-three (33) minutes West, along the southern limit of the lands described in Instrument No. 48372, a distance of two hundred and thirty-seven feet and seventy-two one-hundredths of a foot (237.72) to a point where an iron bar is planted in the eastern limit of the public road;

THENCE South four (4) degrees forty-one (41) minutes East, along the said eastern limit, a distance of three hundred and fifty-five feet and thirty-five one-hundredths of a foot (355.35) to a point where a round iron bar is planted in the northern limit of County Road No. 14 as shown on Deposited Plan No. 556;

THENCE South sixty-eight (68) degrees fifty-three (53) minutes and thirty (30) seconds East, along the said northern limit, a distance of thirteen hundred and eighty-six feet and forty-seven one-hundredths of a foot (1386.47) to a point where an iron bar is planted in the western limit of the land of G. M. Good, as described in Instrument No. 322218;

THENCE North twenty-one (21) degrees six (6) minutes and thirty (30) seconds East, along the said eastern limit, a distance of one hundred and fifteen feet and forty-one one-hundredths of a foot (115.41) to a point;

THENCE North seventy-six (76) degrees twenty-four (24) minutes and thirty (30) seconds East, along the northern limit of the said lands, a distance of nine hundred and fifty-two feet and forty-seven one-hundredths of a foot (952.47) to the point of commencement.

Fourthly:

Having an area of 32.203 acres and being composed of a part of Lot No. 9 and a part of Lot No. 10 in Richard Beasley's Old Survey and part of Biehn's Unnumbered Tract, all in the said Township of Waterloo, more particularly described as follows:

COMMENCING at the northwest angle of Lot No. 9 in Richard Beasley's Old Survey;

THENCE North seventy-six (76) degrees fifty-seven (57) minutes East along the northern limit of the said lot, a distance of four hundred and twelve feet and seventy-one one-hundredths of a foot (412.71) to a point where a standard iron bar is planted;

THENCE North thirteen (13) degrees thirty-five (35) minutes thirty (30) seconds West a distance of eight hundred and forty-three feet and ninety-six one-hundredths of a foot (843.96) to a point where a round iron bar is planted;

THENCE North seventy-six (76) degrees thirty-eight (38) minutes thirty (30) seconds East, a distance of eighteen hundred and thirty-three feet and five-tenths of a foot (1833.50) to a point where an iron bar is planted in the northwestern limit of the King's Highway No. 401 as shown on Expropriation Plan No. 4;

THENCE southwesterly along the said northwestern limit along a curve to the left having a radius of five thousand, nine hundred and four feet and fifty-eight one-hundredths of a foot (5904.58), an arc distance of fourteen hundred and eleven feet and sixteen one-hundredths of a foot (1411.16), the chord of which has a bearing South forty-one (41) degrees

seven (7) minutes forty-two (42) seconds West and a distance of fourteen hundred and seven feet and eight-tenths of a foot (1407.80) to a point where a standard iron bar is planted;

THENCE South forty-four (44) degrees thirteen (13) minutes thirty (30) seconds West continuing along the said northwestern limit, a distance of two hundred and eighty-one feet and twenty-seven one-hundredths of a foot (281.27);

THENCE South eighty-two (82) degrees twenty (20) minutes thirty (30) seconds West along the northern limit of the said lands, a distance of four hundred and thirty-seven feet and eighty-four one-hundredths of a foot (437.84) to a point where an iron bar is planted;

THENCE South sixty-seven (67) degrees twelve (12) minutes thirty (30) seconds West continuing along the said northern limit, a distance of one hundred and fourteen feet and eleven one-hundredths of a foot (114.11) to a point where an iron bar is planted;

THENCE South forty-five (45) degrees forty-five (45) minutes thirty (30) seconds West along the northwestern limit of the said lands, a distance of three hundred and sixty feet and forty-nine one-hundredths of a foot (360.49) to a point where an iron bar is planted;

THENCE South seventy-four (74) degrees fifty-five (55) minutes West along the northern limit of the lands of the King's Highway No. 401 as shown on Deposited Plan No. 551, a distance of one hundred and forty-one feet and forty-nine one-hundredths of a foot (141.49) to a point where an iron bar is planted;

THENCE North seventy-two (72) degrees twenty-four (24) minutes thirty (30) seconds West along the northern limit of the said lands, a distance of five hundred and forty-three feet and twenty-eight one-hundredths of a foot (543.28) to a point where a round iron bar is planted;

THENCE North seventy-five (75) degrees twenty-eight (28) minutes East, a distance of six hundred and five feet and sixty-two one-hundredths of a foot (605.62) to the point of commencement.

Fifthly:

Being composed of a part of Lot No. 10 in Richard Beasley's Old Survey, and a part of Biehn's Unnumbered Tract, all in the said Township of Waterloo, more particularly described as follows:

COMMENCING at the southwest angle of Lot No. 10;

THENCE North seventy-six (76) degrees fifty-seven (57) minutes East along the southern limit of the said lot, a distance of four hundred and twelve feet and seventy-one one-hundredths of a foot (412.71) to a point where a standard iron bar is planted;

THENCE North thirteen (13) degrees thirty-five (35) minutes thirty (30) seconds West, a distance of eighty-eight feet and seventy-five one-hundredths of a foot (88.75) to a point where an iron bar is planted;

THENCE South seventy-six (76) degrees twenty-four (24) minutes thirty (30) seconds West, a distance of nine hundred and fifty-two feet and forty-seven one-hundredths of a foot (952.47) to a point where an iron bar is planted;

THENCE South twenty-one (21) degrees six (6) minutes thirty (30) seconds West, a distance of one hundred and fifteen feet and forty-one one-hundredths of a foot (115.41) to a point where a round iron bar is planted in the northern limit of the King's Highway No. 401 as shown on Deposited Plan No. 551;

THENCE North seventy-five (75) degrees twenty-eight (28) minutes East, a distance of six hundred and five feet and sixty-two one-hundredths of a foot (605.62) to the point of commencement.

SUBJECT to a right-of-way to Richard Harold Slee, personally and for his own use only as long as he owns and farms lands opposite the lands hereinbefore described, being situate on the south side of County Road No. 14, a right-of-way from the said County Road No. 14 to the lands at present owned by him on the north side of said County Road No. 14, and being composed of a part of Biehn's Unnumbered Tract, and which said right-of-way is eighteen feet (18) in perpendicular width east and west of a centre line which is located as follows:

COMMENCING at the northwest angle of Lot No. 9 of Richard Beasley's Old Survey;

THENCE South seventy-six (76) degrees fifty-seven (57) minutes West a distance of four hundred and sixteen feet and sixty-two one-hundredths of a foot (416.62) to a point;

THENCE South twelve (12) degrees fifty-seven (57) minutes West a distance of one hundred feet and seventy-nine one-hundredths of a foot (100.79) to a point in the northerly limit of Deposited Plan No. 551 which said point is the point of commencement to the said centre line;

THENCE North twelve (12) degrees fifty-seven (57) minutes East a distance of two hundred and four feet and ninety-four one-hundredths of a foot (204.94), more or less, to a point in the eastern limit of the lands hereinbefore described.

SCHEDULE B

THIS INDENTURE made the 15th day of November, 1967.

BETWEEN:

THE CORPORATION OF THE CITY OF KITCHENER,

hereinafter called the Optionor,

OF THE FIRST PART,

— and —

THE CONESTOGA COLLEGE OF APPLIED ARTS AND TECHNOLOGY,

hereinafter called the Optionee,

OF THE SECOND PART.

WITNESSETH that in consideration of the sum of Ten Dollars (\$10.00) now paid by the Optionee to the Optionor (the receipt whereof is hereby acknowledged) the Optionor hereby gives to the Optionee an option, irrevocable within the time limited herein for acceptance, to purchase free from encumbrances the following lands and premises at the prices stipulated therefor and at the time as follows: Approximately one hundred and forty-four (144) acres, being the lands outlined in red, blue and green on Schedule "A" attached hereto, of which forty-eight (48) acres shall, in the event the option is exercised, be conveyed to the Optionee without payment therefor. The price for the lands shall be as hereinafter set forth and the said forty-eight (48) acres shall be allocated as to one-half thereof to the lands referred to herein as the "Golf Club Lands" and as to the other one-half firstly the lands referred to herein as the "Good Lands" and the balance, if any, to the "Slee Lands".

The option shall be open for acceptance up to but not after twelve o'clock noon on the sixtieth (60th) day following the date on which the lands are annexed to the Optionor pursuant to an Order of The Ontario Municipal Board (including the time allowed for appeal) which Order has become final and may be accepted by a letter mailed prepaid registered mail or delivered to the Optionor addressed to The City Co-Ordinator, City Hall, Kitchener. In the event no such Order is made prior to the 1st day of January, 1969, then this option shall become null and void when it is ascertained no such Order will be made or January 1, 1969, whichever first occurs.

The Optionor shall forthwith cause to have prepared a survey of the said lands, including any surveys required for road widenings or closing and any by-laws necessary as a result thereof, at its expense, of the lands herein optioned and cause to have delivered to the Optionee copies thereof as soon as received. It is agreed between the Optionor and the Optionee that the Optionor shall have the right to reserve out of the lands herein being optioned such lands, not to exceed fifty (50) feet in depth, as it deems necessary for the widening of the proposed Homer Watson Boulevard, now being the County road extending along the southerly limit of the said lands, it being understood the Optionee shall pay for the lands herein to be paid for in the event of the exercise of the option on an average basis at the varying prices as herein provided.

In the event of the exercise by the Optionee of the option herein this option, together with the letter of acceptance, shall constitute a contract of purchase and sale and this contract shall be completed thirty (30) days after the Optionor obtains proclamation of a Private Act validating the title of the lands in the City of Kitchener, on which date the

Optionor will convey the said lands and premises to the Optionee by a good and sufficient deed therefor in fee simple, free and clear of all encumbrances and dower rights and, as may be applicable, shall deliver vacant possession of the said lands and premises to the Optionee against payment by the Optionee of the purchase price thereof as herein set forth. The Optionee agrees to support the application of the Optionor for such Private Act as requested (other than for the payment of money) and the Optionor agrees as soon as it has title to all the said lands to forthwith apply for such an Act. In the event such an Act is not proclaimed then unless Counsel for the Optionee is prepared to certify title to the said lands the agreement of purchase and sale arising out of this option and its acceptance shall become null and void.

In computing the purchase price for the lands and premises herein optioned, the price per acre therefor shall be as follows:

- (a) As to the lands and premises now or previously owned by one Harold Slee (herein sometimes called the "Slee Lands"), Twenty-Five Hundred Dollars (\$2,500.00) per acre.
- (b) As to the lands and premises previously owned by one Ira Good (herein sometimes called the "Good Lands"), Two Thousand Dollars (\$2,000.00) per acre.
- (c) As to the lands and premises previously owned by Arnold Elmslie and known as Doon Valley Golf Club (herein sometimes called the "Golf Club Lands"), Seventeen Hundred Dollars (\$1,700.00) per acre.

The Optionor further agrees that (a) subject to the order of the Ontario Municipal Board annexing the lands to the City of Kitchener as herein provided, and (b) subject to obtaining a Private Act validating the title to the lands or the opinion of Counsel for the Optionee as herein provided, in the event of the exercise of the within option the said Optionor shall extend and bring into operation municipal services (sewer and water) to the border of the lands acquired by the Optionee pursuant to the terms of this option or construct additional temporary services to meet the needs of the College facilities eighteen (18) months from the date of annexation or the 1st day of September, 1969, whichever date shall be the later, at no expense to the Optionee. The Optionor agrees to diligently prosecute its application for annexation with the intent that such application shall be heard prior to the 1st day of January, 1968, if possible.

Provided that neither the acceptance of this option to purchase nor the payment of any moneys as herein provided for shall bind the Optionee to pay any other instalment but it shall always be at liberty to cancel and rescind the contract by forfeiting the payments already made in respect thereof and upon such cancellation it shall not be in any way liable or responsible for any further payments or for any damages for failure to carry out the contract.

Provided that if the Optionee fails or neglects to comply with the stipulations or provisos herein, or any of them, the Optionor may, at its option, rescind the contract on ten (10) days' notice to be given by a letter delivered to the Optionee at 30 Francis Street South, Kitchener, and upon the expiry of the time limited by the said notice the Optionor may forthwith repossess itself of the said lands and premises.

In the event that such option is not accepted in the manner aforesaid this agreement and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the Optionor shall be entitled to retain the said sum given as consideration for the granting of this option.

The Optionee shall search the title at its own expense and shall have fifteen (15) days from the date of acceptance of the option to examine it and shall then be deemed to have accepted the title as to any written objections made within that period of time. If any objection be made within that time the Optionor shall have a reasonable time to remove it

but if it be unable or unwilling to do so it may, notwithstanding any intermediate correspondence, cancel the contract and return the deposit and shall not be liable to the Optionee for any expenses incurred by it.

In the event of any delay in the Optionor fulfilling any of its obligations hereunder the Optionee shall have the right to extend the time or times, as the case may be, for the doing of any act or the taking of any proceedings hereunder and from time to time and for such period of time as the Optionee may in its sole discretion deem necessary or advisable. The Optionee shall notify the Optionor by letter addressed to the Optionor in the same manner as is herein provided for an acceptance of the option any time prior to the time limited herein which the Optionee by such notice may desire to extend or postpone.

The Optionor, insofar as it may be legally permitted so to do, hereby grants to the Optionee the right and privilege of entering into possession of the lands and premises herein optioned any time after the execution of this option of the lands, subject only to the rights of one Harold Slee and the Victoria and Grey Trust Company under their agreement with the Optionor, for the purposes of erecting temporary buildings, installing septic tanks and necessary tile beds, and drilling wells for water as the Optionee considers necessary and advisable for its development of the lands herein optioned provided, however, that the Optionee shall do so at the sole risk of the Optionee as to title and in the event the purchase and sale of the lands optioned is not completed for any reason the Optionee shall remove any buildings and structures which it has constructed or placed on the lands and so far as practical restore the lands to a reasonable condition at its expense but shall not otherwise be liable to the Optionor for any other claim or demands of any kind. Any action taken by the Optionee pursuant to the rights and privileges granted in this paragraph shall be done without prejudice to any other rights and obligations of the Optionor and Optionee hereunder.

Notwithstanding anything herein contained it is understood and agreed that in view of the relationship that exists between the Board of Governors of the Optionee and the Ontario Council of Regents for the Colleges of Applied Art and Technology, this agreement is subject to confirmation by the Council of Regents.

Time shall be of the essence of this agreement.

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

IN WITNESS WHEREOF the corporate seal of the Optionor has been hereunto affixed under the hands of its Mayor and Clerk and the corporate seal of the Optionee has been hereunto affixed under the hands of its duly authorized officers in that behalf.

[Executed by the Parties to the Agreement]

1st Reading

February 22nd, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. BREITHAUPT

BILL Pr31

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Township of Rayside

MR. DEMERS

(PRIVATE BILL)



BILL Pr31

1968

An Act respecting the Township of Rayside

WHEREAS The Corporation of the Township of Ray- Preamble
side, herein called the Corporation, by its petition has
prayed for special legislation in respect of the matters herein-
after set forth; and whereas it is expedient to grant the prayer
of the petition;

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

1. The council of the Corporation is hereby authorized By-law
to pass a by-law, without obtaining the approval of the
Ontario Municipal Board, providing for the issue of debentures
of the Corporation in a principal amount not exceeding
\$45,000, payable in not more than twenty years, to defray
the cost of the erection and equipping of an addition to the
Azilda Public School situated in the said Township in the
Sudbury District School Area No. 1.

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal* Application
Board Act apply in respect of a by-law passed under section 1 of
and the debentures to be issued thereunder. R.S.O. 1960,
c. 274,
ss. 55-58

3. For the purposes of every Act, the Ontario Municipal Order of
Board shall be deemed to have issued an order, under sec- O.M.B.,
deemed
made
tion 63 of *The Public Schools Act* and section 64 of *The Ontario* R.S.O. 1960,
cc. 330, 274
Municipal Board Act, authorizing The Public School Board
of Sudbury District School Area No. 1 to proceed with the
undertaking referred to in section 1 and authorizing the
Corporation to issue debentures under section 1.

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

5. This Act may be cited as *The Township of Rayside* Short title
Act, 1968.

An Act respecting
the Township of Rayside

1st Reading

2nd Reading

3rd Reading

MR. DEMERS

(*Private Bill*)

BILL Pr31

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Township of Rayside

MR. DEMERS



BILL Pr31

1968

An Act respecting the Township of Rayside

WHEREAS The Corporation of the Township of Ray-^{Preamble}side, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

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

1. The council of the Corporation is hereby authorized ^{By-law} to pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$45,000, payable in not more than twenty years, to defray the cost of the erection and equipping of an addition to the Azilda Public School situated in the said Township in the Sudbury District School Area No. 1.

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. 1960, c. 274, ss. 55-58}

3. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order, under section 63 of *The Public Schools Act* and section 64 of *The Ontario Municipal Board Act*, authorizing The Public School Board of Sudbury District School Area No. 1 to proceed with the undertaking referred to in section 1 and authorizing the Corporation to issue debentures under section 1. ^{Order of O.M.B. deemed made R.S.O. 1960, cc. 330, 274}

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

5. This Act may be cited as *The Township of Rayside Act, 1968*. ^{Short title}

An Act respecting
the Township of Rayside

1st Reading

February 22nd, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 9th, 1968

MR. DEMERS

BILL Pr32

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Cardinal Insulation Limited

MR. TROTTER

(PRIVATE BILL)



BILL Pr32

1968

An Act respecting Cardinal Insulation Limited

WHEREAS Melvin M. Anaka, Helen Anaka and Joseph Dexter by their petition have represented that Cardinal Insulation Limited, herein called the Corporation, was incorporated by letters patent dated the 11th day of August, 1955; that the Provincial Secretary, by Order dated the 11th day of August, 1966 and made under the authority of subsection 2 of section 326 of *The Corporations Act*, cancelled the letters patent of the Corporation and declared it to be dissolved on the 22nd day of September, 1966; that the petitioners were all the directors and the holders of all 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 each of the petitioners as directors, was not received by any of them and none of them was aware of the dissolution of the Corporation until more than one year after the date thereof; that the Corporation at the time of its dissolution was carrying on an active commercial business in the County of York, in the Province of Ontario; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petition;

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

1. Cardinal Insulation Limited, incorporated by letters patent dated the 11th day of August, 1955, 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 **2.** This Act comes into force on the day it receives Royal Assent.

Short title **3.** This Act may be cited as *The Cardinal Insulation Limited Act, 1968*.



1/10/1901 10A 11A
10.10.1901 (10.10.1901)

An Act respecting
Cardinal Insulation Limited

1st Reading

2nd Reading

3rd Reading

MR. TROTTER

(Private Bill)

BILL Pr32

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Cardinal Insulation Limited

MR. TROTTER

BILL Pr32

1968

An Act respecting Cardinal Insulation Limited

WHEREAS Melvin M. Anaka, Helen Anaka and Joseph ^{Preamble} Dexter by their petition have represented that Cardinal Insulation Limited, herein called the Corporation, was incorporated by letters patent dated the 11th day of August, 1955; that the Provincial Secretary, by Order dated the 11th day of August, 1966 and made under the authority of subsection 2 of section 326 of *The Corporations Act*, cancelled the letters patent of the Corporation and declared it to be dissolved on the 22nd day of September, 1966; that the petitioners were all the directors and the holders of all 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 each of the petitioners as directors, was not received by any of them and none of them was aware of the dissolution of the Corporation until more than one year after the date thereof; that the Corporation at the time of its dissolution was carrying on an active commercial business in the County of York, in the Province of Ontario; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petition;

R.S.O. 1960,
c. 71

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

1. Cardinal Insulation Limited, incorporated by letters <sup>Cardinal
Insulation
Limited
revived</sup> patent dated the 11th day of August, 1955, 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

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

Short title

3. This Act may be cited as *The Cardinal Insulation Limited Act, 1968*.

An Act respecting
Cardinal Insulation Limited

1st Reading

March 5th, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. TROTTER

BILL Pr33

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Toronto

MR. PRICE

(PRIVATE BILL)

An Act respecting the City of Toronto

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

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

1. The lands in the City of Toronto being composed of:

Lands
vested
in the
Corporation
free of
trust

All that Parcel or Tract of land, situate in the County of York and Province of Ontario, containing by admeasurement two acres and three quarters, be the same more or less, being composed of all that parcel or tract of land, in the aforesaid City of Toronto, known as Clarence Square, being a portion of the Tract formerly designated the Garrison Reserve, as shewn upon a map of survey by Deputy Provincial Surveyor William Hawkins, dated 18th February, 1837, deposited in the Crown Land Department;

heretofore given and granted "unto the Mayor and Corporation of the City of Toronto in the County of York, in trust, as a Public Square for ever" by Her late Majesty Queen Victoria by instrument dated the 19th day of March, 1860, are hereby vested in the Corporation in fee simple, clear of and free from all right, title and interest other than that of the Corporation, and the beforementioned trust and the conditions created by such instrument are hereby annulled.

2. Notwithstanding the provisions of *The Insurance Act* or any other general or special Act, the Toronto Fire Department Superannuation and Benefit Fund created by and subsisting under By-law No. 10649 of the Corporation, passed December 14, 1925, as validated by section 7 of *The City of Toronto Act, 1932* and as amended from time to time, shall be deemed not to be a fraternal society for the purposes of *The Insurance Act*. ^{Fire Department Pension Fund deemed not a fraternal society R.S.O. 1960, c. 190 1932, c. 93}

1961-62,
c. 171, s. 1,
amended

3. Section 1 of *The City of Toronto Act, 1961-62* is amended by adding thereto the following subsection:

Collection
of charges

(4a) A charge imposed by a by-law passed under this section may be collected when the building has been erected or at any time after the expiration of a period of two years next following the date of issue of the building permit, whichever first occurs, and subsection 3 applies *mutatis mutandis* to any such charge.

Estimates
adopted in
preceding
year

R.S.O. 1960,
c. 249

4.—(1) Notwithstanding anything in any general or special Act, the council of the Corporation may by by-law provide that the estimates of all sums required during any year for the purposes of the Corporation as set forth in section 297 of *The Municipal Act* may be prepared and adopted in the next preceding year except when such next preceding year is a year in which a regular periodic election is held for election of candidates for council, and may provide by any such by-law or by another by-law that the estimates of every board, commission or other body for which the council is required by law to levy any rate or provide money, for the year for which the Corporation's estimates are to be so adopted, shall be submitted to the council not later than the 1st day of December in the next preceding year.

Time for
passing
by-law

(2) Any by-law passed under subsection 1 shall be passed not later than the 1st day of October in the year in which the by-law takes effect and shall remain in force from year to year until repealed.

Exception

R.S.O. 1960,
c. 260

(3) A by-law passed under subsection 1 requiring the estimates of the boards, commissions or other bodies therein referred to to be submitted before the 1st day of December in the year in which the Corporation's estimates are to be prepared and adopted shall not apply to estimates submitted under subsection 4 of section 139 of *The Municipality of Metropolitan Toronto Act*.

Accounts of
Local Board
of Health
R.S.O. 1960,
c. 321

5. Notwithstanding section 21 of *The Public Health Act*, the treasurer of the Corporation may pay any account referred to in subsection 1 of the said section 21 without a resolution of the Local Board of Health of the City of Toronto approving such account.

Treasurer
may sign
cheques
R.S.O. 1960,
c. 249,
s. 220,
subs. 1

6. Notwithstanding subsection 1 of section 220 of *The Municipal Act*, the council of the Corporation may provide by by-law that cheques issued by the treasurer of the Corporation shall be signed by him or by some other person on his behalf and in his stead, provided that the treasurer or

other person so signing has satisfied himself before signing that the issue thereof is authorized, and no signature by any other person shall be required.

7. Subsection 10 of section 2 of *The City of Toronto Act*, 1909, c. 125, s. 2, 1909, as enacted by section 4 of *The City of Toronto Act No. 2*, subs. 10 (1931, c. 131, s. 4), 1931, is repealed.

8. The council of the Corporation may by by-law provide that any water supplied or made available for any land or building for the purposes of protection of property or persons from fire or for preventing fires or the spreading of fires shall not be used for any other purpose, and may impose penalties not exceeding \$500 recoverable under *The Summary Convictions Act* for contravention of any of the provisions of such by-law.

Protection services

R.S.O. 1960, c. 387

9. Notwithstanding section 5 of *The Fire Departments Act*, the council of the Corporation shall not be required to bargain as therein set forth for the purpose of defining, determining and providing for remuneration, pensions or working conditions of any deputy chief or assistant deputy chief of the fire department of the City of Toronto.

Fire Department bargaining R.S.O. 1960, c. 145

10. The council of the Corporation is hereby authorized to pay to Allan Austin Lamport or his executors, administrators or assigns, an amount of \$968.50 or such amount as he is liable to pay his solicitors, whichever is the lesser, for legal expenses in respect of an application by or on behalf of David Depoe and others for committal of the said Allan Austin Lamport for contempt.

Payment of legal expenses of A. A. Lamport

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

Commencement

12. This Act may be cited as *The City of Toronto Act, 1968*.

Short title





1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. PRICE

(Private Bill)

BILL Pr33

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Toronto

MR. PRICE

(Reprinted as amended by the Committee on Private Bills)



An Act respecting the City of Toronto

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

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

1. The lands in the City of Toronto being composed of: ^{Lands vested in the Corporation free of trust}

All that Parcel or Tract of land, situate in the County of York and Province of Ontario, containing by admeasurement two acres and three quarters, be the same more or less, being composed of all that parcel or tract of land, in the aforesaid City of Toronto, known as Clarence Square, being a portion of the Tract formerly designated the Garrison Reserve, as shewn upon a map of survey by Deputy Provincial Surveyor William Hawkins, dated 18th February, 1837, deposited in the Crown Land Department;

heretofore given and granted "unto the Mayor and Corporation of the City of Toronto in the County of York, in trust, as a Public Square for ever" by Her late Majesty Queen Victoria by instrument dated the 19th day of March, 1860, are hereby vested in the Corporation in fee simple, clear of and free from all right, title and interest other than that of the Corporation, and the beforementioned trust and the conditions created by such instrument are hereby annulled.

2. Notwithstanding the provisions of *The Insurance Act* ^{Fire Department Pension Fund deemed not a fraternal society} or any other general or special Act, the Toronto Fire Department Superannuation and Benefit Fund created by and subsisting under By-law No. 10649 of the Corporation, passed December 14, 1925, as validated by section 7 of *R.S.O. 1960, c. 190* *The City of Toronto Act, 1932* and as amended from time to time, shall be deemed not to be a fraternal society for the purposes of *The Insurance Act*. ^{1932, c. 93}

1961-62,
c. 171, s. 1,
amended

3. Section 1 of *The City of Toronto Act, 1961-62* is amended by adding thereto the following subsection:

Collection
of charges

(4a) A charge imposed by a by-law passed under this section may be collected when the building has been erected or at any time after the expiration of a period of two years next following the date of issue of the building permit, whichever first occurs, and subsection 3 applies *mutatis mutandis* to any such charge.

Estimates
adopted in
preceding
year

4.—(1) Notwithstanding anything in any general or special Act, the council of the Corporation may by by-law provide that the estimates of all sums required during any year for the purposes of the Corporation as set forth in section 297 of *The Municipal Act* may be prepared and adopted in the next preceding year except when such next preceding year is a year in which a regular periodic election is held for election of candidates for council, and may provide by any such by-law or by another by-law that the estimates of every board, commission or other body for which the council is required by law to levy any rate or provide money, for the year for which the Corporation's estimates are to be so adopted, shall be submitted to the council not later than the 1st day of December in the next preceding year.

R.S.O. 1960,
c. 249

Time for
passing
by-law

(2) Any by-law passed under subsection 1 shall be passed not later than the 1st day of October in the year in which the by-law takes effect and shall remain in force from year to year until repealed.

Exception

(3) A by-law passed under subsection 1 requiring the estimates of the boards, commissions or other bodies therein referred to to be submitted before the 1st day of December in the year in which the Corporation's estimates are to be prepared and adopted shall not apply to estimates submitted under subsection 4 of section 139 of *The Municipality of Metropolitan Toronto Act*.

R.S.O. 1960,
c. 260

Accounts of
Local Board
of Health
R.S.O. 1960,
c. 321

5. Notwithstanding section 21 of *The Public Health Act*, the treasurer of the Corporation may pay any account referred to in subsection 1 of the said section 21 without a resolution of the Local Board of Health of the City of Toronto approving such account but the treasurer shall, from time to time, furnish the Local Board of Health with a list of the accounts so paid.

Treasurer
may sign
cheques
R.S.O. 1960,
c. 249,
s. 220,
subs. 1

6. Notwithstanding subsection 1 of section 220 of *The Municipal Act*, the council of the Corporation may provide by by-law that cheques issued by the treasurer of the Corporation shall be signed by him or by some other person on

his behalf and in his stead, provided that the treasurer or other person so signing has satisfied himself before signing that the issue thereof is authorized, and no signature by any other person shall be required.

7. Subsection 10 of section 2 of *The City of Toronto Act*, 1909, c. 125, s. 2, 1909, as enacted by section 4 of *The City of Toronto Act No. 2*, subs. 10 (1931, c. 131, s. 4), 1931, is repealed. repealed

8. The council of the Corporation may by by-law provide that any water supplied or made available for any land or building for the purposes of protection of property or persons from fire or for preventing fires or the spreading of fires shall not be used for any other purpose, and may impose penalties not exceeding \$500 recoverable under *The Summary Convictions Act* for contravention of any of the provisions of such by-law. Protection services R.S.O. 1960, c. 387

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

10. This Act may be cited as *The City of Toronto Act, 1968*. Short title



California at the ...

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. PRICE

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

BILL Pr33

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Toronto

MR. PRICE



An Act respecting the City of Toronto

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

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

1. The lands in the City of Toronto being composed of: Lands
vested
in the
Corporation
free of
trust

All that Parcel or Tract of land, situate in the County of
 York and Province of Ontario, containing by admeasurement
 two acres and three quarters, be the same more or less, being
 composed of all that parcel or tract of land, in the aforesaid
 City of Toronto, known as Clarence Square, being a portion
 of the Tract formerly designated the Garrison Reserve, as
 shewn upon a map of survey by Deputy Provincial Surveyor
 William Hawkins, dated 18th February, 1837, deposited in
 the Crown Land Department;

heretofore given and granted "unto the Mayor and Corpora-
 tion of the City of Toronto in the County of York, in trust,
 as a Public Square for ever" by Her late Majesty Queen
 Victoria by instrument dated the 19th day of March, 1860,
 are hereby vested in the Corporation in fee simple, clear of
 and free from all right, title and interest other than that of
 the Corporation, and the beforementioned trust and the
 conditions created by such instrument are hereby annulled.

2. Notwithstanding the provisions of *The Insurance Act* Fire
Department
Pension
Fund
deemed not
a fraternal
society
 or any other general or special Act, the Toronto Fire Depart-
 ment Superannuation and Benefit Fund created by and
 subsisting under By-law No. 10649 of the Corporation, and
 passed December 14, 1925, as validated by section 7 of R.S.O. 1960,
c. 190
1932, c. 93
The City of Toronto Act, 1932 and as amended from time to
 time, shall be deemed not to be a fraternal society for the
 purposes of *The Insurance Act*.

1961-62,
c. 171, s. 1,
amended

3. Section 1 of *The City of Toronto Act, 1961-62* is amended by adding thereto the following subsection:

Collection
of charges

(4a) A charge imposed by a by-law passed under this section may be collected when the building has been erected or at any time after the expiration of a period of two years next following the date of issue of the building permit, whichever first occurs, and subsection 3 applies *mutatis mutandis* to any such charge.

Estimates
adopted in
preceding
year

4.—(1) Notwithstanding anything in any general or special Act, the council of the Corporation may by by-law provide that the estimates of all sums required during any year for the purposes of the Corporation as set forth in section 297 of *The Municipal Act* may be prepared and adopted in the next preceding year except when such next preceding year is a year in which a regular periodic election is held for election of candidates for council, and may provide by any such by-law or by another by-law that the estimates of every board, commission or other body for which the council is required by law to levy any rate or provide money, for the year for which the Corporation's estimates are to be so adopted, shall be submitted to the council not later than the 1st day of December in the next preceding year.

R.S.O. 1960,
c. 249

Time for
passing
by-law

(2) Any by-law passed under subsection 1 shall be passed not later than the 1st day of October in the year in which the by-law takes effect and shall remain in force from year to year until repealed.

Exception

(3) A by-law passed under subsection 1 requiring the estimates of the boards, commissions or other bodies therein referred to to be submitted before the 1st day of December in the year in which the Corporation's estimates are to be prepared and adopted shall not apply to estimates submitted under subsection 4 of section 139 of *The Municipality of Metropolitan Toronto Act*.

R.S.O. 1960,
c. 260

Accounts of
Local Board
of Health
R.S.O. 1960,
c. 321

5. Notwithstanding section 21 of *The Public Health Act*, the treasurer of the Corporation may pay any account referred to in subsection 1 of the said section 21 without a resolution of the Local Board of Health of the City of Toronto approving such account but the treasurer shall, from time to time, furnish the Local Board of Health with a list of the accounts so paid.

Treasurer
may sign
cheques
R.S.O. 1960,
c. 249,
s. 220,
subs. 1

6. Notwithstanding subsection 1 of section 220 of *The Municipal Act*, the council of the Corporation may provide by by-law that cheques issued by the treasurer of the Corporation shall be signed by him or by some other person on

his behalf and in his stead, provided that the treasurer or other person so signing has satisfied himself before signing that the issue thereof is authorized, and no signature by any other person shall be required.

7. Subsection 10 of section 2 of *The City of Toronto Act*, ^{1909,} c. 125, s. 2, ^{subs. 10} 1909, as enacted by section 4 of *The City of Toronto Act No. 2*, ^{(1931,} c. 131, s. 4), ^{repealed} 1931, is repealed.

8. The council of the Corporation may by by-law provide ^{Protection} that any water supplied or made available for any land or ^{services} building for the purposes of protection of property or persons from fire or for preventing fires or the spreading of fires shall not be used for any other purpose, and may impose penalties not exceeding \$500 recoverable under *The Summary* ^{R.S.O. 1960,} *Convictions Act* for contravention of any of the provisions of ^{c. 387} such by-law.

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 Toronto Act, 1968*. ^{Short title}





1st Reading

February 22nd, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. PRICE

BILL Pr34

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the County of Welland

MR. MORNINGSTAR

(PRIVATE BILL)



BILL Pr34

1968

An Act respecting the County of Welland

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

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

- 1.** The Corporation of the County of Welland, The Corporation of the City of Welland, The Corporation of the City of Niagara Falls and The Corporation of the City of Port Colborne are hereby authorized and empowered to enter into the agreement set forth as the Schedule hereto and are authorized and empowered to carry out and perform the terms thereof. ^{Agreement authorized}
- 2.** This Act comes into force on the day it receives Royal Assent. ^{Commencement}
- 3.** This Act may be cited as *The County of Welland Act*, ^{Short title} 1968.

SCHEDULE

THIS AGREEMENT made in quadruplicate this twenty-sixth day of January, 1968.

BETWEEN:

THE CORPORATION OF THE COUNTY OF WELLAND,

hereinafter referred to as "the County",

OF THE FIRST PART,

THE CORPORATION OF THE CITY OF WELLAND,

THE CORPORATION OF THE CITY OF PORT COLBORNE and

THE CORPORATION OF THE CITY OF NIAGARA FALLS,

hereinafter referred to as "the Cities",

OF THE SECOND PART,

— and —

THE WELLAND DISTRICT ASSOCIATION FOR RETARDED INCORPORATED,
PORT COLBORNE DISTRICT ASSOCIATION FOR MENTALLY RETARDED
INCORPORATED,

THE PEACE BRIDGE AREA ASSOCIATION FOR MENTALLY RETARDED
and

GREATER NIAGARA ASSOCIATION FOR THE MENTALLY RETARDED,

hereinafter referred to as "the approved corporations",

OF THE THIRD PART.

WHEREAS the parties of the second part are separated cities from the county, but are within its territorial boundaries;

AND WHEREAS the parties of the third part are approved corporations within the meaning of *The Homes for Retarded Persons Act, 1966*, chapter 65, and their area of operation extends over the whole of the county and the cities;

AND WHEREAS the approved corporations intend to maintain and operate homes for retarded persons, as provided by the said Act, and it is desirable that the homes should be made available to all the citizens of the county and of the cities, so far as facilities are available;

AND WHEREAS, pursuant to the said Act, the Province of Ontario makes certain payments to the approved corporations towards the cost of a new building or of an addition to an existing building or to the acquisition of a building, and of the cost of the approved corporations providing residential accommodation for persons residing in an approved home;

AND WHEREAS the approved corporations require further financial assistance towards the cost of a new building or of an addition to an existing building or to the acquisition of a building, and of the cost of providing residential accommodation for persons residing in an approved home;

NOW THEREFORE, in consideration of the covenants and agreements herein contained, it is hereby covenanted and agreed by and between the Parties hereto as follows:

1. The parties hereto shall appoint a co-ordinating committee to be known as "The Welland County Homes for Retarded Persons Co-ordinating Committee", and hereinafter referred to as "the Committee", which shall be composed of not more than 12, and not fewer than 10 members, who shall be appointed as follows:

- (a) each approved corporation shall appoint one member;
- (b) the county and each city shall appoint at least one member, who may be a member of the council;

but, if the county or a city contributes not less than 25 per cent but not more than 38 per cent of the total annual contributions to be made by the county and the cities as hereinafter provided, then the county or that city shall appoint two members; if the county or a city contributes more than 38 per cent of the said total amount, then the county or that city shall appoint three members; the percentages to be determined by the contributions made in the previous year.

The appointments made by the county and cities shall be for one year or until a successor is appointed, and shall be made by the county council and the council of each city at its first business meeting of each year. The Social Services Administrator of the county shall be the secretary of the committee. The said committee shall meet on the last Monday of January in each year, and at such other times as may be required.

2. Each of the approved corporations shall, on or before the second last Monday of January in each year, submit to the committee a copy of its financial statement for the previous year as computed according to the regulations of the said Act, and a statement of its estimated capital expenditures, which have been approved by the county and the cities as provided in paragraph 5, to be made during that year, and the estimated costs of providing residential accommodation for persons residing in the approved homes that are maintained and operated by the approved societies, and showing the estimated revenue from the Province of Ontario and any other source.
3. The said committee shall,
 - (a) co-ordinate the operation of the approved homes, so that the total facilities may be used to the best advantage, and be available, so far as they permit, to all the retarded persons who have resided in the county or the cities for at least twelve months;
 - (b) upon the receipt of the statement and the estimates from each approved corporation referred to in paragraph 2, review the same, making, subject to the said Act and regulations, whatever recommendations and revisions to the estimates which they deem necessary;
 - (c) send to the county and to each of the cities, on or before the 28th day of February in each year, a copy of the statements for the previous year and of the estimates as approved by it and showing the total estimated sum for that year required by all the approved corporations for capital expenditures, as previously approved in paragraph 5, and for providing residential accommodation for persons residing in the approved homes, and the amount to be granted by the county and each of the cities. The estimates must be approved by at least two-thirds of the members of the committee appointed by the county and the cities.
4. The county and each of the cities shall each year grant to the committee that proportion of the total estimates as approved under clause *c* of paragraph 3, equal to the average of the proportion that the population of the county or of each city as listed in the Municipal Directory of Ontario for the previous year, bears to the total population of the county and the three cities as so listed, and the proportion that the total taxable assessment of the county and each of the cities

as listed in the aforesaid Municipal Directory for the year previous bears to the total taxable assessment of the county and the three cities, and the treasurer of the county and of each city is hereby authorized and directed to make payments to the said committee of one quarter of the said sum payable by the county and each city on the first days of March, June, September and December in each year.

5. No one of the approved corporations shall erect a new building or an addition to an existing building or purchase or otherwise acquire any building to be maintained and operated as a home for retarded persons, part of the cost of which is expected to be contributed by the county and the cities, without first obtaining the approval in writing of the county and the cities, and no such approved corporation shall change the site of, sell or otherwise dispose of any part of any approved home in respect of which the approved corporation has received payment of a grant from the county or the cities without the approval in writing of the county and the cities.
6. In the event of the erection of a new building or of an addition to an existing building or the purchase of a building (which has been approved under the provisions of paragraph 5) requiring that the cost to the county and the cities be spread over a period of years, and that for this purpose debentures be issued, the said debentures shall, subject to the approval of the Municipal Board, be issued by the county, and the costs of issuing and retiring the same shall be included in the amounts to be paid each year.
7. This agreement upon approval in writing of the Minister of Social and Family Services, and the enactment of enabling legislation, shall be deemed to have come into force on the first day of January, 1968, and shall continue in force until the 31st day of December, 1971, and thereafter from year to year, unless any one of the parties hereto shall, with the approval of the Minister of Social and Family Services, give notice in writing addressed to all the other parties, prior to the first day of July, requiring this agreement to be terminated on the 31st day of December in that year.
8. In the event of any dispute between the parties hereto as to the operation or interpretation of this agreement the same shall be determined by the Senior Judge of the County of Welland.
9. The County of Welland shall apply for enabling legislation and the cities shall support the said application.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their Corporate Seal.

SEALED AND DELIVERED and countersigned by the Warden and the Clerk of the Corporation of the County of Welland, the Mayor and the Clerk of the Corporation of the City of Welland, the Mayor and the Clerk of the Corporation of the City of Niagara Falls, and the Mayor and the Clerk of the Corporation of the City of Port Colborne, and by the proper signing officers of the Parties of the Third Part.

THE CORPORATION OF THE COUNTY OF WELLAND:

.....
Warden

.....
Clerk

THE CORPORATION OF THE CITY OF
WELLAND:

.....
Mayor

.....
Clerk

THE CORPORATION OF THE CITY OF
NIAGARA FALLS:

.....
Mayor

.....
Clerk

THE CORPORATION OF THE CITY OF
PORT COLBORNE:

.....
Mayor

.....
Clerk

THE WELLAND DISTRICT ASSOCIATION
FOR RETARDED INCORPORATED:

.....
.....

PORT COLBORNE DISTRICT ASSOCIATION
FOR MENTALLY RETARDED
INCORPORATED:

.....
.....

THE PEACE BRIDGE AREA ASSOCIATION
FOR MENTALLY RETARDED:

.....
.....

GREATER NIAGARA ASSOCIATION FOR
THE MENTALLY RETARDED:

.....
.....

An Act respecting the County of Welland

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. MORNINGSTAR

(*Private Bill*)

BILL Pr34

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the County of Welland

MR. MORNINGSTAR

(Reprinted as amended by the Committee on Private Bills)

of All ... for ... without

BILL Pr34

1968

An Act respecting the County of Welland

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

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

1. The Corporation of the County of Welland, The Corporation of the City of Welland, The Corporation of the City of Niagara Falls and The Corporation of the City of Port Colborne are hereby authorized and empowered to enter into the agreement set forth as the Schedule hereto and are authorized and empowered to carry out and perform the terms thereof. ^{Agreement authorized}

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

3. This Act may be cited as *The County of Welland Act*, ^{Short title} 1968.

SCHEDULE

THIS AGREEMENT made in quadruplicate this twenty-sixth day of January, 1968.

BETWEEN:

THE CORPORATION OF THE COUNTY OF WELLAND,

hereinafter referred to as "the County",

OF THE FIRST PART,

THE CORPORATION OF THE CITY OF WELLAND,

THE CORPORATION OF THE CITY OF PORT COLBORNE and

THE CORPORATION OF THE CITY OF NIAGARA FALLS,

hereinafter referred to as "the Cities",

OF THE SECOND PART,

— and —

THE WELLAND DISTRICT ASSOCIATION FOR RETARDED INCORPORATED,
PORT COLBORNE DISTRICT ASSOCIATION FOR MENTALLY RETARDED
INCORPORATED,

THE PEACE BRIDGE AREA ASSOCIATION FOR MENTALLY RETARDED
and

GREATER NIAGARA ASSOCIATION FOR THE MENTALLY RETARDED,

hereinafter referred to as "the approved corporations",

OF THE THIRD PART.

WHEREAS the parties of the second part are separated cities from the county, but are within its territorial boundaries;

AND WHEREAS the parties of the third part are approved corporations within the meaning of *The Homes for Retarded Persons Act, 1966*, chapter 65, and their area of operation extends over the whole of the county and the cities;

AND WHEREAS the approved corporations intend to maintain and operate homes for retarded persons, as provided by the said Act, and it is desirable that the homes should be made available to all the citizens of the county and of the cities, so far as facilities are available;

AND WHEREAS, pursuant to the said Act, the Province of Ontario makes certain payments to the approved corporations towards the cost of a new building or of an addition to an existing building or to the acquisition of a building, and of the cost of the approved corporations providing residential accommodation for persons residing in an approved home;

AND WHEREAS the approved corporations require further financial assistance towards the cost of a new building or of an addition to an existing building or to the acquisition of a building, and of the cost of providing residential accommodation for persons residing in an approved home;

AND WHEREAS the county and the cities have agreed, subject to the provisions herein contained, to grant financial assistance towards the cost of a new building or of an addition to an existing building or to the acquisition of a building, by the payment of the actual cost less the payments made by the Province under the provisions of the said Act;

AND WHEREAS the county and the cities have agreed, subject to the provisions herein contained, to grant financial assistance for providing residential accommodations for persons residing in an approved home, by the payment of an amount equal to 15% of the net cost of providing the residential accommodations as determined under the provisions of the said Act;

NOW THEREFORE, in consideration of the covenants and agreements herein contained, it is hereby covenanted and agreed by and between the Parties hereto as follows:

1. The parties hereto shall appoint a co-ordinating committee to be known as "The Welland County Homes for Retarded Persons Co-ordinating Committee", and hereinafter referred to as "the Committee", which shall be composed of not more than 12, and not fewer than 10 members, who shall be appointed as follows:

- (a) each approved corporation shall appoint one member;
- (b) the county and each city shall appoint at least one member, who may be a member of the council;

but, if the county or a city contributes not less than 25 per cent but not more than 38 per cent of the total annual contributions to be made by the county and the cities as hereinafter provided, then the county or that city shall appoint two members; if the county or a city contributes more than 38 per cent of the said total amount, then the county or that city shall appoint three members; the percentages to be determined by the contributions made in the previous year.

The appointments made by the county and cities shall be for one year or until a successor is appointed, and shall be made by the county council and the council of each city at its first business meeting of each year. The Social Services Administrator of the county shall be the secretary of the committee. The said committee shall meet on the last Monday of January in each year, and at such other times as may be required.

2. Each of the approved corporations shall, on or before the second last Monday of January in each year, submit to the committee a copy of its financial statement for the previous year as computed according to the regulations of the said Act, and a statement of its estimated capital expenditures, which have been approved by the county and the cities as provided in paragraph 5, to be made during that year, and the estimated costs of providing residential accommodation for persons residing in the approved homes that are maintained and operated by the approved societies, and showing the estimated revenue from the Province of Ontario and any other source.

3. The said committee shall,

- (a) co-ordinate the operation of the approved homes, so that the total facilities may be used to the best advantage, and be available, so far as they permit, to all the retarded persons who have resided in the county or the cities for at least twelve months;
- (b) upon the receipt of the statement and the estimates from each approved corporation referred to in paragraph 2, review the same, making, subject to the said Act and regulations, whatever recommendations and revisions to the estimates which they deem necessary, and shall compute, according to the formula herein recited, the sums to be paid by the county and the cities for capital expenditures and for providing residential accommodations;
- (c) send to the county and to each of the cities, on or before the 28th day of February in each year, a copy of the statements for the previous year and of the estimates as approved by it and showing the total estimated sum for that year required by all

the approved corporations for capital expenditures, as previously approved in paragraph 5, and for providing residential accommodation for persons residing in the approved homes, and the amount to be granted by the county and each of the cities. The estimates must be approved by at least two-thirds of the members of the committee appointed by the county and the cities.

4. The county and each of the cities shall each year grant to the committee that proportion of the total estimates as approved under clause c of paragraph 3, equal to the average of the proportion that the population of the county or of each city as listed in the Municipal Directory of Ontario for the previous year, bears to the total population of the county and the three cities as so listed, and the proportion that the total taxable assessment of the county and each of the cities as listed in the aforesaid Municipal Directory for the year previous bears to the total taxable assessment of the county and the three cities, and the treasurer of the county and of each city is hereby authorized and directed to make payments to the said committee of one quarter of the said sum payable by the county and each city on the first days of March, June, September and December in each year.
5. No one of the approved corporations shall erect a new building or an addition to an existing building or purchase or otherwise acquire any building to be maintained and operated as a home for retarded persons, part of the cost of which is expected to be contributed by the county and the cities, without first obtaining the approval in writing of the county and the cities, and no such approved corporation shall change the site of, sell or otherwise dispose of any part of any approved home in respect of which the approved corporation has received payment of a grant from the county or the cities without the approval in writing of the county and the cities.
6. In the event of the erection of a new building or of an addition to an existing building or the purchase of a building (which has been approved under the provisions of paragraph 5) requiring that the cost to the county and the cities be spread over a period of years, and that for this purpose debentures be issued, the said debentures shall, subject to the approval of the Municipal Board, be issued by the county, and the costs of issuing and retiring the same shall be included in the amounts to be paid each year.
7. This agreement upon approval in writing of the Minister of Social and Family Services, and the enactment of enabling legislation, shall be deemed to have come into force on the first day of January, 1968, and shall continue in force until the 31st day of December, 1971, and thereafter from year to year, unless any one of the parties hereto shall, with the approval of the Minister of Social and Family Services, give notice in writing addressed to all the other parties, prior to the first day of July, requiring this agreement to be terminated on the 31st day of December in that year.
8. In the event of any dispute between the parties hereto as to the operation or interpretation of this agreement the same shall be determined by the Senior Judge of the County of Welland.
9. The County of Welland shall apply for enabling legislation and the cities shall support the said application.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their Corporate Seal.

SEALED AND DELIVERED and countersigned by the Warden and the Clerk of the Corporation of the County of Welland, the Mayor and the Clerk of the Corporation of the City of Welland, the Mayor and the Clerk of the Corporation of the City of Niagara Falls, and the Mayor and the Clerk of the Corporation of the City of Port Colborne, and by the proper signing officers of the Parties of the Third Part.

THE CORPORATION OF THE COUNTY OF
WELLAND:

.....
Warden

.....
Clerk

THE CORPORATION OF THE CITY OF
WELLAND:

.....
Mayor

.....
Clerk

THE CORPORATION OF THE CITY OF
NIAGARA FALLS:

.....
Mayor

.....
Clerk

THE CORPORATION OF THE CITY OF
PORT COLBORNE:

.....
Mayor

.....
Clerk

THE WELLAND DISTRICT ASSOCIATION
FOR RETARDED INCORPORATED:

PORT COLBORNE DISTRICT ASSOCIATION
FOR MENTALLY RETARDED
INCORPORATED:

THE PEACE BRIDGE AREA ASSOCIATION
FOR MENTALLY RETARDED:

GREATER NIAGARA ASSOCIATION FOR
THE MENTALLY RETARDED:

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. MORNINGSTAR

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

BILL Pr34

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the County of Welland

MR. MORNINGSTAR



BILL Pr34

1968

An Act respecting the County of Welland

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

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3. This Act may be cited as *The County of Welland Act*, ^{Short title} 1968.

SCHEDULE

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BETWEEN:

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hereinafter referred to as "the County",

OF THE FIRST PART,

THE CORPORATION OF THE CITY OF WELLAND,

THE CORPORATION OF THE CITY OF PORT COLBORNE and

THE CORPORATION OF THE CITY OF NIAGARA FALLS,

hereinafter referred to as "the Cities",

OF THE SECOND PART,

— and —

THE WELLAND DISTRICT ASSOCIATION FOR RETARDED INCORPORATED,
PORT COLBORNE DISTRICT ASSOCIATION FOR MENTALLY RETARDED
INCORPORATED,

THE PEACE BRIDGE AREA ASSOCIATION FOR MENTALLY RETARDED
and

GREATER NIAGARA ASSOCIATION FOR THE MENTALLY RETARDED,

hereinafter referred to as "the approved corporations",

OF THE THIRD PART.

WHEREAS the parties of the second part are separated cities from the county, but are within its territorial boundaries;

AND WHEREAS the parties of the third part are approved corporations within the meaning of *The Homes for Retarded Persons Act, 1966*, chapter 65, and their area of operation extends over the whole of the county and the cities;

AND WHEREAS the approved corporations intend to maintain and operate homes for retarded persons, as provided by the said Act, and it is desirable that the homes should be made available to all the citizens of the county and of the cities, so far as facilities are available;

AND WHEREAS, pursuant to the said Act, the Province of Ontario makes certain payments to the approved corporations towards the cost of a new building or of an addition to an existing building or to the acquisition of a building, and of the cost of the approved corporations providing residential accommodation for persons residing in an approved home;

AND WHEREAS the approved corporations require further financial assistance towards the cost of a new building or of an addition to an existing building or to the acquisition of a building, and of the cost of providing residential accommodation for persons residing in an approved home;

AND WHEREAS the county and the cities have agreed, subject to the provisions herein contained, to grant financial assistance towards the cost of a new building or of an addition to an existing building or to the acquisition of a building, by the payment of the actual cost less the payments made by the Province under the provisions of the said Act;

AND WHEREAS the county and the cities have agreed, subject to the provisions herein contained, to grant financial assistance for providing residential accommodations for persons residing in an approved home, by the payment of an amount equal to 15% of the net cost of providing the residential accommodations as determined under the provisions of the said Act;

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1. The parties hereto shall appoint a co-ordinating committee to be known as "The Welland County Homes for Retarded Persons Co-ordinating Committee", and hereinafter referred to as "the Committee", which shall be composed of not more than 12, and not fewer than 10 members, who shall be appointed as follows:

- (a) each approved corporation shall appoint one member;
- (b) the county and each city shall appoint at least one member, who may be a member of the council;

but, if the county or a city contributes not less than 25 per cent but not more than 38 per cent of the total annual contributions to be made by the county and the cities as hereinafter provided, then the county or that city shall appoint two members; if the county or a city contributes more than 38 per cent of the said total amount, then the county or that city shall appoint three members; the percentages to be determined by the contributions made in the previous year.

The appointments made by the county and cities shall be for one year or until a successor is appointed, and shall be made by the county council and the council of each city at its first business meeting of each year. The Social Services Administrator of the county shall be the secretary of the committee. The said committee shall meet on the last Monday of January in each year, and at such other times as may be required.

2. Each of the approved corporations shall, on or before the second last Monday of January in each year, submit to the committee a copy of its financial statement for the previous year as computed according to the regulations of the said Act, and a statement of its estimated capital expenditures, which have been approved by the county and the cities as provided in paragraph 5, to be made during that year, and the estimated costs of providing residential accommodation for persons residing in the approved homes that are maintained and operated by the approved societies, and showing the estimated revenue from the Province of Ontario and any other source.
3. The said committee shall,
 - (a) co-ordinate the operation of the approved homes, so that the total facilities may be used to the best advantage, and be available, so far as they permit, to all the retarded persons who have resided in the county or the cities for at least twelve months;
 - (b) upon the receipt of the statement and the estimates from each approved corporation referred to in paragraph 2, review the same, making, subject to the said Act and regulations, whatever recommendations and revisions to the estimates which they deem necessary, and shall compute, according to the formula herein recited, the sums to be paid by the county and the cities for capital expenditures and for providing residential accommodations;
 - (c) send to the county and to each of the cities, on or before the 28th day of February in each year, a copy of the statements for the previous year and of the estimates as approved by it and showing the total estimated sum for that year required by all

the approved corporations for capital expenditures, as previously approved in paragraph 5, and for providing residential accommodation for persons residing in the approved homes, and the amount to be granted by the county and each of the cities. The estimates must be approved by at least two-thirds of the members of the committee appointed by the county and the cities.

4. The county and each of the cities shall each year grant to the committee that proportion of the total estimates as approved under clause *c* of paragraph 3, equal to the average of the proportion that the population of the county or of each city as listed in the Municipal Directory of Ontario for the previous year, bears to the total population of the county and the three cities as so listed, and the proportion that the total taxable assessment of the county and each of the cities as listed in the aforesaid Municipal Directory for the year previous bears to the total taxable assessment of the county and the three cities, and the treasurer of the county and of each city is hereby authorized and directed to make payments to the said committee of one quarter of the said sum payable by the county and each city on the first days of March, June, September and December in each year.
5. No one of the approved corporations shall erect a new building or an addition to an existing building or purchase or otherwise acquire any building to be maintained and operated as a home for retarded persons, part of the cost of which is expected to be contributed by the county and the cities, without first obtaining the approval in writing of the county and the cities, and no such approved corporation shall change the site of, sell or otherwise dispose of any part of any approved home in respect of which the approved corporation has received payment of a grant from the county or the cities without the approval in writing of the county and the cities.
6. In the event of the erection of a new building or of an addition to an existing building or the purchase of a building (which has been approved under the provisions of paragraph 5) requiring that the cost to the county and the cities be spread over a period of years, and that for this purpose debentures be issued, the said debentures shall, subject to the approval of the Municipal Board, be issued by the county, and the costs of issuing and retiring the same shall be included in the amounts to be paid each year.
7. This agreement upon approval in writing of the Minister of Social and Family Services, and the enactment of enabling legislation, shall be deemed to have come into force on the first day of January, 1968, and shall continue in force until the 31st day of December, 1971, and thereafter from year to year, unless any one of the parties hereto shall, with the approval of the Minister of Social and Family Services, give notice in writing addressed to all the other parties, prior to the first day of July, requiring this agreement to be terminated on the 31st day of December in that year.
8. In the event of any dispute between the parties hereto as to the operation or interpretation of this agreement the same shall be determined by the Senior Judge of the County of Welland.
9. The County of Welland shall apply for enabling legislation and the cities shall support the said application.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their Corporate Seal.

SEALED AND DELIVERED and countersigned by the Warden and the Clerk of the Corporation of the County of Welland, the Mayor and the Clerk of the Corporation of the City of Welland, the Mayor and the Clerk of the Corporation of the City of Niagara Falls, and the Mayor and the Clerk of the Corporation of the City of Port Colborne, and by the proper signing officers of the Parties of the Third Part.

THE CORPORATION OF THE COUNTY OF
WELLAND:

.....
Warden

.....
Clerk

THE CORPORATION OF THE CITY OF
WELLAND:

.....
Mayor

.....
Clerk

THE CORPORATION OF THE CITY OF
NIAGARA FALLS:

.....
Mayor

.....
Clerk

THE CORPORATION OF THE CITY OF
PORT COLBORNE:

.....
Mayor

.....
Clerk

THE WELLAND DISTRICT ASSOCIATION
FOR RETARDED INCORPORATED:

.....
.....

PORT COLBORNE DISTRICT ASSOCIATION
FOR MENTALLY RETARDED
INCORPORATED:

.....
.....

THE PEACE BRIDGE AREA ASSOCIATION
FOR MENTALLY RETARDED:

.....
.....

GREATER NIAGARA ASSOCIATION FOR
THE MENTALLY RETARDED:

.....
.....

1st Reading

March 5th, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. MORNINGSTAR

BILL Pr35

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Welland

MR. MORNINGSTAR

(PRIVATE BILL)



BILL Pr35

1968

An Act respecting the City of Welland

WHEREAS The Corporation of the City of Welland by ^{Preamble} its petition has represented that it is desirous of providing for the establishment of a Parks and Recreation Board, herein called the Board, for the better development and supervision of its public parks, community centres and recreation facilities, and, that for such purposes, it is necessary to endow the Board with all the duties, responsibilities, powers and privileges of The Board of Park Management of the City of Welland, established under *The Public Parks Act*, the Welland Recreation Committee, established under *The Department of Education Act*, and the community centre board of management, established under *The Community Centres Act* for every community centre owned solely by The Corporation of the City of Welland except the Centennial Youth Arena; and whereas the petitioner has prayed for special legislation in respect of such matters; and whereas it is expedient to grant the prayer of the petition;

R.S.O., 1960,
cc. 329, 94,
60

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, "Council" means the council of The Corporation of the City of Welland. ^{Interpre-}
^{ta-tion}

2.—(1) Notwithstanding *The Department of Education Act* and the regulations thereunder, *The Public Parks Act* and *The Community Centres Act* and the regulations thereunder, there shall be a board, to be known as the Parks and Recreation Board of the City of Welland, which shall be composed of, <sup>Parks and
Recreation
Board</sup>

- (a) three members of the Council to be appointed by the Council; and
- (b) six persons, appointed by the Council, who are qualified to be elected members of Council but who are not members thereof.

First
appointment

(2) The members of the Board shall hold office for one year, but, on the first appointment, the members shall hold office until the end of that calendar year.

Term of
office

(3) The members of the Board shall hold office until their successors are appointed and are eligible for re-appointment.

Vacancy

(4) Where a member of the Board ceases to be a member before the expiration of his term, the Council shall appoint another qualified person for the unexpired portion of his term.

Quorum

(5) A majority of the members of the Board constitutes a quorum.

Chairman
and vice-
chairman

(6) At its first meeting of every year, the Board shall elect a chairman and a vice-chairman from among the members of the Board, and, in the absence of the chairman, the vice-chairman shall preside at meetings of the Board.

Secretary-
treasurer

(7) The Board shall appoint a secretary-treasurer, who may be a member of the Board.

Powers and
duties of
Board
R.S.O. 1960,
cc. 94, 60,
329

3. Except as otherwise provided in this Act, *The Department of Education Act* and the regulations thereunder, *The Community Centres Act* and the regulations 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 Board as if it had been established in accordance with such Acts and regulations.

Dissolution
of former
boards

4. When the Board is constituted,

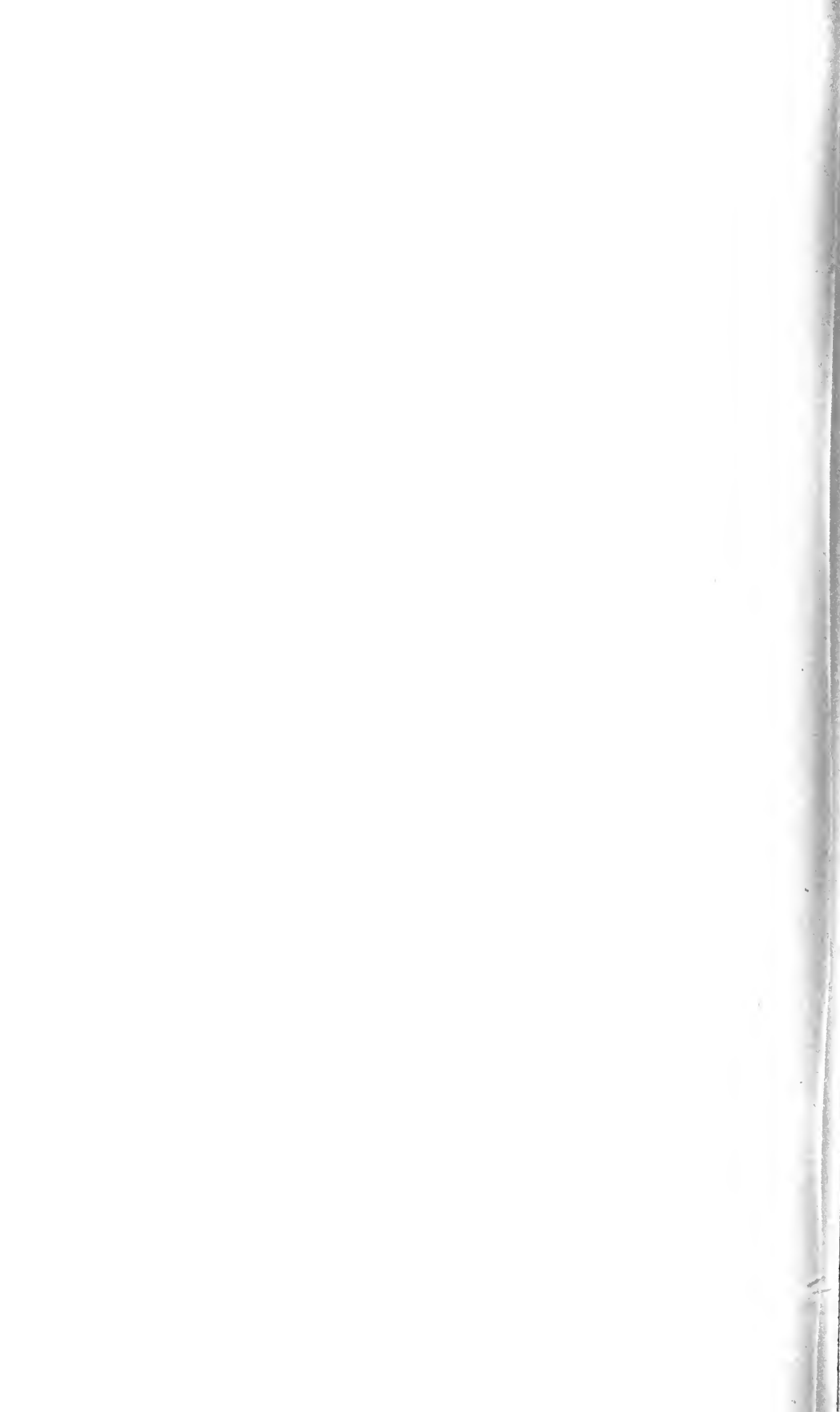
- (a) the Welland Recreation Committee, The Board of Park Management of the City of Welland and the community centre board of management of every community centre owned solely by The Corporation of the City of Welland except the Centennial Youth Arena are dissolved, and the assets and liabilities of such committee and boards become the assets and liabilities of the City of Welland; and
- (b) By-law No. 371 of the Town of Welland and by-laws Nos. 1598, 2849, 3834 and 4424 of the City of Welland and any by-laws amending such by-laws are repealed.

5. The Board may contract and may sue and be sued in its own name, and the members thereof are not personally liable on any contract made by the Board. ^{No personal liability}

6. The Board may expend moneys received from the Council only in accordance with the budget of the Board as approved from time to time by the Council, and any funds received by the Board for a specific purpose may be used by the Board only for such specific purpose. ^{Expenditures by Board}

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

8. This Act may be cited as *The City of Welland Act, 1968*. ^{Short title}



... can not be ...

1st Reading

2nd Reading

3rd Reading

MR. MORNINGSTAR

(Private Bill)

BILL Pr35

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Welland

MR. MORNINGSTAR

(Reprinted as amended by the Committee on Private Bills)



BILL Pr35

1968

An Act respecting the City of Welland

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appoint-
ment

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and vice-
chairman

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treasurer

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R.S.O. 1960,
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Dissolution
of former
boards

4. When the Board is constituted,

(a) the Welland Recreation Committee, The Board of Park Management of the City of Welland and the community centre board of management of every community centre owned solely by The Corporation of the City of Welland except the Centennial Youth Arena are dissolved, and the assets and liabilities of such committee and boards become the assets and liabilities of the City of Welland; and

(b) By-law No. 371 of the Town of Welland and by-laws Nos. 1598, 2849, 3834 and 4424 of the City of Welland and any by-laws amending such by-laws are repealed.

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. ^{Power to contract and sue}

6. The Board may expend moneys received from the Council only in accordance with the budget of the Board as approved from time to time by the Council, and any funds received by the Board for a specific purpose may be used by the Board only for such specific purpose. ^{Expenditures by Board}

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1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. MORNINGSTAR

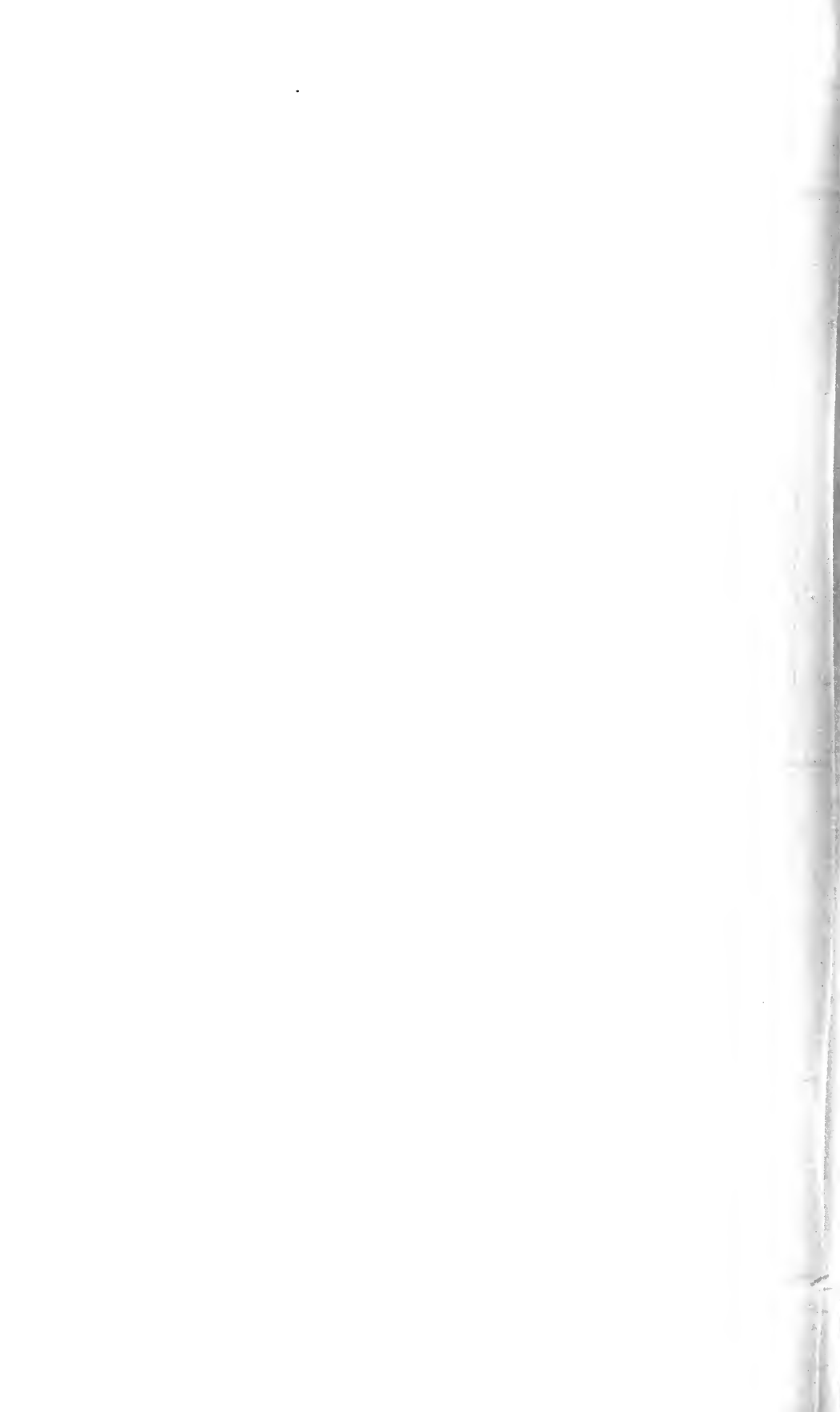
*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr35

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Welland

MR. MORNINGSTAR



BILL Pr35

1968

An Act respecting the City of Welland

WHEREAS The Corporation of the City of Welland by ^{Preamble} its petition has represented that it is desirous of providing for the establishment of a Parks and Recreation Board, herein called the Board, for the better development and supervision of its public parks, community centres and recreation facilities, and, that for such purposes, it is necessary to endow the Board with all the duties, responsibilities, powers and privileges of The Board of Park Management of the City of Welland, established under *The Public Parks Act*, the Welland Recreation Committee, established under *The Department of Education Act*, and the community centre board of management, established under *The Community Centres Act* for every community centre owned solely by The Corporation of the City of Welland except the Centennial Youth Arena; and whereas the petitioner has prayed for special legislation in respect of such matters; and whereas it is expedient to grant the prayer of the petition;

R.S.O., 1960,
c. 329, 94,
60

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, "Council" means the council of The Corporation of the City of Welland. ^{Interpre-}
^{tation}

2.—(1) Notwithstanding *The Department of Education Act* and the regulations thereunder, *The Public Parks Act* and *The Community Centres Act* and the regulations thereunder, there shall be a board, to be known as the Parks and Recreation Board of the City of Welland, which shall be composed of, <sup>Parks and
Recreation
Board</sup>

- (a) three members of the Council to be appointed by the Council; and
- (b) six persons, appointed by the Council, who are qualified to be elected members of Council but who are not members thereof.

First appointment

(2) The members of the Board shall hold office for one year, but, on the first appointment, the members shall hold office until the end of that calendar year.

Term of office

(3) The members of the Board shall hold office until their successors are appointed and are eligible for re-appointment.

Vacancy

(4) Where a member of the Board ceases to be a member before the expiration of his term, the Council shall appoint another qualified person for the unexpired portion of his term.

Quorum

(5) A majority of the members of the Board constitutes a quorum.

Chairman and vice-chairman

(6) At its first meeting of every year, the Board shall elect a chairman and a vice-chairman from among the members of the Board, and, in the absence of the chairman, the vice-chairman shall preside at meetings of the Board.

Secretary-treasurer

(7) The Board shall appoint a secretary-treasurer, who may be a member of the Board.

Powers and duties of Board
R.S.O. 1960, cc. 94, 60, 329

3. Except as otherwise provided in this Act, *The Department of Education Act* and the regulations thereunder, *The Community Centres Act* and the regulations 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 Board as if it had been established in accordance with such Acts and regulations.

Dissolution of former boards

4. When the Board is constituted,

(a) the Welland Recreation Committee, The Board of Park Management of the City of Welland and the community centre board of management of every community centre owned solely by The Corporation of the City of Welland except the Centennial Youth Arena are dissolved, and the assets and liabilities of such committee and boards become the assets and liabilities of the City of Welland; and

(b) By-law No. 371 of the Town of Welland and by-laws Nos. 1598, 2849, 3834 and 4424 of the City of Welland and any by-laws amending such by-laws are repealed.

5. The Commission may contract and may sue and be ^{Power to contract and sue} 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. The Board may expend moneys received from the ^{Expenditures by Board} Council only in accordance with the budget of the Board as approved from time to time by the Council, and any funds received by the Board for a specific purpose may be used by the Board only for such specific purpose.

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

8. This Act may be cited as *The City of Welland Act, 1968*. ^{Short title}



1st Reading

March 5th, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. MORNINGSTAR

BILL Pr36

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Windsor

MR. NEWMAN (Windsor-Walkerville)

(PRIVATE BILL)

An Act respecting the City of Windsor

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

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

1.—(1) Clause *a* of subsection 1 of section 4 of *The City of Windsor Act, 1958* is amended by striking out “is used or intended for use” in the third line and inserting in lieu thereof ^{1958, c. 166, s. 4, subs. 1, cl. a, amended} “has been used, is used or intended for use or is capable of being used”, so that the clause shall read as follows:

- (a) “dwelling” means and includes any building, tent, trailer or other covering or structure, the whole or any portion of which has been used, is used or intended for use or is capable of being used for the purpose of human habitation, with the land and premises appurtenant thereto, and all out-buildings, fences or erections thereon or therein whether heretofore or hereafter erected.

(2) Subsection 2 of the said section 4 is amended by ^{1958, c. 166, s. 4, subs. 2, amended} inserting after “demolish” in the fourth line “dwellings or” by inserting after “standard,” in the sixth line “and, in connection with such demolition, to clear the land and leave the land in a graded and levelled condition”, and by inserting after “use” in the sixth line “renting or offering for rent”, so that the subsection shall read as follows:

- (2) The council of the Corporation may pass by-laws ^{Standard of fitness of dwelling} for fixing a standard of fitness for human habitation to which all dwellings shall conform, for requiring the owners of dwellings to make them conform to the standard or to demolish dwellings or buildings,

structures or erections forming part of dwellings which do not conform to the standard, and, in connection with such demolition, to clear the land and leave the land in a graded and levelled condition, for prohibiting the use, renting or offering for rent of dwellings which do not conform to the standard, for authorizing the placarding in such manner as the by-law may specify of dwellings which do not conform to the standard, and prohibiting the pulling down or defacing of any such placard, for governing and regulating persons in the use and occupancy of dwellings and for appointing a tribunal or inspectors, or both a tribunal and inspectors, for the administration and enforcement of the by-laws.

1958,
c. 166, s. 4,
amended

(3) The said section 4 is amended by adding thereto the following subsection:

Orders

(2a) The council of the Corporation may pass by-laws,

- (a) for authorizing the making of orders for the purpose of enforcing the provisions of any by-law passed under subsection 2, for prescribing and regulating the form and content of orders, the practice and procedure in relation thereto and appeals therefrom;
- (b) for authorizing the registration of orders in the proper registry office or land titles office and providing for the discharge thereof when the requirements of the orders have been satisfied;
- (c) for requiring persons who sell, mortgage or lease dwellings in respect of which an order has been served to furnish any proposed purchaser, mortgagee or lessee with a true copy of such order; and
- (d) for authorizing the owners of dwellings to enter and repair a dwelling pursuant to an order notwithstanding the provisions of *The Landlord and Tenant Act* or anything contained in any lease or agreement pursuant to which possession of the dwelling has been given to another person.

R.S.O. 1960,
c. 206

1958,
c. 166, s. 4,
subs. 4,
amended

(4) Subsection 4 of the said section 4 is amended by striking out "but which shall not exceed 6 per cent per annum" in the fifth and sixth lines, so that the subsection shall read as follows:

- (4) When the Corporation has advanced money as provided in subsection 3, it shall have a lien upon the dwelling in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council, and the amount of the advance with the interest thereon shall be repayable to the Corporation by the owner of such dwelling in equal consecutive annual payments which shall be collected over a period of years to be determined by the council, which period shall not exceed ten years, but need not be the same in the case of each advance, in the same manner and at the same time as the municipal taxes on the dwelling.

Lien for advances and repayment

- (5) Subsection 9 of the said section 4 is amended by striking out "section 82 of *The Public Health Act*, and the provisions of sections 82, 123, 124, subsections 2 and 3 of section 125 and section 126" in the sixth, seventh and eighth lines and inserting in lieu thereof "section 84 of *The Public Health Act*, and sections 84, 114 and 115", so that the subsection shall read as follows:

1958, c. 166, s. 4, subs. 9, amended

- (9) For the enforcement of any by-law passed under the authority of this section, or of any by-law to provide for the safety of buildings, the inspector and any person acting under his instructions shall have the same right to enter, inspect and examine any dwelling or premises as an inspector under section 84 of *The Public Health Act*, and sections 84, 114 and 115 of that Act shall apply *mutatis mutandis*.

Powers of inspectors to enter dwellings

R.S.O. 1960, c. 321

- 2.—(1) In this section "drainage works" and "maintenance" mean drainage works and maintenance as defined in *The Drainage Act, 1962-63*.

Interpretation
1962-63, c. 39

- (2) Notwithstanding the provisions of *The Drainage Act, 1962-63*, the council of the Corporation may pass by-laws to authorize the maintenance of all drainage works in the City of Windsor or in any defined area thereof, and to provide that the cost of such maintenance shall be charged and collected by a special rate sufficient therefor, levied upon all the rateable property in the City of Windsor or in any such defined area.

Maintenance of drainage works

- (3) Such by-laws may authorize all persons engaged in such work to enter upon such lands within the City of Windsor as may be necessary therefor, without leave or consent of the owner or any other person, provided that no person shall cause any unnecessary damage to any property in so doing.

Entry upon land without consent

Municipality not liable for damages

(4) The Corporation is not liable in damages to any person for any work done under a by-law passed under this section except for damages suffered through the default or negligence of the Corporation, except for a particular loss or damage suffered beyond what is suffered by such person in common with all other persons affected by the work.

Retirement allowances

3.—(1) The council of the Corporation may grant an annual retirement allowance, payable weekly, monthly or otherwise, to an employee during his life who entered the service of the Corporation after the 1st day of January, 1948, and before the 1st day of January, 1958, and who has had continuous service for at least twenty years with the Corporation or with the Corporation and any other municipality or local board as defined in *The Department of Municipal Affairs Act* or any two or more of them and who,

R.S.O. 1960, c. 98

- (a) is retired because of age; or
- (b) while in the service of the Corporation or local board 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 local board shall exceed three-fifths of his average annual salary for the preceding three years of his service.

Contributions by Corporation or local board

(2) Where the council of the Corporation grants an annual retirement allowance to an employee under subsection 1, any municipality or local board of which he has been an employee may contribute to such allowance by agreement with the Corporation granting the allowance.

Interpretation

(3) In subsection 1, "pension payments" means only pension payments that have resulted from the joint contributions of employer and employee, and does not include any such payments that have resulted solely from contributions of the employee.

Idem

R.S.O. 1960, c. 249

(4) In this section, "employee" has the same meaning as in paragraph 59 of section 377 of *The Municipal Act*.

Repeal of by-law prohibited

(5) No by-law passed under this section shall be repealed.

Commencement

4.—(1) This Act, except section 2, comes into force on the day it receives Royal Assent.

(2) Section 2 shall be deemed to have come into force on ^{Idem} the 1st day of January, 1966.

5. This Act may be cited as *The City of Windsor Act, 1968*. ^{Short title}

An Act respecting the City of Windsor

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. NEWMAN (Windsor-Walkerville)

(Private Bill)

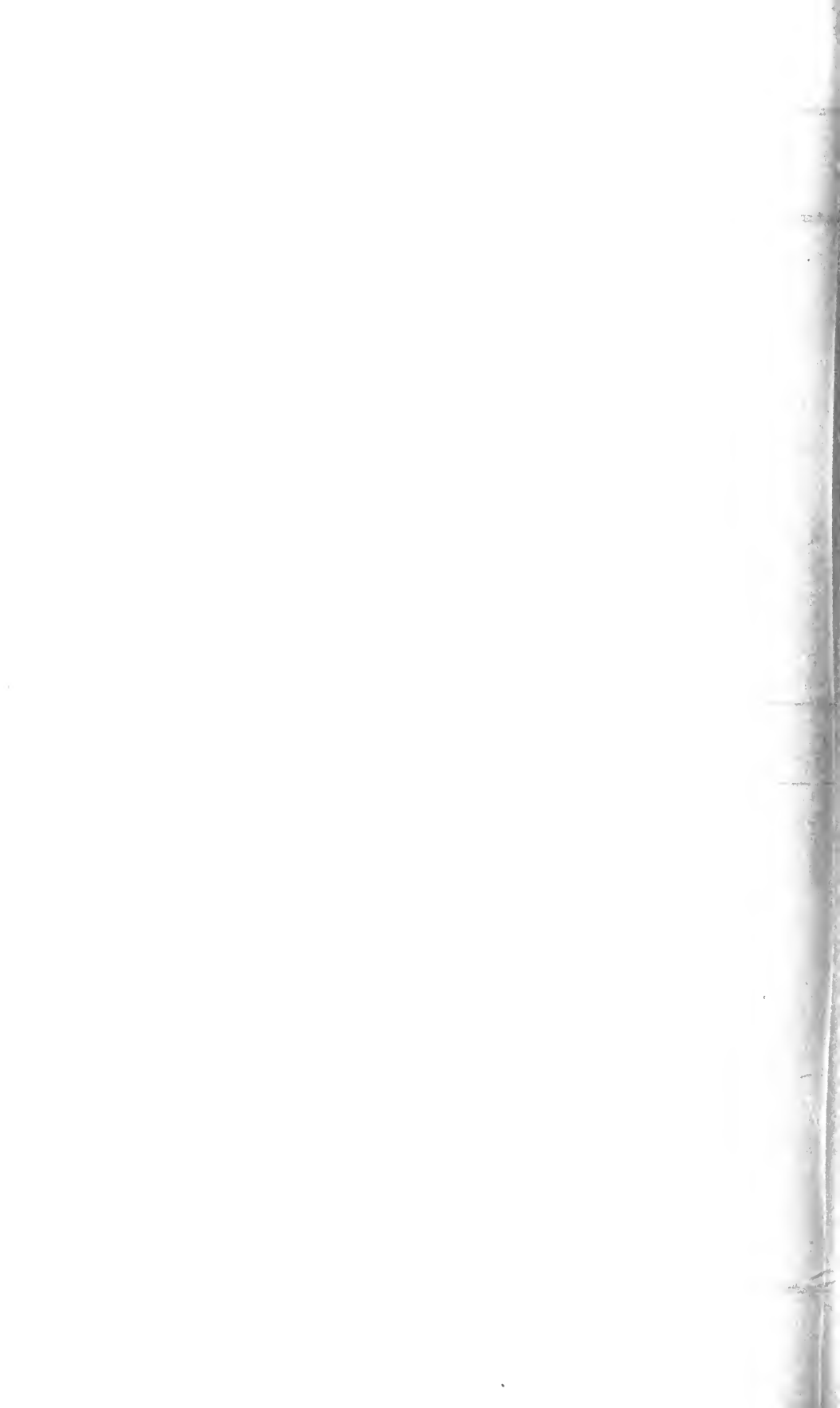
BILL Pr36

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Windsor

MR. NEWMAN (Windsor-Walkerville)

(Reprinted as amended by the Committee on Private Bills)



An Act respecting the City of Windsor

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

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

1.—(1) Clause *a* of subsection 1 of section 4 of *The City of Windsor Act, 1958* is amended by striking out “is used or intended for use” in the third line and inserting in lieu thereof ^{1958, c. 166, s. 4, subs. 1, cl. 4, amended} “has been used, is used or intended for use or is capable of being used”, so that the clause shall read as follows:

- (a) “dwelling” means and includes any building, tent, trailer or other covering or structure, the whole or any portion of which has been used, is used or intended for use or is capable of being used for the purpose of human habitation, with the land and premises appurtenant thereto, and all out-buildings, fences or erections thereon or therein whether heretofore or hereafter erected.

(2) Subsection 2 of the said section 4 is amended by ^{1958, c. 166, s. 4, subs. 2, amended} inserting after “demolish” in the fourth line “dwellings or”, by inserting after “standard,” in the sixth line “and, in connection with such demolition, to clear the land and leave the land in a graded and levelled condition”, and by inserting after “use” in the sixth line “renting or offering for rent”, so that the subsection shall read as follows:

- (2) The council of the Corporation may pass by-laws ^{Standard of fitness of dwelling} for fixing a standard of fitness for human habitation to which all dwellings shall conform, for requiring the owners of dwellings to make them conform to the standard or to demolish dwellings or buildings,

structures or erections forming part of dwellings which do not conform to the standard, and, in connection with such demolition, to clear the land and leave the land in a graded and levelled condition, for prohibiting the use, renting or offering for rent of dwellings which do not conform to the standard, for authorizing the placarding in such manner as the by-law may specify of dwellings which do not conform to the standard, and prohibiting the pulling down or defacing of any such placard, for governing and regulating persons in the use and occupancy of dwellings and for appointing a tribunal or inspectors, or both a tribunal and inspectors, for the administration and enforcement of the by-laws.

1958,
c. 166, s. 4,
amended

(3) The said section 4 is amended by adding thereto the following subsections:

Orders

(2a) The council of the Corporation may pass by-laws,

- (a) for authorizing the making of orders for the purpose of enforcing the provisions of any by-law passed under subsection 2, for prescribing and regulating the form and content of orders, the practice and procedure in relation thereto and appeals therefrom;
- (b) for authorizing the registration of orders in the proper registry office or land titles office and providing for the discharge thereof when the requirements of the orders have been satisfied;
- (c) for requiring persons who sell, mortgage or lease dwellings in respect of which an order has been served to furnish any proposed purchaser, mortgagee or lessee with a true copy of such order; and
- (d) for authorizing the owners of dwellings to enter and repair a dwelling pursuant to an order notwithstanding the provisions of *The Landlord and Tenant Act* or anything contained in any lease or agreement pursuant to which possession of the dwelling has been given to another person.

R.S.O. 1960,
c. 206

Appeal to
board of
review

(2b) Any person affected by an order made under subsection 2a who feels aggrieved thereby may appeal the order to a board of review established by by-law of the Corporation by giving notice of the appeal

in writing to the clerk of the Corporation within ten days after service of the order on him and the board of review shall hear the appeal and may confirm, modify or discharge the order.

(2c) Any person or corporation affected by a decision of the board of review may appeal the decision to a judge of the county court of the County of Essex by so notifying the clerk of the Corporation in writing and by applying for an appointment within ten days after notice of the decision has been given, and,

Appeal to
county
court
judge

(a) the judge shall, in writing, appoint a day, time and place for the hearing of the appeal and in his appointment may direct that it shall be served upon such persons and in such manner as he prescribes;

(b) the appointment shall be served in the manner prescribed at least one month before the day appointed for the hearing of the appeal; and

(c) the judge on such appeal has the same powers and functions as the board of review.

(2d) Where there is a conflict between subsections 2a and 2b and the provisions of the by-law of the Corporation ratified and confirmed by subsection 10 of section 4 of *The City of Windsor Act, 1958*, subsections 2b and 2c shall prevail.

By-law
subject
to subss. 2b
and 2c
1958, c. 166

(4) Subsection 4 of the said section 4 is amended by striking out "but which shall not exceed 6 per cent per annum" in the fifth and sixth lines, so that the subsection shall read as follows:

1958,
c. 166, s. 4,
subs. 4,
amended

(4) When the Corporation has advanced money as provided in subsection 3, it shall have a lien upon the dwelling in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council, and the amount of the advance with the interest thereon shall be repayable to the Corporation by the owner of such dwelling in equal consecutive annual payments which shall be collected over a period of years to be determined by the council, which period shall not exceed ten years, but need not be the same in the case of each advance, in the same manner and at the same time as the municipal taxes on the dwelling.

Lien for
advances
and re-
payment

1958,
c. 166, s. 4,
subs. 9,
amended

(5) Subsection 9 of the said section 4 is amended by striking out "section 82 of *The Public Health Act*, and the provisions of sections 82, 123, 124, subsections 2 and 3 of section 125 and section 126" in the sixth, seventh and eighth lines and inserting in lieu thereof "section 84 of *The Public Health Act*, and sections 84, 114 and 115", so that the subsection shall read as follows:

Powers of
inspectors
to enter
dwellings

(9) For the enforcement of any by-law passed under the authority of this section, or of any by-law to provide for the safety of buildings, the inspector and any person acting under his instructions shall have the same right to enter, inspect and examine any dwelling or premises as an inspector under section 84 of *The Public Health Act*, and sections 84, 114 and 115 of that Act shall apply *mutatis mutandis*.

R.S.O. 1960,
c. 321

Interpre-
tation

1962-63,
c. 39

2.—(1) In this section "drainage works" and "maintenance" mean drainage works and maintenance as defined in *The Drainage Act, 1962-63*.

Mainten-
ance of
drainage
works

(2) Notwithstanding the provisions of *The Drainage Act, 1962-63*, the council of the Corporation may pass by-laws to authorize the maintenance of all drainage works in the City of Windsor or in any defined area thereof, and to provide that the cost of such maintenance shall be charged and collected by a special rate sufficient therefor, levied upon all the rateable property in the City of Windsor or in any such defined area.

Entry upon
land
without
consent

(3) Such by-laws may authorize all persons engaged in such work to enter upon such lands within the City of Windsor as may be necessary therefor, without leave or consent of the owner or any other person, provided that no person shall cause any unnecessary damage to any property in so doing.

Repeal of
by-law
prohibited

(4) No by-law passed under this section shall be repealed.

Commence-
ment

3.—(1) This Act, except section 2, comes into force on the day it receives Royal Assent.

Idem

(2) Section 2 shall be deemed to have come into force on the 1st day of January, 1966.

Short title

4. This Act may be cited as *The City of Windsor Act, 1968*.

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An Act respecting the City of Windsor

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

Mr. NEWMAN (Windsor-Walkerville)

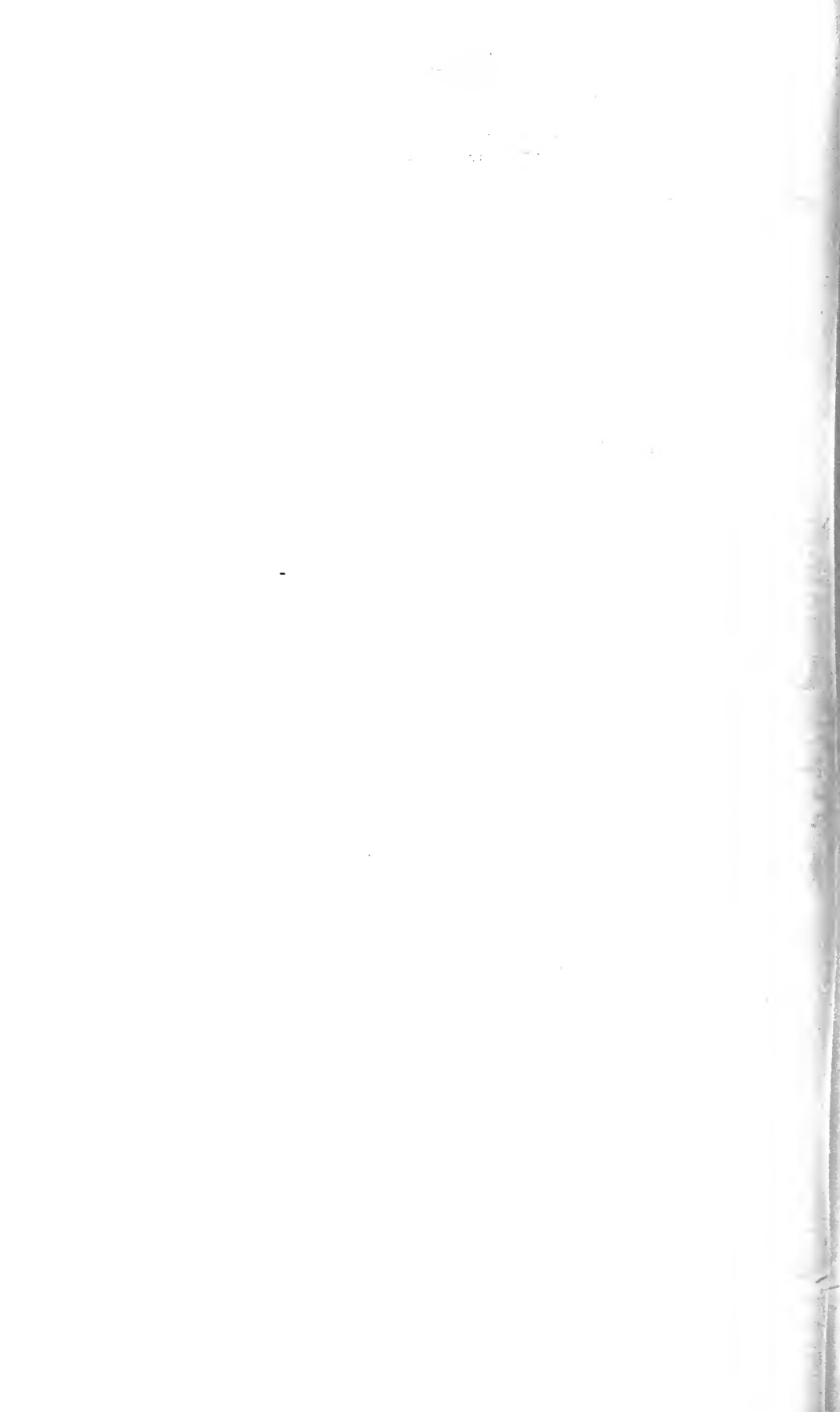
*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr36

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Windsor

MR. NEWMAN (Windsor-Walkerville)



An Act respecting the City of Windsor

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

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

1.—(1) Clause *a* of subsection 1 of section 4 of *The City of Windsor Act, 1958* is amended by striking out “is used or intended for use” in the third line and inserting in lieu thereof ^{1958, c. 166, s. 4, subs. 1, cl. a, amended} “has been used, is used or intended for use or is capable of being used”, so that the clause shall read as follows:

- (a) “dwelling” means and includes any building, tent, trailer or other covering or structure, the whole or any portion of which has been used, is used or intended for use or is capable of being used for the purpose of human habitation, with the land and premises appurtenant thereto, and all out-buildings, fences or erections thereon or therein whether heretofore or hereafter erected.

(2) Subsection 2 of the said section 4 is amended by ^{1958, c. 166, s. 4, subs. 2, amended} inserting after “demolish” in the fourth line “dwellings or” by inserting after “standard,” in the sixth line “and, in connection with such demolition, to clear the land and leave the land in a graded and levelled condition”, and by inserting after “use” in the sixth line “renting or offering for rent”, so that the subsection shall read as follows:

- (2) The council of the Corporation may pass by-laws ^{Standard of fitness of dwelling} for fixing a standard of fitness for human habitation to which all dwellings shall conform, for requiring the owners of dwellings to make them conform to the standard or to demolish dwellings or buildings,

structures or erections forming part of dwellings which do not conform to the standard, and, in connection with such demolition, to clear the land and leave the land in a graded and levelled condition, for prohibiting the use, renting or offering for rent of dwellings which do not conform to the standard, for authorizing the placarding in such manner as the by-law may specify of dwellings which do not conform to the standard, and prohibiting the pulling down or defacing of any such placard, for governing and regulating persons in the use and occupancy of dwellings and for appointing a tribunal or inspectors, or both a tribunal and inspectors, for the administration and enforcement of the by-laws.

1958,
c. 166, s. 4,
amended

(3) The said section 4 is amended by adding thereto the following subsections:

Orders

(2a) The council of the Corporation may pass by-laws,

(a) for authorizing the making of orders for the purpose of enforcing the provisions of any by-law passed under subsection 2, for prescribing and regulating the form and content of orders, the practice and procedure in relation thereto and appeals therefrom;

(b) for authorizing the registration of orders in the proper registry office or land titles office and providing for the discharge thereof when the requirements of the orders have been satisfied;

(c) for requiring persons who sell, mortgage or lease dwellings in respect of which an order has been served to furnish any proposed purchaser, mortgagee or lessee with a true copy of such order; and

(d) for authorizing the owners of dwellings to enter and repair a dwelling pursuant to an order notwithstanding the provisions of *The Landlord and Tenant Act* or anything contained in any lease or agreement pursuant to which possession of the dwelling has been given to another person.

R.S.O. 1960,
c. 206

Appeal to
board of
review

(2b) Any person affected by an order made under subsection 2a who feels aggrieved thereby may appeal the order to a board of review established by by-law of the Corporation by giving notice of the appeal

in writing to the clerk of the Corporation within ten days after service of the order on him and the board of review shall hear the appeal and may confirm, modify or discharge the order.

(2c) Any person or corporation affected by a decision of the board of review may appeal the decision to a judge of the county court of the County of Essex by so notifying the clerk of the Corporation in writing and by applying for an appointment within ten days after notice of the decision has been given, and,

Appeal to
county
court
judge

(a) the judge shall, in writing, appoint a day, time and place for the hearing of the appeal and in his appointment may direct that it shall be served upon such persons and in such manner as he prescribes;

(b) the appointment shall be served in the manner prescribed at least one month before the day appointed for the hearing of the appeal; and

(c) the judge on such appeal has the same powers and functions as the board of review.

(2d) Where there is a conflict between subsections 2a and 2b and the provisions of the by-law of the Corporation ratified and confirmed by subsection 10 of section 4 of *The City of Windsor Act, 1958*, subsections 2b and 2c shall prevail.

By-law
subject
to subss. 2b
and 2c

1958, c. 166

(4) Subsection 4 of the said section 4 is amended by striking out "but which shall not exceed 6 per cent per annum" in the fifth and sixth lines, so that the subsection shall read as follows:

1958,
c. 166, s. 4,
subs. 4,
amended

(4) When the Corporation has advanced money as provided in subsection 3, it shall have a lien upon the dwelling in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council, and the amount of the advance with the interest thereon shall be repayable to the Corporation by the owner of such dwelling in equal consecutive annual payments which shall be collected over a period of years to be determined by the council, which period shall not exceed ten years, but need not be the same in the case of each advance, in the same manner and at the same time as the municipal taxes on the dwelling.

Lien for
advances
and re-
payment

1958,
c. 166, s. 4,
subs. 9,
amended

(5) Subsection 9 of the said section 4 is amended by striking out "section 82 of *The Public Health Act*, and the provisions of sections 82, 123, 124, subsections 2 and 3 of section 125 and section 126" in the sixth, seventh and eighth lines and inserting in lieu thereof "section 84 of *The Public Health Act*, and sections 84, 114 and 115", so that the subsection shall read as follows:

Powers of
inspectors
to enter
dwellings

(9) For the enforcement of any by-law passed under the authority of this section, or of any by-law to provide for the safety of buildings, the inspector and any person acting under his instructions shall have the same right to enter, inspect and examine any dwelling or premises as an inspector under section 84 of *The Public Health Act*, and sections 84, 114 and 115 of that Act shall apply *mutatis mutandis*.

R.S.O. 1960,
c. 321

Interpre-
tation

1962-63,
c. 39

2.—(1) In this section "drainage works" and "maintenance" mean drainage works and maintenance as defined in *The Drainage Act, 1962-63*.

Mainten-
ance of
drainage
works

(2) Notwithstanding the provisions of *The Drainage Act, 1962-63*, the council of the Corporation may pass by-laws to authorize the maintenance of all drainage works in the City of Windsor or in any defined area thereof, and to provide that the cost of such maintenance shall be charged and collected by a special rate sufficient therefor, levied upon all the rateable property in the City of Windsor or in any such defined area.

Entry upon
land
without
consent

(3) Such by-laws may authorize all persons engaged in such work to enter upon such lands within the City of Windsor as may be necessary therefor, without leave or consent of the owner or any other person, provided that no person shall cause any unnecessary damage to any property in so doing.

Repeal of
by-law
prohibited

(4) No by-law passed under this section shall be repealed.

Commence-
ment

3.—(1) This Act, except section 2, comes into force on the day it receives Royal Assent.

Idem

(2) Section 2 shall be deemed to have come into force on the 1st day of January, 1966.

Short title

4. This Act may be cited as *The City of Windsor Act, 1968*.



1st Reading

February 22nd, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. NEWMAN (Windsor-Walkerville)

BILL Pr38

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting
The Board of Education for the City of London**

MR. WHITE

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

BILL Pr38

1968

**An Act respecting
The Board of Education for the City of London**

WHEREAS The Board of Education for the City of London, herein called the Board, by its petition has prayed for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

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

1. In the case of any employee who entered the service of the Board through annexation pursuant to the order of the Ontario Municipal Board, P.F.M. 7054-58 dated the 3rd day of October, 1960, the Board may deem his service with the school board formerly having jurisdiction in the annexed area as service with the Board for the purposes of *The Schools Administration Act* and this Act.

Employees transferred on annexation

R.S.O. 1960, c. 361

2. Notwithstanding section 40 of *The Schools Administration Act*, or any predecessor thereof, the Board may pay,

Retirement allowances

- (a) a retirement allowance from the date of retirement until death to former employees who retired on or before the 20th day of April, 1967, and had completed fewer than twenty years service with the Board, the amounts of such retirement allowances to be granted in accordance with the terms of the resolutions of the Board existing at the time of retirement;
- (b) a retirement allowance to any employee in its employ on a permanent full-time basis on the 20th day of April, 1967, and who remains in the employ of the Board on that basis until his retirement and who, at the time of his retirement,

R.S.O. 1960,
c. 392

(i) is not eligible for payments under *The Teachers' Superannuation Act*, and

(ii) has completed at least ten years of continuous service with the Board as a full-time permanent employee,

in accordance with the terms of the resolutions of the Board existing on the 20th day of April, 1967.

Medical and
hospital
insurance
R.S.O. 1960,
c. 361

3. Notwithstanding clauses *b* and *c* of subsection 1 of section 41 of *The Schools Administration Act* or any predecessor thereof, the Board may pay one half of the premiums for sickness benefits provided through Physicians' Services Incorporated, Ontario Hospital Services Commission and Blue Cross for supplementary hospital semi-private care,

(a) in respect of former employees who retired on or before the 20th day of April, 1967 and to whom the Board represented such benefits would be paid after retirement;

(b) in respect of employees who were full-time permanent employees on the 20th day of April, 1967, who participated in such benefits on or before the 20th day of April, 1967 and who retire from the service of the Board before the 1st day of January, 1972,

while such persons are retired from the service of the Board and so long as such programmes are continued.

Application
of 1965,
c. 96, s. 2

4. The retirement allowance provided for by the Board under section 2 is not subject to *The Pension Benefits Act, 1965*.

Trust funds

5. The funds and sums of money described in the Schedule are hereby vested in the Board absolutely, clear of and free from all rights, title and interest, subject to any trusts affecting the same, and paragraph 16 of section 35 of *The Schools Administration Act* applies thereto.

R.S.O. 1960,
c. 361

Commence-
ment

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

Short title

7. This Act may be cited as *The London Board of Education Act, 1968*.

SCHEDULE

TO THE RESOLUTION OF THE BOARD OF EDUCATION
FOR THE CITY OF LONDON

To provide for authority to The Board of Education for the City of London to administer certain funds which have been received from time to time by way of gift, legacy or settlement to be used for school prizes, bursaries, scholarships.

FUNDS

<u>Name of Trust</u>	<u>Amount</u>	<u>At present represented by</u>
1. Central Collegiate Institute Trust Fund Scholarship	\$320.00	5¾% Ontario Loan and Debenture Corporation, due 1 Dec., 1970, Serial D19712
2. Alfred Raymond Scholarship Memorial Fund	\$500.00	6% Huron & Erie Debenture Serial No. 01-114046, due 1 May, 1972
3. Memorial Fund Scholarship	\$500.00	6% Huron & Erie Debenture Serial No. 01-114046, due 1 May, 1972
4. E. O. Hall Memorial Bursaries	\$700.00	6% Huron & Erie Debenture Serial No. 01-114046, due 1 May, 1972
5. Alan Gibbons Medal	\$1,800.00	5½% Ontario Loan Debenture Serial No. D13238, due 1 Dec., 1969
6. Emma Tarrey Scholarship	\$2,000.00	Two 5½% Province of Ontario Debenture Serial Nos. CEE05411 and CEE05412, each for \$1,000, due 1 May, 1980
7. H. B. Beal Memorial Fund Scholarship	\$1,000.00	Two 5½% Province of Saskatchewan Debenture Serial Nos. PF-001 and PF-004, each for \$500, due 15 Feb., 1982



An Act respecting The Board of Education
for the City of London

1st Reading

2nd Reading

3rd Reading

MR. WHITE

(*Private Bill*)

BILL Pr38

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting
The Board of Education for the City of London**

MR. WHITE

(Reprinted as amended by the Committee on Private Bills)

BILL Pr38

1968

**An Act respecting
The Board of Education for the City of London**

WHEREAS The Board of Education for the City of Preamble
London, herein called the Board, by its petition has
prayed for special legislation in respect of the matters herein-
after set forth; and whereas it is expedient to grant the
prayer of the petition;

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

1. In the case of any employee who entered the service Employees
transferred
on annexa-
tion
of the Board through annexation pursuant to the order of
the Ontario Municipal Board, P.F.M. 7054-58 dated the
3rd day of October, 1960, the Board may deem his service
with the school board formerly having jurisdiction in the
annexed area as service with the Board for the purposes of
The Schools Administration Act and this Act. R.S.O. 1960,
c. 361

2. Notwithstanding section 40 of *The Schools Administra-* Retirement
allowances
tion Act, or any predecessor thereof, the Board may pay,

- (a) a retirement allowance from the date of retirement
until death to former employees who retired on or
before the 20th day of April, 1967, and had com-
pleted fewer than twenty years service with the
Board, the amounts of such retirement allowances
to be granted in accordance with the terms of the
resolutions of the Board existing at the time of
retirement;
- (b) a retirement allowance to any employee in its employ
on a permanent full-time basis on the 20th day of
April, 1967, and who remains in the employ of the
Board on that basis until his retirement and who,
at the time of his retirement,

R.S.O. 1960
c. 392

- (i) is not eligible for payments under *The Teachers' Superannuation Act*, and
- (ii) has completed at least ten years of continuous service with the Board as a full-time permanent employee,

not exceeding the retirement allowance that would have been payable under the terms of the resolutions of the Board existing on the 20th day of April, 1967, but subject to the maximums prescribed by subsection 1 of the said section 40.

Medical and
hospital
insurance
R.S.O. 1960,
c. 361

3. Notwithstanding clauses *b* and *c* of subsection 1 of section 41 of *The Schools Administration Act* or any predecessor thereof, the Board may pay one half of the premiums for sickness benefits provided through Physicians' Services Incorporated, Ontario Hospital Services Commission and Blue Cross for supplementary hospital semi-private care,

- (a) in respect of former employees who retired on or before the 20th day of April, 1967 and to whom the Board represented such benefits would be paid after retirement;
- (b) in respect of employees who were full-time permanent employees on the 20th day of April, 1967, who participated in such benefits on or before the 20th day of April, 1967 and who retire from the service of the Board before the 1st day of January, 1972,

while such persons are retired from the service of the Board and so long as such programmes are continued.

Application
of 1965,
c. 96, s. 2

4. The retirement allowance provided for by the Board under section 2 is not subject to *The Pension Benefits Act, 1965*.

Trust funds

5. The funds and sums of money described in the Schedule are hereby vested in the Board absolutely, clear of and free from all rights, title and interest, subject to any trusts affecting the same, and paragraph 16 of section 35 of *The Schools Administration Act* applies thereto.

R.S.O. 1960,
c. 361

Commence-
ment

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

Short title

7. This Act may be cited as *The London Board of Education Act, 1968*.

SCHEDULE

FUNDS

<u>Name of Trust</u>	<u>Amount</u>	<u>At present represented by</u>
1. Central Collegiate Institute Trust Fund Scholarship	\$320.00	5¾% Ontario Loan and Debenture Corporation, due 1 Dec., 1970, Serial D19712
2. Alfred Raymond Scholarship Memorial Fund	\$500.00	6% Huron & Erie Debenture Serial No. 01-114046, due 1 May, 1972
3. Memorial Fund Scholarship	\$500.00	6% Huron & Erie Debenture Serial No. 01-114046, due 1 May, 1972
4. E. O. Hall Memorial Bursaries	\$700.00	6% Huron & Erie Debenture Serial No. 01-114046, due 1 May, 1972
5. Alan Gibbons Medal	\$1,800.00	5½% Ontario Loan Debenture Serial No. D13238, due 1 Dec., 1969
6. Emma Tarrey Scholarship	\$2,000.00	Two 5½% Province of Ontario Debenture Serial Nos. CEE05411 and CEE05412, each for \$1,000, due 1 May, 1980
7. H. B. Beal Memorial Fund Scholarship	\$1,000.00	Two 5½% Province of Saskatchewan Debenture Serial Nos. PF-001 and PF-004, each for \$500, due 15 Feb., 1982



AN ACT RESPECTING THE BOARD OF EDUCATION
FOR THE CITY OF TORONTO

An Act respecting The Board of Education
for the City of London

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. WHITE

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

BILL Pr38

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting
The Board of Education for the City of London**

MR. WHITE

(Reprinted as amended by the Committee of the Whole House)

THE CITY OF LONDON

BILL Pr38

1968

**An Act respecting
The Board of Education for the City of London**

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

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

1. In the case of any employee who entered the service of the Board through annexation pursuant to the order of the Ontario Municipal Board, P.F.M. 7054-58 dated the 3rd day of October, 1960, the Board may deem his service with the school board formerly having jurisdiction in the annexed area as service with the Board for the purposes of *The Schools Administration Act* and this Act. Employees transferred on annexation

R.S.O. 1960,
c. 361

2.—(1) Notwithstanding section 40 of *The Schools Administration Act*, or any predecessor thereof, the Board may pay, Retirement allowances

- (a) a retirement allowance from the date of retirement until death to former employees who retired on or before the 20th day of April, 1967, and had completed fewer than twenty years service with the Board, the amounts of such retirement allowances to be granted in accordance with the terms of the resolutions of the Board existing at the time of retirement;
- (b) a retirement allowance to any employee in its employ on a permanent full-time basis on the 20th day of April, 1967, and who remains in the employ of the Board on that basis until his retirement and who, at the time of his retirement,

R.S.O. 1960
c. 392

(i) is not eligible for payments under *The Teachers' Superannuation Act*, and

(ii) has completed at least ten years of continuous service with the Board as a full-time permanent employee,

not exceeding the retirement allowance that would have been payable under the terms of the resolutions of the Board existing on the 20th day of April, 1967, but subject to the maximums prescribed by subsection 1 of the said section 40.

Agreement
with
OMERS

(2) Notwithstanding any Act, the Board and the Ontario Municipal Employees Retirement Board may enter into an agreement to provide for the payment of retirement allowances referred to in clause *b* of subsection 1.

Medical and
hospital
insurance
R.S.O. 1960,
c. 361

3. Notwithstanding clauses *b* and *c* of subsection 1 of section 41 of *The Schools Administration Act* or any predecessor thereof, the Board may pay one half of the premiums for sickness benefits provided through Physicians' Services Incorporated, Ontario Hospital Services Commission and Blue Cross for supplementary hospital semi-private care,

(a) in respect of former employees who retired on or before the 20th day of April, 1967 and to whom the Board represented such benefits would be paid after retirement;

(b) in respect of employees who were full-time permanent employees on the 20th day of April, 1967, who participated in such benefits on or before the 20th day of April, 1967 and who retire from the service of the Board before the 1st day of January, 1972,

while such persons are retired from the service of the Board and so long as such programmes are continued.

Application
of 1965,
c. 96, s. 2

4. The retirement allowance provided for by the Board under section 2 is not subject to *The Pension Benefits Act, 1965*.

Trust funds

5. The funds and sums of money described in the Schedule are hereby vested in the Board absolutely, clear of and free from all rights, title and interest, subject to any trusts affecting the same, and paragraph 16 of section 35 of *The Schools Administration Act* applies thereto.

R.S.O. 1960,
c. 361

Commence-
ment

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

Short title

7. This Act may be cited as *The London Board of Education Act, 1968*.

SCHEDULE

FUNDS

<u>Name of Trust</u>	<u>Amount</u>	<u>At present represented by</u>
1. Central Collegiate Institute Trust Fund Scholarship	\$320.00	5¾% Ontario Loan and Debenture Corporation, due 1 Dec., 1970, Serial D19712
2. Alfred Raymond Scholarship Memorial Fund	\$500.00	6% Huron & Erie Debenture Serial No. 01-114046, due 1 May, 1972
3. Memorial Fund Scholarship	\$500.00	6% Huron & Erie Debenture Serial No. 01-114046, due 1 May, 1972
4. E. O. Hall Memorial Bursaries	\$700.00	6% Huron & Erie Debenture Serial No. 01-114046, due 1 May, 1972
5. Alan Gibbons Medal	\$1,800.00	5½% Ontario Loan Debenture Serial No. D13238, due 1 Dec., 1969
6. Emma Tarrey Scholarship	\$2,000.00	Two 5½% Province of Ontario Debenture Serial Nos. CEE05411 and CEE05412, each for \$1,000, due 1 May, 1980
7. H. B. Beal Memorial Fund Scholarship	\$1,000.00	Two 5½% Province of Saskatchewan Debenture Serial Nos. PF-001 and PF-004, each for \$500, due 15 Feb., 1982



An Act respecting The Board of Education
for the City of London

1st Reading

March 5th, 1968

2nd Reading

April 3rd, 1968

3rd Reading

MR. WHITE

*(Reprinted as amended by the Com-
mittee of the Whole House)*

BILL Pr38

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting
The Board of Education for the City of London**

MR. WHITE

BILL Pr38

1968

**An Act respecting
The Board of Education for the City of London**

WHEREAS The Board of Education for the City of Preamble
London, herein called the Board, by its petition has
prayed for special legislation in respect of the matters herein-
after set forth; and whereas it is expedient to grant the
prayer of the petition;

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

1. In the case of any employee who entered the service Employees
transferred
on annexa-
tion
of the Board through annexation pursuant to the order of
the Ontario Municipal Board, P.F.M. 7054-58 dated the
3rd day of October, 1960, the Board may deem his service
with the school board formerly having jurisdiction in the
annexed area as service with the Board for the purposes of
The Schools Administration Act and this Act.

R.S.O. 1960,
c. 361

2.—(1) Notwithstanding section 40 of *The Schools Admin- Retirement
allowances*
istration Act, or any predecessor thereof, the Board may pay,

- (a) a retirement allowance from the date of retirement
until death to former employees who retired on or
before the 20th day of April, 1967, and had com-
pleted fewer than twenty years service with the
Board, the amounts of such retirement allowances
to be granted in accordance with the terms of the
resolutions of the Board existing at the time of
retirement;
- (b) a retirement allowance to any employee in its employ
on a permanent full-time basis on the 20th day of
April, 1967, and who remains in the employ of the
Board on that basis until his retirement and who,
at the time of his retirement,

R.S.O. 1960,
c. 392

- (i) is not eligible for payments under *The Teachers' Superannuation Act*, and
- (ii) has completed at least ten years of continuous service with the Board as a full-time permanent employee,

not exceeding the retirement allowance that would have been payable under the terms of the resolutions of the Board existing on the 20th day of April, 1967, but subject to the maximums prescribed by subsection 1 of the said section 40.

Agreement
with
OMERS

(2) Notwithstanding any Act, the Board and the Ontario Municipal Employees Retirement Board may enter into an agreement to provide for the payment of retirement allowances referred to in clause *b* of subsection 1.

Medical and
hospital
insurance
R.S.O. 1960,
c. 361

3. Notwithstanding clauses *b* and *c* of subsection 1 of section 41 of *The Schools Administration Act* or any predecessor thereof, the Board may pay one half of the premiums for sickness benefits provided through Physicians' Services Incorporated, Ontario Hospital Services Commission and Blue Cross for supplementary hospital semi-private care,

- (a) in respect of former employees who retired on or before the 20th day of April, 1967 and to whom the Board represented such benefits would be paid after retirement;
- (b) in respect of employees who were full-time permanent employees on the 20th day of April, 1967, who participated in such benefits on or before the 20th day of April, 1967 and who retire from the service of the Board before the 1st day of January, 1972,

while such persons are retired from the service of the Board and so long as such programmes are continued.

Application
of 1965,
c. 96, s. 2

4. The retirement allowance provided for by the Board under section 2 is not subject to *The Pension Benefits Act, 1965*.

Trust funds

5. The funds and sums of money described in the Schedule are hereby vested in the Board absolutely, clear of and free from all rights, title and interest, subject to any trusts affecting the same, and paragraph 16 of section 35 of *The Schools Administration Act* applies thereto.

R.S.O. 1960,
c. 361

Commence-
ment

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

Short title

7. This Act may be cited as *The London Board of Education Act, 1968*.

SCHEDULE

FUNDS

<u>Name of Trust</u>	<u>Amount</u>	<u>At present represented by</u>
1. Central Collegiate Institute Trust Fund Scholarship	\$320.00	5¾% Ontario Loan and Debenture Corporation, due 1 Dec., 1970, Serial D19712
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6. Emma Tarrey Scholarship	\$2,000.00	Two 5½% Province of Ontario Debenture Serial Nos. CEE05411 and CEE05412, each for \$1,000, due 1 May, 1980
7. H. B. Beal Memorial Fund Scholarship	\$1,000.00	Two 5½% Province of Saskatchewan Debenture Serial Nos. PF-001 and PF-004, each for \$500, due 15 Feb., 1982



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An Act respecting The Board of Education
for the City of London

1st Reading

March 5th, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. WHITE

BILL Pr39

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting The Lutheran Church-Missouri Synod

MR. BREITHAAPT

(PRIVATE BILL)

1867

THE CITY OF BOSTON

BILL Pr39

1968

**An Act respecting
The Lutheran Church-Missouri Synod**

WHEREAS The Lutheran Church-Missouri Synod, ^{Preamble} incorporated under the laws of the State of Missouri, one of the States of the United States of America, by Articles of Incorporation, by its petition has prayed for special legislation to relieve it from certain effects of *The Mortmain and Charitable Uses Act*; and whereas it is expedient to grant the prayer of the petition; ^{R.S.O. 1960, c. 246}

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

1. The Lutheran Church-Missouri Synod is hereby empowered from time to time to acquire in mortmain by purchase, lease, gift, devise or bequest and to hold, possess, retain and enjoy in perpetuity and to assure in mortmain any land, or any estate or interest therein, in the Province of Ontario necessary for the actual use and occupation of The Lutheran Church-Missouri Synod or for the carrying on of its undertaking, and may alienate such property or any estate or interest therein at pleasure. ^{Power to hold land in mortmain}

2. Land acquired or held by The Lutheran Church-Missouri Synod shall be disposed of by it within seven years from the time when the land ceases to be necessary for the actual use and occupation of The Lutheran Church-Missouri Synod or for carrying on its undertaking. ^{Disposition of land not held for purposes}

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

4. This Act may be cited as *The Lutheran Church-Missouri Synod Act, 1968*. ^{Short title}

An Act respecting
The Lutheran Church—Missouri Synod

1st Reading

2nd Reading

3rd Reading

MR. BREITHAUPF

(Private Bill)

BILL Pr39

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting The Lutheran Church-Missouri Synod

MR. BREITHAAPT

of

BILL Pr39

1968

An Act respecting The Lutheran Church-Missouri Synod

WHEREAS The Lutheran Church-Missouri Synod, ^{Preamble} incorporated under the laws of the State of Missouri, one of the States of the United States of America, by Articles of Incorporation, by its petition has prayed for special legislation to relieve it from certain effects of *The Mortmain and Charitable Uses Act*; and whereas it is expedient to grant the prayer of the petition; ^{R.S.O. 1960, c. 246}

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

1. The Lutheran Church-Missouri Synod is hereby empowered from time to time to acquire in mortmain by purchase, lease, gift, devise or bequest and to hold, possess, retain and enjoy in perpetuity and to assure in mortmain any land, or any estate or interest therein, in the Province of Ontario necessary for the actual use and occupation of The Lutheran Church-Missouri Synod or for the carrying on of its undertaking, and may alienate such property or any estate or interest therein at pleasure. ^{Power to hold land in mortmain}

2. Land acquired or held by The Lutheran Church-Missouri Synod shall be disposed of by it within seven years from the time when the land ceases to be necessary for the actual use and occupation of The Lutheran Church-Missouri Synod or for carrying on its undertaking. ^{Disposition of land not held for purposes}

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

4. This Act may be cited as *The Lutheran Church-Missouri Synod Act, 1968*. ^{Short title}

An Act respecting
The Lutheran Church-Missouri Synod

1st Reading

February 22nd, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 9th, 1968

MR. BREITHAUPT

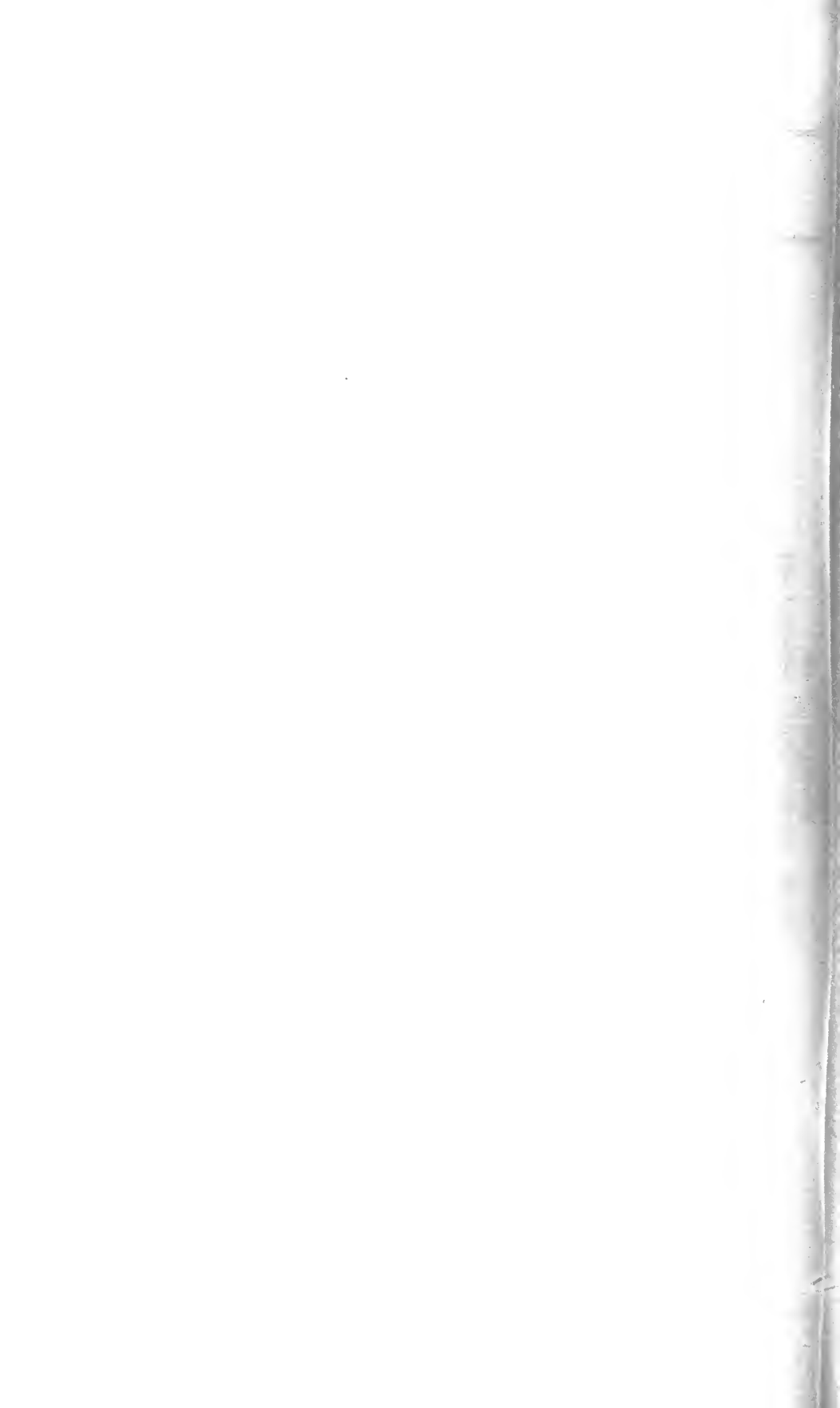
BILL Pr40

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Eastview

MR. MORIN

(PRIVATE BILL)



BILL Pr40

1968

An Act respecting the City of Eastview

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

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

1. The Corporation of the City of Eastview is hereby ^{Change of name} continued under the name of The Corporation of the City of Vanier, in the English language, and La Corporation de la Cité de Vanier, in the French language.
2. Any reference to The Corporation of the City of Eastview in any document, by-law, Act or regulation entered ^{Reference to former name} into, made or passed before this Act comes into force shall be deemed to be a reference to The Corporation of the City of Vanier or La Corporation de la Cité de Vanier.
3. This Act comes into force on the 1st day of January, ^{Commencement} 1969.
4. This Act may be cited as *The Corporation of the City of* ^{Short title} *Eastview Act, 1968.*

An Act respecting the City of Eastview

1st Reading

2nd Reading

3rd Reading

MR. MORIN

(*Private Bill*)

BILL Pr40

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Eastview

MR. MORIN



BILL Pr40

1968

An Act respecting the City of Eastview

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

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

1. The Corporation of the City of Eastview is hereby^{Change of name} continued under the name of The Corporation of the City of Vanier, in the English language, and La Corporation de la Cité de Vanier, in the French language.
2. Any reference to The Corporation of the City of Eastview in any document, by-law, Act or regulation entered into, made or passed before this Act comes into force shall be deemed to be a reference to The Corporation of the City of Vanier or La Corporation de la Cité de Vanier.^{Reference to former name}
3. This Act comes into force on the 1st day of January, 1969.^{Commencement}
4. This Act may be cited as *The Corporation of the City of Eastview Act, 1968*.^{Short title}

An Act respecting the City of Eastview

1st Reading

February 22nd, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 9th, 1968

MR. MORIN

BILL Pr41

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Canadian Order of Foresters

MR. MAKARCHUK

(PRIVATE BILL)

BILL Pr41

1968

An Act respecting Canadian Order of Foresters

WHEREAS Canadian Order of Foresters, and, in French, Preamble
Ordre Canadien des Forestiers, hereinafter called the Society, by its petition has represented that it was incorporated under the laws of the Province of Ontario by Declaration of Incorporation dated the 1st day of December, 1879, pursuant to chapter 167 of the Revised Statutes of Ontario, 1877; and whereas the Society desires to be continued under the jurisdiction of the Parliament of Canada under the name of Canadian Foresters Life Insurance Society, and, in French, Forestiers Canadiens Société D'Assurance Vie; and whereas the petitioner has prayed for special legislation for such purposes; and whereas it is expedient to grant the prayer of the petition;

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

1. Subject to authorization by special resolution under Application to Parliament of Canada authorized R.S.O. 1960, c. 71
The Corporations Act, the Society may apply to the Parliament of Canada for a special Act continuing the Society under the name of Canadian Foresters Life Insurance Society, and, in French, Forestiers Canadiens Société D'Assurance Vie, as if it had been incorporated under the laws of Canada, and providing, *inter alia*, that all rights and interests of the members, policyholders and creditors of the Society in, to and against the property, rights and assets of the Society and liens upon the property, rights and assets of the Society are unimpaired by such continuation.

2. Upon the coming into force of the special Act referred to Application of R.S.O. 1960, c. 71
in section 1, the Society shall file with the Provincial Secretary proof of the enactment and coming into force of such special Act, and, on and after the date of the filing of such notice, *The Corporations Act* and any successor thereto ceases to apply to the Society.

- Certificate **3.** The Provincial Secretary may, on receipt by him of proof of the enactment and coming into force of the special Act referred to in section 1, issue a certificate to the Society 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 Canadian Order of Foresters Act, 1968*.





1848

An Act respecting
Canadian Order of Foresters

1st Reading

2nd Reading

3rd Reading

MR. MAKARCHUK

(Private Bill)

BILL Pr41

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Canadian Order of Foresters

MR. MAKARCHUK



BILL Pr41

1968

An Act respecting Canadian Order of Foresters

WHEREAS Canadian Order of Foresters, and, in French, Preamble
Ordre Canadien des Forestiers, hereinafter called the Society, by its petition has represented that it was incorporated under the laws of the Province of Ontario by Declaration of Incorporation dated the 1st day of December, 1879, pursuant to chapter 167 of the Revised Statutes of Ontario, 1877; and whereas the Society desires to be continued under the jurisdiction of the Parliament of Canada under the name of Canadian Foresters Life Insurance Society, and, in French, Forestiers Canadiens Société D'Assurance Vie; and whereas the petitioner has prayed for special legislation for such purposes; and whereas it is expedient to grant the prayer of the petition;

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

1. Subject to authorization by special resolution under Application to Parliament of Canada authorized R.S.O. 1960, c. 71
The Corporations Act, the Society may apply to the Parliament of Canada for a special Act continuing the Society under the name of Canadian Foresters Life Insurance Society, and, in French, Forestiers Canadiens Société D'Assurance Vie, as if it had been incorporated under the laws of Canada, and providing, *inter alia*, that all rights and interests of the members, policyholders and creditors of the Society in, to and against the property, rights and assets of the Society and liens upon the property, rights and assets of the Society are unimpaired by such continuation.

2. Upon the coming into force of the special Act referred to in section 1, the Society shall file with the Provincial Secretary Application of R.S.O. 1960, c. 71
proof of the enactment and coming into force of such special Act, and, on and after the date of the filing of such notice, *The Corporations Act* and any successor thereto ceases to apply to the Society.

- Certificate **3.** The Provincial Secretary may, on receipt by him of proof of the enactment and coming into force of the special Act referred to in section 1, issue a certificate to the Society 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 Canadian Order of Foresters Act, 1968*.





111 1/2 10/10/11

An Act respecting
Canadian Order of Foresters

1st Reading

February 22nd, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 9th, 1968

MR. MAKARCHUK

BILL Pr42

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Ottawa

MR. LAWRENCE (Carleton East)

(PRIVATE BILL)



BILL Pr42

1968

An Act respecting the City of Ottawa

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

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

1. The council of the Corporation may pass by-laws for ^{Coin vending machines} regulating and governing coin operated vending machines for use by the public, and for licensing, regulating and governing persons carrying on the business of making available to the public the use of any such services or machines and for revoking such licences.
2. Notwithstanding anything contained in *The Local Improvement Act*, the council of the Corporation may under-^{Street lighting} take as a local improvement the installation of street lighting ^{R.S.O. 1960, c. 223} within the City of Ottawa without a petition, and section 8 of *The Local Improvement Act* applies to such work.
- 3.—(1) Notwithstanding paragraph 114 of subsection 1 of ^{Anti-noise by-laws} section 379 of *The Municipal Act*, the council of the Corporation may pass by-laws for regulating or prohibiting the making or causing of noises or sounds anywhere within the City of Ottawa that,
 - (a) disturb, or tend to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood, or of persons in the vicinity; or
 - (b) in the opinion of the council, are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public,

and such by-laws may make different regulations or prohibitions for different areas of the City of Ottawa and may provide in exceptional cases that such noises may, with the permission of the Mayor, be permitted for limited periods.

Motor
vehicles

(2) Without limiting the generality of subsection 1 and subject to the approval of the Minister of Transport, the council of the Corporation may pass by-laws prohibiting the driving or operating of motor vehicles in the City of Ottawa that create undue noise and for the purposes of any such by-law may define the expressions "motor vehicle" and "undue noise".

1952,
c. 130, s. 1,
amended

4. Section 1 of *The City of Ottawa Act, 1952* is amended by adding thereto the following subsections:

Duty of
owners

(11) The owner of any dwelling and, to the extent that he is made responsible by the lease or agreement under which he occupies the dwelling, the occupant thereof shall be required to repair and maintain the dwelling in accordance with the standards or demolish the whole or any part of the dwelling.

Registration
of orders

(12) When an order has been issued under subsection 2, the order may be registered in the proper registry office or registered as a caution in the proper land titles office, and, when so registered, all conveyances, mortgages, leases or other dispositions of the land to which the order applies and all interests acquired under any such conveyances, mortgages, leases, or other dispositions are subject to such order as confirmed or modified, and the order is an encumbrance on the land.

Discharge
of order

(13) When the requirements of the order have been satisfied, a certificate shall be delivered to any interested person that the order has been so satisfied, and such certificate may be registered in the same manner as the order and shall operate as a discharge thereof.

Furnishing
copy of
order

(14) No person shall sell, mortgage or lease or agree to sell, mortgage or lease any dwelling in respect of which an order has been served under this section or any by-law passed hereunder without first having furnished any proposed purchaser, mortgagee or lessee with a true copy of the order.

Owner's
right of
entry

(15) Every owner has the right to enter and repair any dwelling pursuant to an order, notwithstanding

anything contained in or resulting from a lease or agreement pursuant to which possession of the dwelling has been given to another person.

5. Section 4 of *The City of Ottawa Act, 1966* is amended ^{1966, c. 179, amended,} by adding thereto the following subsections:

- (11) The owner of any non-residential property and, ^{Duty of owner and tenant} to the extent that he is made responsible by the lease or agreement under which he occupies such property, the occupant thereof shall be required to repair and maintain the buildings forming part of the non-residential property in accordance with the standards or demolish the whole or any part of the building.
- (12) When an order has been issued under subsection 2, ^{Registration of order} the order may be registered in the proper registry office or registered as a caution in the proper land titles office, and, when so registered, all conveyances, mortgages, leases or other dispositions of the land to which the order applies and all interests acquired under any such conveyances, mortgages, leases or dispositions are subject to such order as confirmed or modified, and the order is an encumbrance on the land.
- (13) When the requirements of the order have been ^{Discharge of order} satisfied, a certificate shall be delivered to any interested person that the order has been so satisfied, and such certificate may be registered in the same manner as the order and shall operate as a discharge thereof.
- (14) No person shall sell, mortgage or lease or agree ^{Furnishing copy of order} to sell, mortgage or lease any building in respect of which an order has been served under this section or any by-law passed hereunder without first having furnished any proposed purchaser, mortgagee or lessee with a true copy of the order.
- (15) Every owner has the right to enter and repair any ^{Owner's right of entry} building pursuant to an order, notwithstanding anything contained in or resulting from a lease or agreement pursuant to which possession of the building has been given to another person.
- 6.** The council of the Corporation may pass by-laws ^{Bilingual signs} providing for the erection of signs, and the placing of markings on any highway in the City of Ottawa or any type or class

thereof, and prescribing the types of such signs and markings in both the English and French languages, and the location on the highway of each type of sign and marking, and every driver or operator of a vehicle shall obey the instructions or directions indicated on any sign so erected.

Develop-
ment
control

7.—(1) The council of the Corporation may pass by-laws for requiring the establishment, construction, preservation and maintenance of the following facilities within the City of Ottawa, 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. Garbage vaults and central garbage storage and collection areas.
4. Floodlighting of any building or structure.
5. Surfacing of parking areas, including curbs, pavements and sidewalks.
6. Walls, fences, hedges and strip-planting of trees or shrubs, to provide a buffer zone between land use zones.
7. Removal of snow.

Idem

- (2) Such by-laws may,
 - (a) provide that, without cost, easements necessary for public facilities serving only the proposed development shall be conveyed to the Corporation;
 - (b) prohibit the issuance of building permits until all requirements of the by-laws have been met 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-laws 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.

(3) Such by-laws may provide that,

Idem

- (a) the construction and maintenance of any works, including curbs, pavements, plantings and other improvements, shall at all times be at the sole risk and expense of the owner of the lands being developed;
- (b) 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 first lien and charge upon such lands and shall be collectable in like manner as municipal taxes.

(4) A by-law shall not be passed under subsection 1 until at least seven days after notice of the intention to pass the by-law has been published twice, the publications being at least seven days apart. ^{Publication of notice}

(5) Any person aggrieved by the provisions of a by-law or an amending by-law passed under the authority of this section 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}

(6) Where an application has been made to the Ontario Municipal Board in respect of a by-law passed under this section, a copy of the decision of the Board with respect to the application shall be supplied by the Board to the applicant and to each person who appeared in person or by counsel at the hearing of the application and who filed with the Board or the secretary of the Board a written request for notice of the decision. ^{Copies of decision to be supplied}

8. On and after the 1st day of July, 1968, the authority and power of Boards of Commissioners of Police under *The Municipal Act* to pass by-laws to license trades, callings, persons or things is vested in the council of the Corporation, including the authority and power of Boards of Commissioners of Police to regulate and govern such trades, callings, persons or things. ^{Licensing R.S.O. 1960, c. 249}

9.—(1) Notwithstanding sections 6 and 7, as amended by section 6 of *The City of Ottawa Act, 1948*, and section 10, as re-enacted by section 8 of *The City of Ottawa Act, 1948*, of *The Ottawa City Transportation Act*, if, in the opinion of the Commission, it is deemed not possible or in its best interests in the provision of local transit services to establish ^{Costs of Transportation Commission 1920, c. 132}

a scale of tolls or fares for the carriage of passengers at a rate sufficient to meet the yearly maintenance and operating costs and other financial charges, referred to in the said sections, the Commission may request from the Corporation or from any other municipality adjacent to the City of Ottawa and served by it either directly or with the assistance of the Corporation such sums as may be deemed necessary to carry out the Commission's powers and duties, as referred to in said sections, but nothing in this Act divests the council of the Corporation or of any other adjacent municipality of its authority to refuse to provide such money requested in whole or in part.

Payment

(2) Notwithstanding the provisions of any general or special Act, the Corporation or any other adjacent municipal corporation served by the Commission may, by by-law passed by a two-thirds majority vote of the respective council or councils concerned, provide for payment of financial assistance towards meeting the yearly maintenance and operating costs or other financial obligations of the Commission.

Idem

(3) The amount of such financial assistance to be paid in any year shall be payable at such time or times and in such amounts as is prescribed in the by-law.

Idem

(4) The payments of financial assistance referred to in this section may be provided for by inclusion in the current budget estimates of the Corporation and the adjacent municipalities concerned in accordance with the provisions of *The Municipal Act* in this regard or, without obtaining the assent of the electors but with the approval of the Ontario Municipal Board, provided by the issue of debentures therefor.

R.S.O. 1960,
c. 249

Terms and
conditions

(5) Any financial contribution by a municipality under this section may be made upon such terms and conditions as are agreed upon between the Commission and the council of the municipal corporation concerned.

1920,
c. 132, s. 5a
(1964,
c. 136, s. 2),
re-enacted

10. Subsection 3 of section 5a of *The Ottawa City Transportation Act*, as enacted by section 2 of *The City of Ottawa Act, 1964*, is repealed and the following substituted therefor:

Application
of
R.S.O. 1960,
c. 255

(3) *The Municipal Franchises Act* does not apply to any agreement entered into or by-law passed under this section.

1920, c. 132,
amended

11. *The Ottawa City Transportation Act* is amended by adding thereto the following section:

5b.—(1) In this section, “bus” means a vehicle used ^{Interpre-} by the Commission for the transportation of pas-^{tation} sengers for compensation.

(2) No person shall,

Regulation
of
passengers

(a) smoke, carry a lighted pipe, cigar or cigarette, consume alcoholic beverages, be intoxicated, conduct himself in a disorderly or offensive manner, solicit or canvass any passenger by word of mouth or commit any nuisance in or upon any bus or on any premises of the Commission that are open to the public;

(b) ride or stand on any exterior portion of a bus, or, except under the direction and in the presence of an officer or servant of the Commission, enter or leave a bus by any means other than a designated door;

(c) attempt to operate a bus or interfere with any part of the equipment of a bus except in the course of his duties as an officer or employee of the Commission or with the authority of the Commission;

(d) ride on a bus as a passenger without first paying the fare from time to time established by the Commission or tendering a valid ticket or transfer issued by the Commission, except that the holder of a valid pass issued by the Commission and a member of the City of Ottawa Police Force, while in uniform, are entitled to travel by bus without charge.

(3) The Commission may refuse to transport a person ^{Refusal} who is contravening any provision of subsection 2, ^{to carry} and the operator of a bus may eject any such person from the bus at any usual stopping place after first stopping the bus and using no unnecessary force.

(4) Any person who contravenes any provision of sub- ^{Offence} section 2 is guilty of an offence and on summary conviction is liable to a fine of not more than \$50.

12. Section 25 of *The Ottawa City Transportation Act*, as ^{1920,} enacted by section 15 of *The City of Ottawa Act, 1948*, is ^{c. 132, s. 25} (1948, ^{c. 117,} repealed and the following substituted therefor: ^{s. 15,} re-enacted

Application
of
R.S.O. 1960,
c. 337

25. Nothing in this Act shall be construed as affecting the powers conferred on the Minister of Transport by *The Public Vehicles Act* and, for the purposes of *The Public Vehicles Act*, the cities of Ottawa and Eastview, the Village of Rockcliffe Park and the townships of Gloucester and Nepean shall be deemed to be one urban municipality.

Commence-
ment

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

Short title

14. This Act may be cited as *The City of Ottawa Act, 1968*.



1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. LAWRENCE (Carleton East)

(Private Bill)

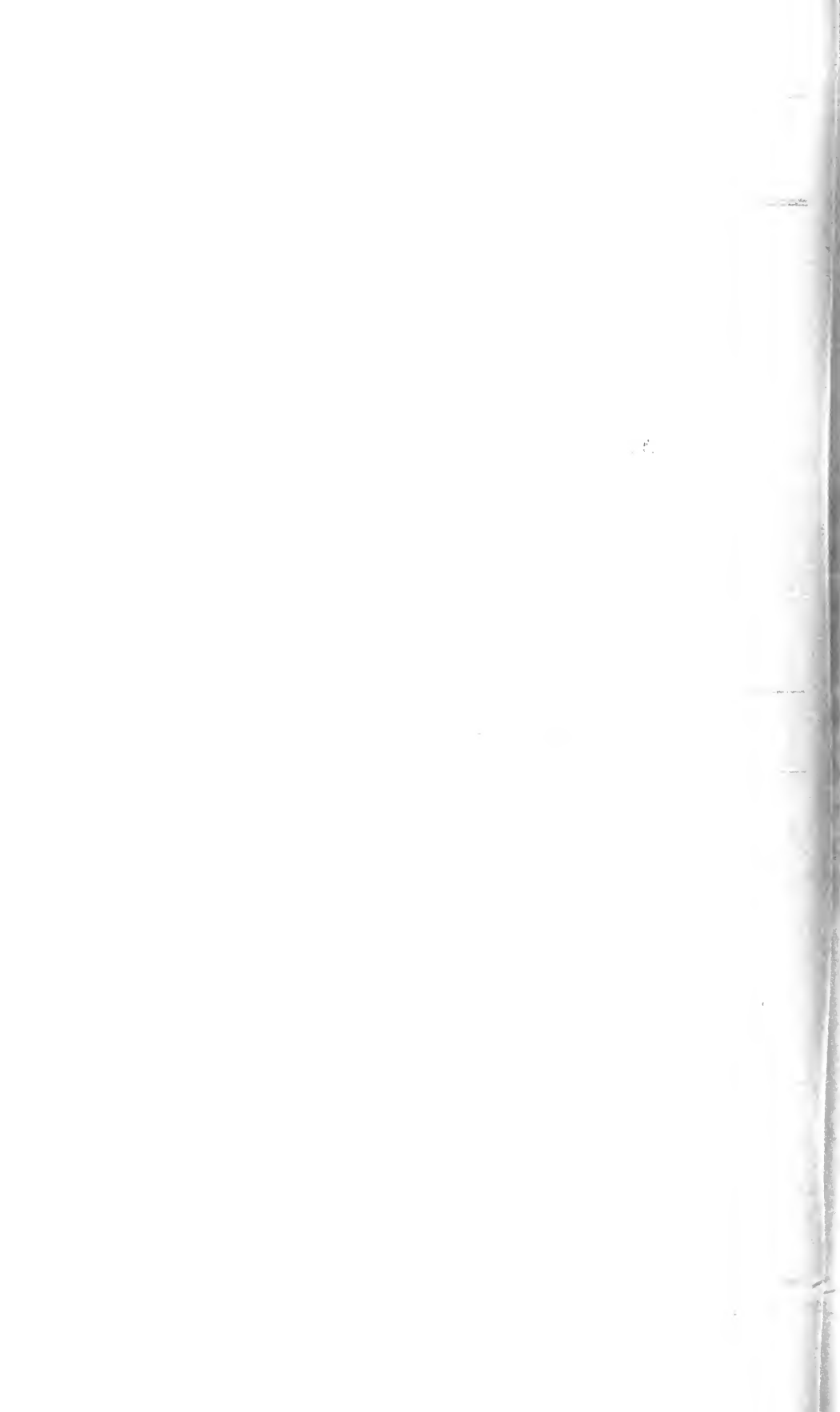
BILL Pr42

**1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968**

An Act respecting the City of Ottawa

MR. LAWRENCE (Carleton East)

(Reprinted as amended by the Committee on Private Bills)



BILL Pr42

1968

An Act respecting the City of Ottawa

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

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

1. Notwithstanding anything contained in *The Local Improvement Act*, the council of the Corporation may undertake as a local improvement the installation of street lighting within the City of Ottawa without a petition, and section 8 of *The Local Improvement Act* applies to such work. ^{Street lighting R.S.O. 1960, c. 223}

2.—(1) Notwithstanding paragraph 114 of subsection 1 of section 379 of *The Municipal Act*, the council of the Corporation may pass by-laws for regulating or prohibiting the making or causing of noises or sounds anywhere within the City of Ottawa that disturb, or tend to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood, or of persons in the vicinity, or that are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public, and such by-laws may make different regulations or prohibitions for different areas of the City of Ottawa and may provide in exceptional cases that such noises may, with the permission of the Mayor, be permitted for limited periods. ^{Anti-noise by-laws R.S.O. 1960, c. 249}

(2) Without limiting the generality of subsection 1 and subject to the approval of the Minister of Transport, the council of the Corporation may pass by-laws prohibiting the driving or operating of motor vehicles in the City of Ottawa that create undue noise. ^{Motor vehicles}

3. Section 1 of *The City of Ottawa Act, 1952* is amended by adding thereto the following subsections: ^{1952, c. 130, s. 1, amended}

Duty of
owners

- (11) The owner of any dwelling and, to the extent that he is made responsible by the lease or agreement under which he occupies the dwelling, the occupant thereof shall be required to repair and maintain the dwelling in accordance with the standards or demolish the whole or any part of the dwelling.

Registration
of orders

- (12) When an order has been issued under subsection 2, the order may be registered in the proper registry office or registered as a caution in the proper land titles office, and, when so registered, all conveyances, mortgages, leases or other dispositions of the land to which the order applies and all interests acquired under any such conveyances, mortgages, leases, or other dispositions are subject to such order as confirmed or modified, and the order is an encumbrance on the land.

Discharge
of order

- (13) When the requirements of the order have been satisfied, a certificate shall be delivered to any interested person that the order has been so satisfied, and such certificate may be registered in the same manner as the order and shall operate as a discharge thereof.

Furnishing
copy of
order

- (14) No person shall sell, mortgage or lease or agree to sell, mortgage or lease any dwelling in respect of which an order has been served under this section or any by-law passed hereunder without first having furnished any proposed purchaser, mortgagee or lessee with a true copy of the order.

Owner's
right of
entry

- (15) Every owner has the right to enter and repair any dwelling pursuant to an order, notwithstanding anything contained in or resulting from a lease or agreement pursuant to which possession of the dwelling has been given to another person.

1966, c. 179,
amended

4. Section 4 of *The City of Ottawa Act, 1966* is amended by adding thereto the following subsections:

Duty of
owner and
tenant

- (11) The owner of any non-residential property and, to the extent that he is made responsible by the lease or agreement under which he occupies such property, the occupant thereof shall be required to repair and maintain the buildings forming part of the non-residential property in accordance with the standards or demolish the whole or any part of the building.

- (12) When an order has been issued under subsection 2, ^{Registration of order} the order may be registered in the proper registry office or registered as a caution in the proper land titles office, and, when so registered, all conveyances, mortgages, leases or other dispositions of the land to which the order applies and all interests acquired under any such conveyances, mortgages, leases or dispositions are subject to such order as confirmed or modified, and the order is an encumbrance on the land.
- (13) When the requirements of the order have been ^{Discharge of order} satisfied, a certificate shall be delivered to any interested person that the order has been so satisfied, and such certificate may be registered in the same manner as the order and shall operate as a discharge thereof.
- (14) No person shall sell, mortgage or lease or agree ^{Furnishing copy of order} to sell, mortgage or lease any building in respect of which an order has been served under this section or any by-law passed hereunder without first having furnished any proposed purchaser, mortgagee or lessee with a true copy of the order.
- (15) Every owner has the right to enter and repair any ^{Owner's right of entry} building pursuant to an order, notwithstanding anything contained in or resulting from a lease or agreement pursuant to which possession of the building has been given to another person.

5. The council of the Corporation may pass by-laws ^{Bilingual signs} providing that any words required by *The Highway Traffic Act* to be contained on signs or markings erected or placed on highways or any part thereof in the City of Ottawa may be so contained thereon in both the English and French languages. ^{R.S.O. 1960, c. 172}

6. On and after the 1st day of July, 1968, the authority ^{Licensing} and power of Boards of Commissioners of Police under *The Municipal Act* to pass by-laws to license trades, callings, ^{R.S.O. 1960, c. 249} persons or things is vested in the council of the Corporation, including the authority and power of Boards of Commissioners of Police to regulate and govern such trades, callings, persons or things.

7.—(1) Notwithstanding sections 6 and 7, as amended ^{Costs of Transportation Commission} by section 6 of *The City of Ottawa Act, 1948*, and section 10, as re-enacted by section 8 of *The City of Ottawa Act, 1948*, of *The Ottawa City Transportation Act*, if, in the opinion of the Commission, it is deemed not possible or in its best interests in the provision of local transit services to establish ^{1920, c. 132}

a scale of tolls or fares for the carriage of passengers at a rate sufficient to meet the yearly maintenance and operating costs and other financial charges, referred to in the said sections, the Commission may request from the Corporation or from any other municipality adjacent to the City of Ottawa and served by it either directly or with the assistance of the Corporation such sums as may be deemed necessary to carry out the Commission's powers and duties, as referred to in said sections, but nothing in this Act divests the council of the Corporation or of any other adjacent municipality of its authority to refuse to provide such money requested in whole or in part.

Payment

(2) Notwithstanding the provisions of any general or special Act, the Corporation or any other adjacent municipal corporation served by the Commission may, by by-law passed by a two-thirds majority vote of the respective council or councils concerned, provide for payment of financial assistance towards meeting the yearly maintenance and operating costs or other financial obligations of the Commission.

Idem

(3) The amount of such financial assistance to be paid in any year shall be payable at such time or times and in such amounts as is prescribed in the by-law.

Idem

(4) The payments of financial assistance referred to in this section may be provided for by inclusion in the current budget estimates of the Corporation and the adjacent municipalities concerned in accordance with the provisions of *The Municipal Act* in this regard or, without obtaining the assent of the electors but with the approval of the Ontario Municipal Board, provided by the issue of debentures therefor.

R.S.O. 1960,
c. 249

Terms and
conditions

(5) Any financial contribution by a municipality under this section may be made upon such terms and conditions as are agreed upon between the Commission and the council of the municipal corporation concerned.

1920,
c. 132, s. 5a
(1964,
c. 136, s. 2),
re-enacted

8. Subsection 3 of section 5a of *The Ottawa City Transportation Act*, as enacted by section 2 of *The City of Ottawa Act, 1964*, is repealed and the following substituted therefor:

Application
of
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c. 255

(3) *The Municipal Franchises Act* does not apply to any agreement entered into or by-law passed under this section.

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9. *The Ottawa City Transportation Act* is amended by adding thereto the following section:

5b.—(1) In this section, “bus” means a vehicle used ^{Interpretation} by the Commission for the transportation of passengers for compensation.

(2) No person shall,

Regulation
of
passengers

(a) smoke, carry a lighted pipe, cigar or cigarette, consume alcoholic beverages, be intoxicated, conduct himself in a disorderly or offensive manner, solicit or canvass any passenger by word of mouth or commit any nuisance in or upon any bus or on any premises of the Commission that are open to the public;

(b) ride or stand on any exterior portion of a bus, or, except under the direction and in the presence of an officer or servant of the Commission, enter or leave a bus by any means other than a designated door;

(c) attempt to operate a bus or interfere with any part of the equipment of a bus except in the course of his duties as an officer or employee of the Commission or with the authority of the Commission;

(d) ride on a bus as a passenger without first paying the fare from time to time established by the Commission or tendering a valid ticket or transfer issued by the Commission, except that the holder of a valid pass issued by the Commission and a member of the City of Ottawa Police Force, while in uniform, are entitled to travel by bus without charge.

(3) The Commission may refuse to transport a person ^{Refusal to carry} who is contravening any provision of subsection 2, and the operator of a bus may eject any such person from the bus at any usual stopping place after first stopping the bus and using no unnecessary force.

(4) Any person who contravenes any provision of subsection 2 is guilty of an offence ^{Offence} and on summary conviction is liable to a fine of not more than \$50.

10. Section 25 of *The Ottawa City Transportation Act*, as enacted by section 15 of *The City of Ottawa Act, 1948*, is repealed and the following substituted therefor:

1920,
c. 132, s. 25
(1948,
c. 117,
s. 15),
re-enacted

Application
of
R.S.O. 1960,
c. 337

25. Nothing in this Act shall be construed as affecting the powers conferred on the Minister of Transport by *The Public Vehicles Act* and, for the purposes of *The Public Vehicles Act*, the cities of Ottawa and Eastview, the Village of Rockcliffe Park and the townships of Gloucester and Nepean shall be deemed to be one urban municipality.

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Short title

12. This Act may be cited as *The City of Ottawa Act, 1968*.





1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

Mr. LAWRENCE (Carleton East)

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

BILL Pr42

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the City of Ottawa

MR. LAWRENCE (Carleton East)



BILL Pr42

1968

An Act respecting the City of Ottawa

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

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

1. Notwithstanding anything contained in *The Local Improvement Act*, the council of the Corporation may undertake as a local improvement the installation of street lighting within the City of Ottawa without a petition, and section 8 of *The Local Improvement Act* applies to such work. ^{Street lighting R.S.O. 1960, c. 223}

2.—(1) Notwithstanding paragraph 114 of subsection 1 of section 379 of *The Municipal Act*, the council of the Corporation may pass by-laws for regulating or prohibiting the making or causing of noises or sounds anywhere within the City of Ottawa that disturb, or tend to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood, or of persons in the vicinity, or that are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public, and such by-laws may make different regulations or prohibitions for different areas of the City of Ottawa and may provide in exceptional cases that such noises may, with the permission of the Mayor, be permitted for limited periods. ^{Anti-noise by-laws R.S.O. 1960, c. 249}

(2) Without limiting the generality of subsection 1 and subject to the approval of the Minister of Transport, the council of the Corporation may pass by-laws prohibiting the driving or operating of motor vehicles in the City of Ottawa that create undue noise. ^{Motor vehicles}

3. Section 1 of *The City of Ottawa Act, 1952* is amended by adding thereto the following subsections: ^{1952, c. 130, s. 1, amended}

Duty of
owners

- (11) The owner of any dwelling and, to the extent that he is made responsible by the lease or agreement under which he occupies the dwelling, the occupant thereof shall be required to repair and maintain the dwelling in accordance with the standards or demolish the whole or any part of the dwelling.

Registration
of orders

- (12) When an order has been issued under subsection 2, the order may be registered in the proper registry office or registered as a caution in the proper land titles office, and, when so registered, all conveyances, mortgages, leases or other dispositions of the land to which the order applies and all interests acquired under any such conveyances, mortgages, leases, or other dispositions are subject to such order as confirmed or modified, and the order is an encumbrance on the land.

Discharge
of order

- (13) When the requirements of the order have been satisfied, a certificate shall be delivered to any interested person that the order has been so satisfied, and such certificate may be registered in the same manner as the order and shall operate as a discharge thereof.

Furnishing
copy of
order

- (14) No person shall sell, mortgage or lease or agree to sell, mortgage or lease any dwelling in respect of which an order has been served under this section or any by-law passed hereunder without first having furnished any proposed purchaser, mortgagee or lessee with a true copy of the order.

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right of
entry

- (15) Every owner has the right to enter and repair any dwelling pursuant to an order, notwithstanding anything contained in or resulting from a lease or agreement pursuant to which possession of the dwelling has been given to another person.

1966, c. 179,
amended

4. Section 4 of *The City of Ottawa Act, 1966* is amended by adding thereto the following subsections:

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owner and
tenant

- (11) The owner of any non-residential property and, to the extent that he is made responsible by the lease or agreement under which he occupies such property, the occupant thereof shall be required to repair and maintain the buildings forming part of the non-residential property in accordance with the standards or demolish the whole or any part of the building.

- (12) When an order has been issued under subsection 2, the order may be registered in the proper registry office or registered as a caution in the proper land titles office, and, when so registered, all conveyances, mortgages, leases or other dispositions of the land to which the order applies and all interests acquired under any such conveyances, mortgages, leases or dispositions are subject to such order as confirmed or modified, and the order is an encumbrance on the land. Registration of order
- (13) When the requirements of the order have been satisfied, a certificate shall be delivered to any interested person that the order has been so satisfied, and such certificate may be registered in the same manner as the order and shall operate as a discharge thereof. Discharge of order
- (14) No person shall sell, mortgage or lease or agree to sell, mortgage or lease any building in respect of which an order has been served under this section or any by-law passed hereunder without first having furnished any proposed purchaser, mortgagee or lessee with a true copy of the order. Furnishing copy of order
- (15) Every owner has the right to enter and repair any building pursuant to an order, notwithstanding anything contained in or resulting from a lease or agreement pursuant to which possession of the building has been given to another person. Owner's right of entry

5. The council of the Corporation may pass by-laws providing that any words required by *The Highway Traffic Act* to be contained on signs or markings erected or placed on highways or any part thereof in the City of Ottawa may be so contained thereon in both the English and French languages. Bilingual signs
R.S.O. 1960,
c. 172

6. On and after the 1st day of July, 1968, the authority and power of Boards of Commissioners of Police under *The Municipal Act* to pass by-laws to license trades, callings, persons or things is vested in the council of the Corporation, including the authority and power of Boards of Commissioners of Police to regulate and govern such trades, callings, persons or things. Licensing
R.S.O. 1960,
c. 249

7.—(1) Notwithstanding sections 6 and 7, as amended by section 6 of *The City of Ottawa Act, 1948*, and section 10, as re-enacted by section 8 of *The City of Ottawa Act, 1948*, of *The Ottawa City Transportation Act*, if, in the opinion of the Commission, it is deemed not possible or in its best interests in the provision of local transit services to establish Costs of Transportation Commission
1920, c. 132

a scale of tolls or fares for the carriage of passengers at a rate sufficient to meet the yearly maintenance and operating costs and other financial charges, referred to in the said sections, the Commission may request from the Corporation or from any other municipality adjacent to the City of Ottawa and served by it either directly or with the assistance of the Corporation such sums as may be deemed necessary to carry out the Commission's powers and duties, as referred to in said sections, but nothing in this Act divests the council of the Corporation or of any other adjacent municipality of its authority to refuse to provide such money requested in whole or in part.

Payment

(2) Notwithstanding the provisions of any general or special Act, the Corporation or any other adjacent municipal corporation served by the Commission may, by by-law passed by a two-thirds majority vote of the respective council or councils concerned, provide for payment of financial assistance towards meeting the yearly maintenance and operating costs or other financial obligations of the Commission.

Idem

(3) The amount of such financial assistance to be paid in any year shall be payable at such time or times and in such amounts as is prescribed in the by-law.

Idem

(4) The payments of financial assistance referred to in this section may be provided for by inclusion in the current budget estimates of the Corporation and the adjacent municipalities concerned in accordance with the provisions of *The Municipal Act* in this regard or, without obtaining the assent of the electors but with the approval of the Ontario Municipal Board, provided by the issue of debentures therefor.

R.S.O. 1960,
c. 249

Terms and
conditions

(5) Any financial contribution by a municipality under this section may be made upon such terms and conditions as are agreed upon between the Commission and the council of the municipal corporation concerned.

1920,
c. 132, s. 5a
(1964,
c. 136, s. 2),
re-enacted

8. Subsection 3 of section 5a of *The Ottawa City Transportation Act*, as enacted by section 2 of *The City of Ottawa Act, 1964*, is repealed and the following substituted therefor:

Application
of
R.S.O. 1960,
c. 255

(3) *The Municipal Franchises Act* does not apply to any agreement entered into or by-law passed under this section.

1920, c. 132,
amended

9. *The Ottawa City Transportation Act* is amended by adding thereto the following section:

5b.—(1) In this section, “bus” means a vehicle used by the Commission for the transportation of passengers for compensation. Interpretation

(2) No person shall,

Regulation
of
passengers

(a) smoke, carry a lighted pipe, cigar or cigarette, consume alcoholic beverages, be intoxicated, conduct himself in a disorderly or offensive manner, solicit or canvass any passenger by word of mouth or commit any nuisance in or upon any bus or on any premises of the Commission that are open to the public;

(b) ride or stand on any exterior portion of a bus, or, except under the direction and in the presence of an officer or servant of the Commission, enter or leave a bus by any means other than a designated door;

(c) attempt to operate a bus or interfere with any part of the equipment of a bus except in the course of his duties as an officer or employee of the Commission or with the authority of the Commission;

(d) ride on a bus as a passenger without first paying the fare from time to time established by the Commission or tendering a valid ticket or transfer issued by the Commission, except that the holder of a valid pass issued by the Commission and a member of the City of Ottawa Police Force, while in uniform, are entitled to travel by bus without charge.

(3) The Commission may refuse to transport a person who is contravening any provision of subsection 2, and the operator of a bus may eject any such person from the bus at any usual stopping place after first stopping the bus and using no unnecessary force. Refusal
to carry

(4) Any person who contravenes any provision of subsection 2 is guilty of an offence and on summary conviction is liable to a fine of not more than \$50. Offence

10. Section 25 of *The Ottawa City Transportation Act*, as enacted by section 15 of *The City of Ottawa Act, 1948*, is repealed and the following substituted therefor: 1920,
c. 132, s. 25
(1948,
c. 117,
s. 15),
re-enacted

Application
of
R.S.O. 1960,
c. 337

25. Nothing in this Act shall be construed as affecting the powers conferred on the Minister of Transport by *The Public Vehicles Act* and, for the purposes of *The Public Vehicles Act*, the cities of Ottawa and Eastview, the Village of Rockliffe Park and the townships of Gloucester and Nepean shall be deemed to be one urban municipality.

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 City of Ottawa Act, 1968*.





1st Reading

February 22nd, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. LAWRENCE (Carleton East)

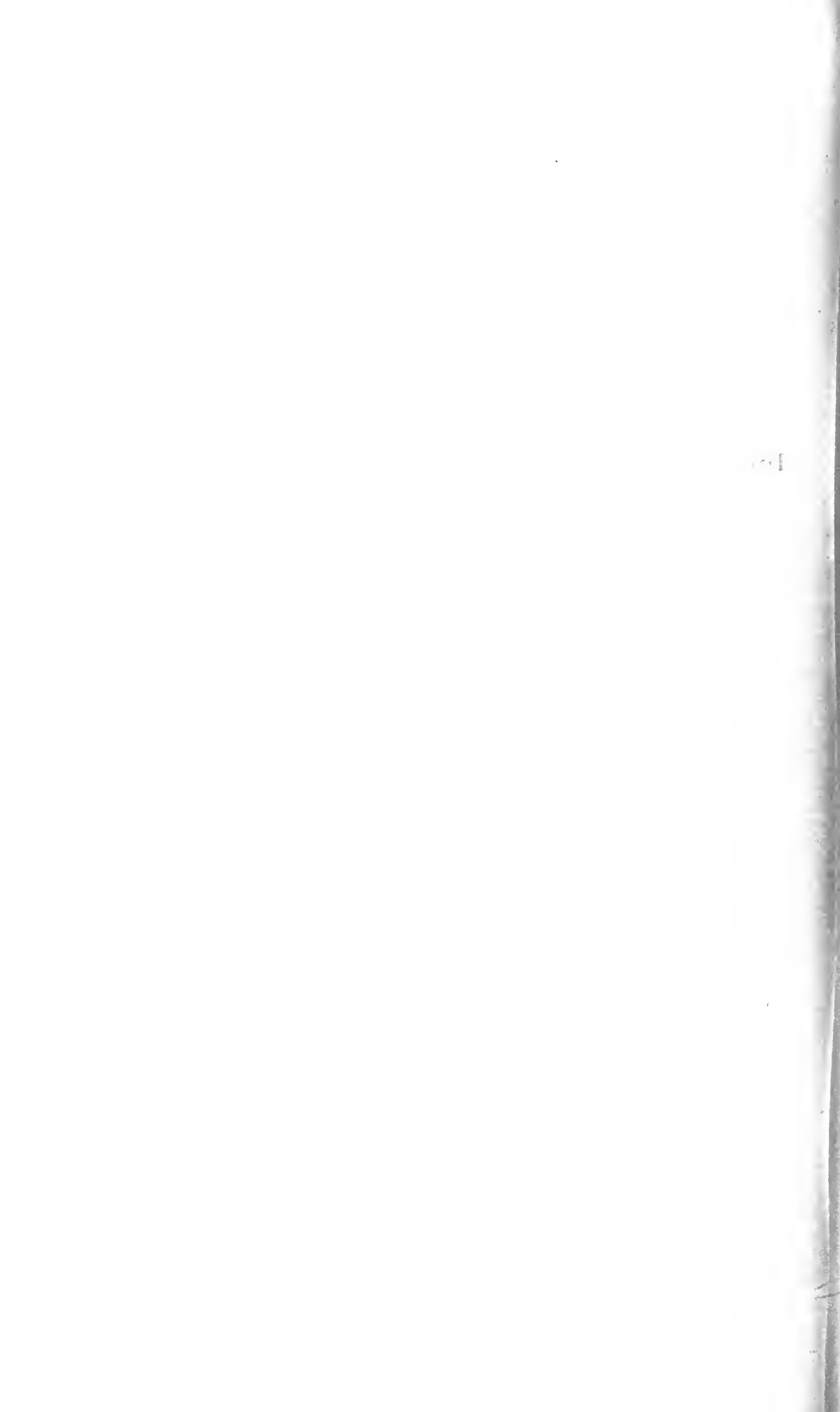
BILL Pr43

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting
Imperial Sewing Machine Company Limited and
Imperial Sewing Machine Company (Kitchener) Limited**

MR. SINGER

(PRIVATE BILL)



BILL Pr43

1968

**An Act respecting
Imperial Sewing Machine Company Limited
and Imperial Sewing Machine Company
(Kitchener) Limited**

WHEREAS Abraham Martin, Ruth Martin and Howard ^{Preamble} Martin by their petition have represented that Imperial Sewing Machine Company Limited and Imperial Sewing Machine Company (Kitchener) Limited, herein called the Corporations, were incorporated by letters patent dated the 13th day of November, 1951, in the case of Imperial Sewing Machine Company Limited, and by letters patent dated the 23rd day of September, 1952, in the case of Imperial Sewing Machine Company (Kitchener) Limited; that the Provincial Secretary by Order made under the authority of subsection 2 of section 326 of *The Corporations Act* cancelled the letters <sup>R.S.O. 1960,
c. 71</sup> patent of the Corporations and declared them to be dissolved on the 14th day of April, 1966, in the case of Imperial Sewing Machine Company Limited and on the 1st day of July, 1965, in the case of Imperial Sewing Machine Company (Kitchener) Limited; that the petitioners were all the directors and the 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 petitioners as directors, was not received by any of them, and none of them was aware of the dissolution of the Corporations until more than one year after the date thereof; that the Corporations at the time of their respective dissolutions were carrying on active commercial businesses; and whereas the petitioners have prayed for special legislation reviving the Corporations; and whereas it is expedient to grant the prayer of the petition;

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

1. Imperial Sewing Machine Company Limited incor- <sup>Imperial
Sewing
Machine
Co., Ltd.
revived</sup> porated by letters patent dated the 13th day of November,

1951, 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.

Imperial
Sewing
Machine
Co.
(Kitchener)
Ltd. revived

2. Imperial Sewing Machine Company (Kitchener) Limited incorporated by letters patent dated the 23rd day of September, 1952, 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 Imperial Sewing Machine Company Limited and Imperial Sewing Machine Company (Kitchener) Limited Act, 1968*.





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An Act respecting
Imperial Sewing Machine Company
Limited and Imperial Sewing Machine
Company (Kitchener) Limited

1st Reading

2nd Reading

3rd Reading

MR. SINGER

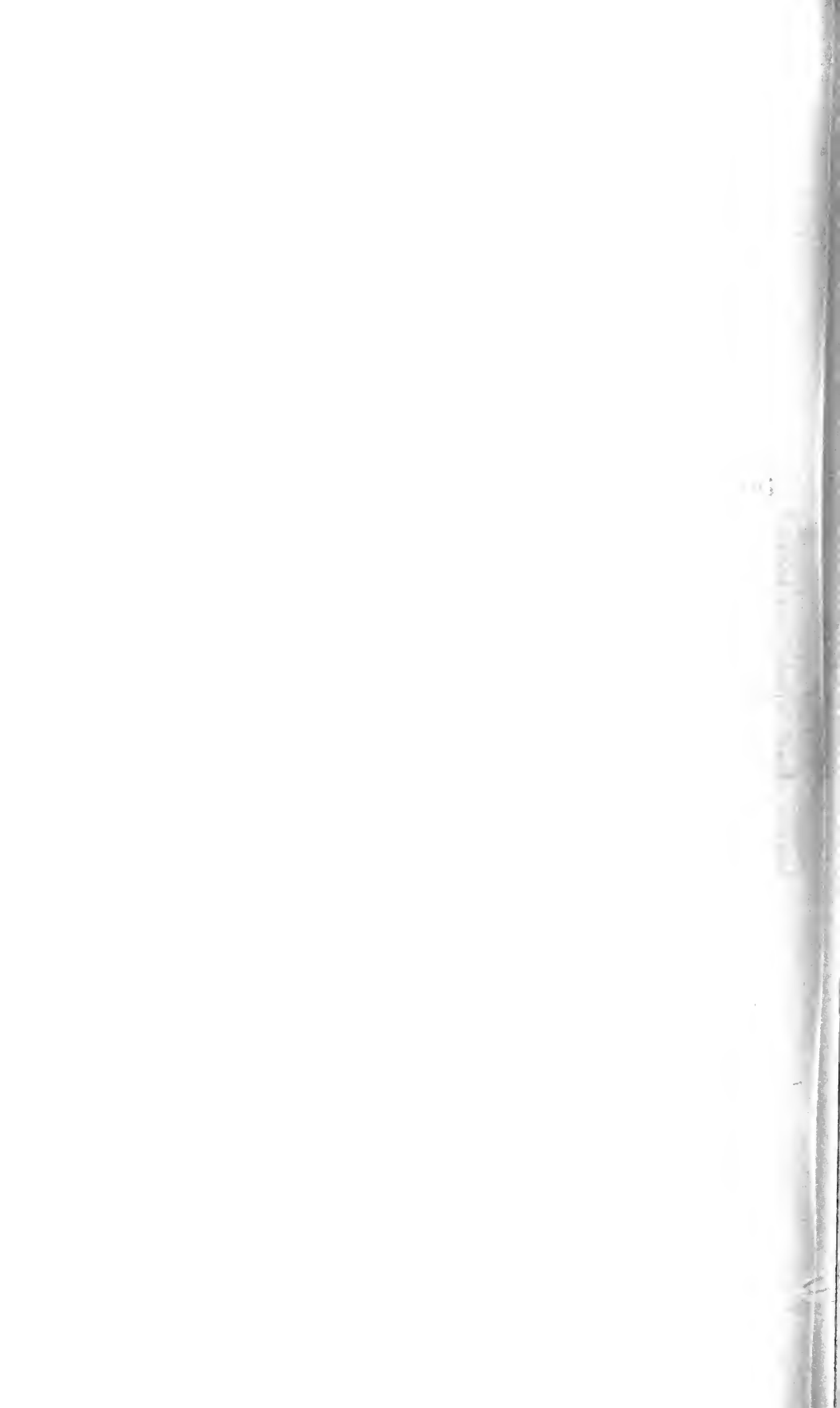
(Private Bill)

BILL Pr43

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting
Imperial Sewing Machine Company Limited and
Imperial Sewing Machine Company (Kitchener) Limited**

MR. SINGER



BILL Pr43

1968

**An Act respecting
Imperial Sewing Machine Company Limited
and Imperial Sewing Machine Company
(Kitchener) Limited**

WHEREAS Abraham Martin, Ruth Martin and Howard ^{Preamble} Martin by their petition have represented that Imperial Sewing Machine Company Limited and Imperial Sewing Machine Company (Kitchener) Limited, herein called the Corporations, were incorporated by letters patent dated the 13th day of November, 1951, in the case of Imperial Sewing Machine Company Limited, and by letters patent dated the 23rd day of September, 1952, in the case of Imperial Sewing Machine Company (Kitchener) Limited; that the Provincial Secretary by Order made under the authority of subsection 2 of section 326 of *The Corporations Act* cancelled the letters patent of the Corporations and declared them to be dissolved on the 14th day of April, 1966, in the case of Imperial Sewing Machine Company Limited and on the 1st day of July, 1965, in the case of Imperial Sewing Machine Company (Kitchener) Limited; that the petitioners were all the directors and the 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 petitioners as directors, was not received by any of them, and none of them was aware of the dissolution of the Corporations until more than one year after the date thereof; that the Corporations at the time of their respective dissolutions were carrying on active commercial businesses; and whereas the petitioners have prayed for special legislation reviving the Corporations; and whereas it is expedient to grant the prayer of the petition; <sup>R.S.O. 1960,
c. 71</sup>

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

1. Imperial Sewing Machine Company Limited incorporated by letters patent dated the 13th day of November, <sup>Imperial
Sewing
Machine
Co., Ltd.
revived</sup>

1951, 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.

Imperial
Sewing
Machine
Co.
(Kitchener)
Ltd. revived

2. Imperial Sewing Machine Company (Kitchener) Limited incorporated by letters patent dated the 23rd day of September, 1952, 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 Imperial Sewing Machine Company Limited and Imperial Sewing Machine Company (Kitchener) Limited Act, 1968*.





11

An Act respecting
Imperial Sewing Machine Company
Limited and Imperial Sewing Machine
Company (Kitchener) Limited

1st Reading

February 22nd, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 9th, 1968

MR. SINGER

BILL Pr44

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting The Toronto City Mission

MR. PRICE

(PRIVATE BILL)



BILL Pr44

1968

An Act respecting The Toronto City Mission

WHEREAS Gordon V. Crofoot, Edward S. Fish, J. A. Northey, Harold D. Poole, Lawrence M. Stark, Ivy M. Bunt and Marjorie E. Finch by their petition have represented that The Toronto City Mission, herein called the Corporation, was incorporated by letters patent, dated the 3rd day of December, 1910 as a corporation without share capital having religious, philosophical and charitable objects; that the Provincial Secretary by Order, dated the 28th day of November, 1955, made under the authority of subsection 2 of section 325 of *The Corporations Act, 1953*, being chapter 19 of the Statutes of Ontario, 1953, cancelled the letters patent of the Corporation and declared it to be dissolved on the 2nd day of January, 1956; that the petitioners were all the directors 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 325 of *The Corporations Act, 1953* was not received by any of them and none of them was aware of the dissolution of the Corporation until more than ten years after the date thereof; and that the Corporation at the time of its dissolution was actively carrying on its affairs and was registered as the owner of real property in the Province of Ontario; and whereas the petitioners have prayed for special legislation reviving the Corporation and altering the quorum of its Board of Directors; and whereas it is expedient to grant the prayer of the petition;

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

1.—(1) The Toronto City Mission incorporated by letters patent dated the 3rd day of December, 1910 is hereby revived and is declared to be a subsisting Corporation and shall be deemed to have been a subsisting Corporation since its incorporation in the same manner and to the same extent as if it had not been dissolved.

Exemption
from filing
annual
returns
R.S.O. 1960,
c. 72

(2) The Corporation is exempt from the requirements of section 3 of *The Corporations Information Act*, or any predecessor thereof, in respect of annual returns required to be filed in the years 1911 to 1965, both inclusive.

Quorum

2. Two-fifths of the members of the Board of Directors of the Corporation constitute a quorum of the Board.

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 Toronto City Mission Act, 1968*.







An Act respecting
The Toronto City Mission

1st Reading

2nd Reading

3rd Reading

MR. PRICE

(Private Bill)

BILL Pr44

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting The Toronto City Mission

MR. PRICE

(Reprinted for consideration by the Committee on Private Bills)



BILL Pr44

1968

An Act respecting The Toronto City Mission

WHEREAS Gordon V. Crofoot, Edward S. Fish, J. A. Northey, Harold D. Poolé, Lawrence M. Stark, Ivy M. Bunt and Marjorie E. Finch by their petition have represented that The Toronto City Mission, hereinafter called the Corporation, was incorporated by letters patent, dated the 3rd day of December, 1910, as a corporation without share capital having religious, philosophical and charitable objects; that the Provincial Secretary by Order, dated the 28th day of November, 1955, made under the authority of subsection 2 of section 325 of *The Corporations Act, 1953*, cancelled the letters patent of the Corporation and declared it to be dissolved on the 2nd day of January, 1956; that both before its incorporation and after its dissolution The Toronto City Mission carried on its religious, philosophical and charitable undertakings as an unincorporated association, in the name of "The Toronto City Mission" which name and style has been used continuously by the petitioners or their predecessors since A.D. 1890; that the petitioners were all the directors of the Corporation at the time of its dissolution and since its dissolution have carried on the Corporation's religious, philosophical and charitable undertakings as an unincorporated association named "The Toronto City Mission"; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act* ^{R.S.O. 1960, c. 71} was not received by any of them and none of them was aware of the dissolution of the Corporation until more than ten years after the date thereof; and the Corporation at the time of its dissolution was actively carrying on its affairs and was the owner of real and personal property in the Province of Ontario; and whereas the petitioners have prayed for special legislation reviving the Corporation and altering the quorum of its Board of Directors; and whereas it is expedient to grant the prayer of the petition;

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

Corporation
revived

1.—(1) The Toronto City Mission incorporated by letters patent dated the 3rd day of December, 1910 is hereby revived and is declared to be a subsisting Corporation and shall be deemed to have been a subsisting Corporation since its incorporation in the same manner and to the same extent as if it had not been dissolved.

Vesting of
property

(2) All property, both real and personal, vested in the said Corporation being The Toronto City Mission at the date of its dissolution which has not since been disposed of by the unincorporated association known as The Toronto City Mission and all property, both real and personal, now vested in the unincorporated association known as The Toronto City Mission is hereby vested in the said Corporation.

Exemption
from filing
annual
returns
R.S.O. 1960,
c. 72

(3) The Corporation is exempt from the requirements of section 3 of *The Corporations Information Act*, or any predecessor thereof, in respect of annual returns required to be filed for the years 1911 to 1965, both inclusive.

Quorum

2. Two-fifths of the members of the Board of Directors of the Corporation constitute a quorum of the Board.

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 Toronto City Mission Act, 1968*.







An Act respecting
The Toronto City Mission

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. PRICE

*(Reprinted for consideration by the Committee
on Private Bills)*

BILL Pr44

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting The Toronto City Mission

MR. PRICE

(Reprinted as amended by the Committee on Private Bills)



BILL Pr44

1968

An Act respecting The Toronto City Mission

WHEREAS Gordon V. Crofoot, Edward S. Fish, J. A. Northey, Harold D. Poole, Lawrence M. Stark, Ivy M. Bunt and Marjorie E. Finch by their petition have represented that The Toronto City Mission, hereinafter called the Corporation, was incorporated by letters patent, dated the 3rd day of December, 1910, as a corporation without share capital having religious, philosophical and charitable objects; that the Provincial Secretary by Order, dated the 28th day of November, 1955, made under the authority of subsection 2 of section 325 of *The Corporations Act, 1953*, cancelled the letters patent of the Corporation and declared it to be dissolved on the 2nd day of January, 1956; that both before its incorporation and after its dissolution The Toronto City Mission carried on its religious, philosophical and charitable undertakings as an unincorporated association, in the name of "The Toronto City Mission" which name and style has been used continuously by the petitioners or their predecessors since A.D. 1890; that the petitioners were all the directors of the Corporation at the time of its dissolution and since its dissolution have carried on the Corporation's religious, philosophical and charitable undertakings as an unincorporated association named "The Toronto City Mission"; 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 any of them and none of them was aware of the dissolution of the Corporation until more than ten years after the date thereof; and the Corporation at the time of its dissolution was actively carrying on its affairs and was the owner of real and personal property in the Province of Ontario; and whereas the petitioners have prayed for special legislation reviving the Corporation and altering the quorum of its Board of Directors; and whereas it is expedient to grant the prayer of the petition;

Preamble

R.S.O. 1960,
c. 71

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

Corporation
revived

1.—(1) The Toronto City Mission incorporated by letters patent dated the 3rd day of December, 1910 is hereby revived and is declared to be a subsisting Corporation and shall be deemed to have been a subsisting Corporation since its incorporation in the same manner and to the same extent as if it had not been dissolved.

Vesting of
property

(2) All property, both real and personal, vested in the said Corporation being The Toronto City Mission at the date of its dissolution which has not since been disposed of by the unincorporated association known as The Toronto City Mission and all property, both real and personal, now vested in the unincorporated association known as The Toronto City Mission is hereby vested in the said Corporation.

Exemption
from filing
annual
returns
R.S.O. 1960,
c. 72

(3) The Corporation is exempt from the requirements of section 3 of *The Corporations Information Act*, or any predecessor thereof, in respect of annual returns required to be filed for the years 1911 to 1965, both inclusive.

Quorum

2. Two-fifths of the members of the Board of Directors of the Corporation constitute a quorum of the Board.

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 Toronto City Mission Act, 1968*.





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An Act respecting
The Toronto City Mission

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. PRICE

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

BILL Pr44

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting The Toronto City Mission

MR. PRICE



BILL Pr44

1968

An Act respecting The Toronto City Mission

WHEREAS Gordon V. Crofoot, Edward S. Fish, J. A. Northey, Harold D. Poole, Lawrence M. Stark, Ivy M. Bunt and Marjorie E. Finch by their petition have represented that The Toronto City Mission, hereinafter called the Corporation, was incorporated by letters patent, dated the 3rd day of December, 1910, as a corporation without share capital having religious, philosophical and charitable objects; that the Provincial Secretary by Order, dated the 28th day of November, 1955, made under the authority of subsection 2 of section 325 of *The Corporations Act, 1953*, cancelled the letters patent of the Corporation and declared it to be dissolved on the 2nd day of January, 1956; that both before its incorporation and after its dissolution The Toronto City Mission carried on its religious, philosophical and charitable undertakings as an unincorporated association, in the name of "The Toronto City Mission" which name and style has been used continuously by the petitioners or their predecessors since A.D. 1890; that the petitioners were all the directors of the Corporation at the time of its dissolution and since its dissolution have carried on the Corporation's religious, philosophical and charitable undertakings as an unincorporated association named "The Toronto City Mission"; 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 any of them and none of them was aware of the dissolution of the Corporation until more than ten years after the date thereof; and the Corporation at the time of its dissolution was actively carrying on its affairs and was the owner of real and personal property in the Province of Ontario; and whereas the petitioners have prayed for special legislation reviving the Corporation and altering the quorum of its Board of Directors; and whereas it is expedient to grant the prayer of the petition;

Preamble

R.S.O. 1960,
c. 71

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

Corporation
revived

1.—(1) The Toronto City Mission incorporated by letters patent dated the 3rd day of December, 1910 is hereby revived and is declared to be a subsisting Corporation and shall be deemed to have been a subsisting Corporation since its incorporation in the same manner and to the same extent as if it had not been dissolved.

Vesting of
property

(2) All property, both real and personal, vested in the said Corporation being The Toronto City Mission at the date of its dissolution which has not since been disposed of by the unincorporated association known as The Toronto City Mission and all property, both real and personal, now vested in the unincorporated association known as The Toronto City Mission is hereby vested in the said Corporation.

Exemption
from filing
annual
returns
R.S.O. 1960,
c. 72

(3) The Corporation is exempt from the requirements of section 3 of *The Corporations Information Act*, or any predecessor thereof, in respect of annual returns required to be filed for the years 1911 to 1965, both inclusive.

Quorum

2. Two-fifths of the members of the Board of Directors of the Corporation constitute a quorum of the Board.

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 Toronto City Mission Act, 1968*.





2000

An Act respecting
The Toronto City Mission

1st Reading

February 22nd, 1968

2nd Reading

April 8th, 1968

3rd Reading

April 11th, 1968

Mr. PRICE

BILL Pr45

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Township of Pelee

MR. PATERSON

(PRIVATE BILL)



BILL Pr45

1968

An Act respecting the Township of Pelee

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

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

1. The Corporation of the Township of Pelee is hereby ^{Pheasant farm authorized} authorized to establish, operate and maintain a farm for propagating and raising pheasants in the Township of Pelee, subject to *The Game and Fish Act, 1961-62* and the regulations made thereunder. ^{1961-62, c. 48}

2. The council of The Corporation of the Township of ^{Debentures authorized} Pelee may pass a by-law, subject to the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$45,000, payable in not more than fifteen years, for the purpose of paying the capital cost of establishing the said farm.

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

4. This Act may be cited as *The Township of Pelee Act*, ^{Short title} 1968.

An Act respecting the Township of Pelée

1st Reading

2nd Reading

3rd Reading

MR. PATERSON

(Private Bill)

BILL Pr45

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Township of Pelee

MR. PATERSON

(Reprinted as amended by the Committee on Private Bills)



BILL Pr45

1968

An Act respecting the Township of Pelee

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

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

1. The Corporation of the Township of Pelee is hereby ^{Pheasant farm authorized} authorized to establish, operate and maintain a farm for propagating and raising pheasants in the Township of Pelee, subject to *The Game and Fish Act, 1961-62* and the regulations made thereunder. ^{1961-62, c. 48}
2. The council of The Corporation of the Township of Pelee may pass a by-law, subject to the approval of the Ontario Municipal Board ^{Debentures authorized} and with the assent of the electors qualified to vote on money by-laws, which assent shall not be dispensed with, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$45,000, payable in not more than fifteen years, for the purpose of paying the capital cost of establishing the said farm.
3. This Act comes into force on the day it receives Royal ^{Commencement} Assent.
4. This Act may be cited as *The Township of Pelee Act*, ^{Short title} 1968.

An Act respecting the Township of Pelee

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. PATERSON

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

BILL Pr45

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Township of Pelee

MR. PATERSON

BILL Pr45

1968

An Act respecting the Township of Pelee

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

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

1. The Corporation of the Township of Pelee is hereby ^{Pheasant farm} authorized to establish, operate and maintain a farm for ^{authorized} propagating and raising pheasants in the Township of Pelee, subject to *The Game and Fish Act, 1961-62* and the regula-^{1961-62,} ^{c. 48} tions made thereunder.

2. The council of The Corporation of the Township of ^{Debentures} Pelee may pass a by-law, subject to the approval of the ^{authorized} Ontario Municipal Board and with the assent of the electors qualified to vote on money by-laws, which assent shall not be dispensed with, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$45,000, payable in not more than fifteen years, for the purpose of paying the capital cost of establishing the said farm.

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

4. This Act may be cited as *The Township of Pelee Act*, ^{Short title} 1968.

1st Reading

March 5th, 1968

2nd Reading

April 3rd, 1968

3rd Reading

April 9th, 1968

MR. PATERSON

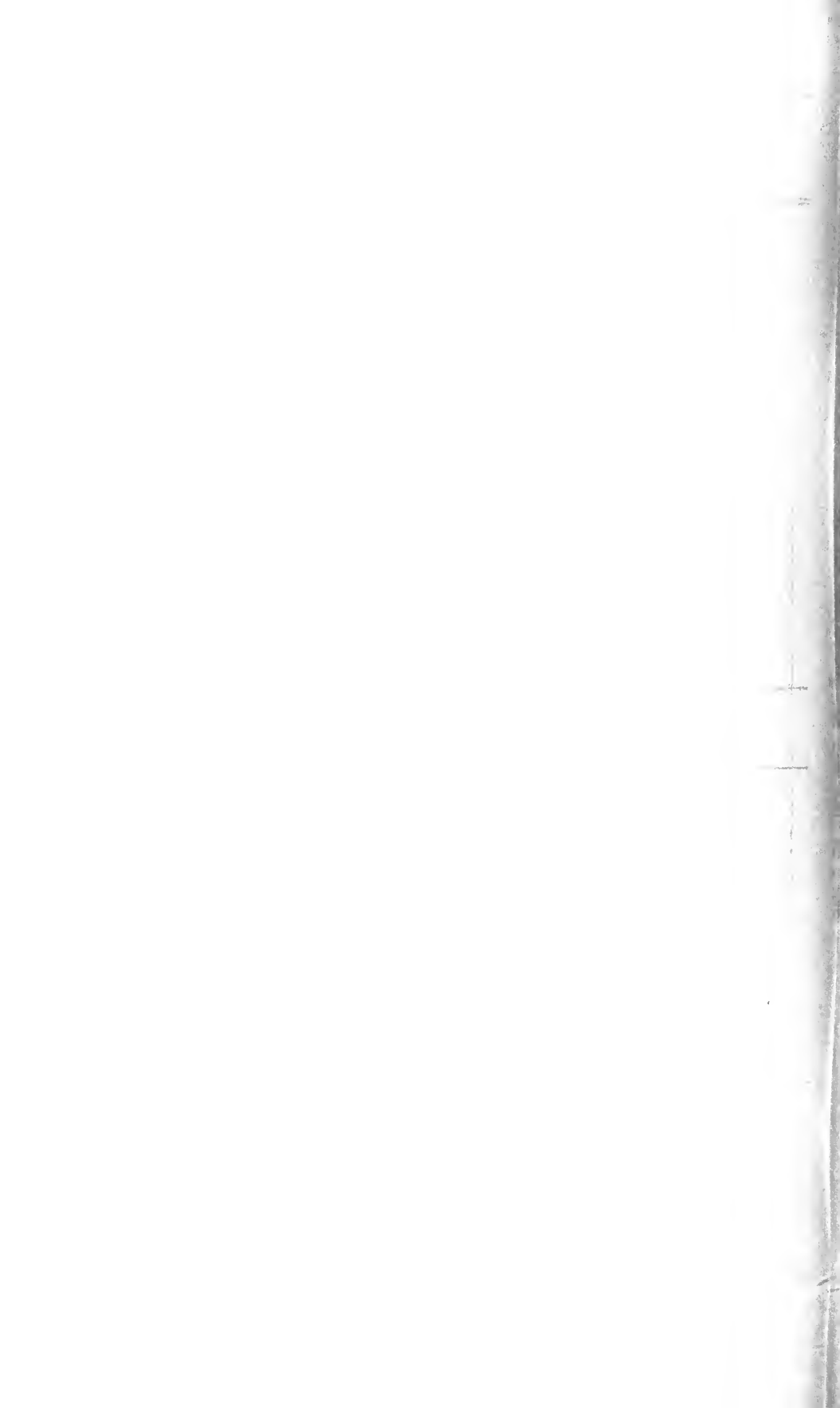
BILL Pr46

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Ewart College

MR. PRICE

(PRIVATE BILL)



BILL Pr46

1968

An Act respecting Ewart College

WHEREAS Agnes Roy, Joan Louise MacLellan and James Donald McCormack by their petition have represented that they are members of the Board of Management of Ewart College, an unincorporated body engaged in education for religious purposes under the authority of the General Assembly of The Presbyterian Church in Canada; and whereas the General Assembly has authorized an application for the incorporation of Ewart College; and whereas the petitioners in pursuance of the authority of the General Assembly have prayed for special legislation incorporating Ewart College; and whereas it is expedient to grant the prayer of the petition;

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

1. In this Act,

Interpre-
tation

- (a) "Board" means the Board of Management of Ewart College;
- (b) "Church" means The Presbyterian Church in Canada;
- (c) "College" means Ewart College;
- (d) "General Assembly" means the General Assembly of the Church;
- (e) "Trustee Board" means The Trustee Board of The Presbyterian Church in Canada.

2.—(1) The members of the Board of Management of the unincorporated body known, prior to the coming into force of this Act, as Ewart College, namely: Elsie Carson, James Stanley Clarke, Gwendolyn Margaret Davenport, George Edgar Dobie, Howard Andrew Doig, James Karl English,

Incor-
poration

Annabelle Thora Evans, Allan Leonard Farris, Benjamin David Hostetter, Giollo Kelly, Jessie Marguerite Leckie, Lennora May Lennox, John Logan-Vencta, Dorothy Joan Lukes, Jean Margaret MacGregor, Joan Louise MacLellan, James Donald McCormack, John Joseph Harrold Morris, Louise Ann Reith, Agnes Roy, Harry Douglas Stewart, Lois Jean Stewart, Charles Rodger Talbot, James Allan Thomson, William Smith Walton, Clara Margaret Webster, Mary Edith Whale, Edythe Evelyn Williamson, Frederick Norman Young, and such other persons as may hereafter become members of the Board together with all graduates of the said existing unincorporated body and all persons who may hereafter graduate from the College, are hereby created a body corporate with perpetual succession and a common seal under the name of Ewart College.

Applica-
tion of
R.S.O. 1960,
c. 71

(2) *The Corporations Act* does not apply to the College.

Seal

(3) The seal of the College shall be adopted by the Board by by-law.

Officers
and by-laws
continued

(4) Until their successors are appointed, the Secretary, Financial Secretary, Principal and all other persons holding offices or positions of whatever nature in the unincorporated body known as Ewart College shall continue to hold the offices or positions held by them prior to the coming into force of this Act, and all existing by-laws, rules and regulations of the said unincorporated body not inconsistent with this Act continue in force until repealed by the Board.

Provisional
Board

3.—(1) The persons named in subsection 1 of section 2 constitute the provisional Board, which shall act until the Board is reconstituted in accordance with subsection 2, and, until their successors are appointed, Agnes Roy shall hold office as Chairman and Lennora May Lennox shall hold office as Vice-Chairman.

Constitution
of Board

(2) Within fifteen months from the coming into force of this Act, the Board shall be reconstituted to consist of,

- (a) the Principal of the College, the Moderator of the existing or previous General Assembly, and the Treasurer of the Church, who shall be *ex officio* members of the Board;
- (b) any number of persons appointed by the General Assembly;
- (c) any number of persons who hold office in and are appointed in writing by such boards and societies of the Church as the General Assembly may from time to time designate, the number of representatives

from any such board or society at any time to be as specified by the General Assembly.

(3) The General Assembly may remove from membership on the Board any member thereof, and may appoint some person as a member of the Board in the place and stead of the person so removed, but removal from the Board of an *ex officio* member shall not of itself affect the holding of his office. ^{Removal of Board members}

4.—(1) One of the members of the Board shall be appointed by the General Assembly to be its Chairman. ^{Chairman}

(2) The Board may appoint one of its members to be Vice-Chairman, and, in case of the absence or illness of the Chairman or of there being a vacancy in the office of Chairman, the Vice-Chairman shall act as and have all the powers of the Chairman. ^{Vice-chairman}

(3) In the absence or illness of the Chairman and the Vice-Chairman, the Board may appoint one of its members to act as Chairman who shall act as and have all the powers of the Chairman. ^{Acting chairman}

5.—(1) Subject to the authority of the General Assembly, the affairs of the College are under the control of the Board, and the Board has all the powers necessary or convenient to perform its duties and to achieve the objects of the College. ^{Duties of Board}

(2) The Chairman shall preside at all meetings of the Board. ^{Duties of Chairman}

(3) The Board shall report annually to the General Assembly in respect of all matters of substance concerning the College. ^{Report of Board}

6. Unless otherwise provided by the Board, one-third of its members for the time being constitutes a quorum, but such quorum shall include at least one-third of the members appointed under clause *b* of subsection 2 of section 3 holding office at the time. ^{Quorum of Board}

7. Each member of the Board appointed under clause *b* of subsection 2 of section 3 shall hold office for a term, fixed by the General Assembly at the time of such appointment, not exceeding three years. ^{Term of office}

8. Notwithstanding any vacancy in the Board, as long as there are at least five members the Board is competent to exercise all or any of its powers. ^{Quorum}

9. Unless otherwise provided by the Board, an appointed member of the Board is eligible for re-appointment. ^{Re-appointment}

Vacancies

10. Where the office of a member of the Board becomes vacant before the term of office for which he has been appointed has expired, the vacancy may be filled by appointment by the Board until the next General Assembly when the vacancy may be filled by the General Assembly for the remainder of the term.

Principal
and
teaching
staff

11. The Principal and members of the permanent teaching staff of the College shall be appointed by the General Assembly with the concurrence of the Board, shall have their remuneration fixed by the General Assembly and may be removed from office by the General Assembly.

Objects

12. The objects of the College are to educate persons for specialized service, such as Christian education, welfare and mission work, in the Church in Canada and elsewhere.

By-laws

13. Without limiting the general powers by this Act conferred upon or vested in the Board, the Board may make by-laws, rules and regulations providing for,

- (a) meetings of the Board and its transactions, and fixing the quorum of the Board;
- (b) the appointment of committees by the Board and the conferring upon any such committee of authority to act for the Board with respect to any matter or class or classes of matters, but,
 - (i) a majority of the members of every such committee shall be members of the Board, and
 - (ii) no decision of a committee that includes in its membership persons who are not members of the Board shall be valid or effective until approved and ratified by the Board;
- (c) the education of the students of the College;
- (d) the management, government and control of buildings, residences, dining halls and related facilities of the College.

Powers
of Board

14. Without limiting the general powers by this Act conferred upon or vested in the Board, the Board may,

- (a) appoint an acting Principal to act in the case of the death, illness or absence of the Principal;

- (b) appoint the Secretary and a Financial Secretary, and, with the approval of the Principal, all sessional lecturers, a Registrar, and such other officers, clerks, employees and servants as the Board may deem necessary for the purposes of the College, and may fix their remuneration and define their duties and their tenure of office or employment, which, unless otherwise provided, shall be during the pleasure of the Board;
- (c) make recommendations to the General Assembly in respect of the appointment of the Principal and members of the permanent teaching staff of the College;
- (d) establish, except as otherwise provided herein, conditions of employment of the Principal, permanent teaching staff and other employees of the College;
- (e) consult with the Trustee Board in connection with the administration of any property, real or personal, held by the Trustee Board for the College or in respect of scholarship, bursary or similar funds connected with the College;
- (f) expend such sums as the Board may deem necessary for the support and maintenance of the College and for the improvement of the buildings used by the College, and for the furnishing and equipping of such buildings;
- (g) expend such sums as the Board may deem necessary for the erection, equipping, furnishing and maintenance of academic areas, residences and dining-halls for use in connection with the College;
- (h) establish such departments, chairs and courses of instruction in the College in any subject related to the objects of the College, as the Board thinks fit;
- (i) fix from time to time the fees to be paid for instruction, residential accommodation, incidental requirements, and the fees for examinations, degrees and certificates;
- (j) with the approval of the General Assembly, provide for the affiliation or federation of the College with any university or college established in Canada for the promotion of any useful branch of learning, on

such terms as the Board thinks fit, and to enter into any agreement that is deemed necessary to give effect to such affiliation or federation;

- (k) with the approval of the General Assembly, provide for the dissolution of any such affiliation or federation, or for the modification or alteration of the terms thereof.

No con-
firmation
required

15. No by-law, rule, regulation or act of the Board requires notice to or confirmation by the members of the College.

By-laws and
resolutions

16. Except where otherwise expressly provided, the action of the Board in any matter with which it may deal shall be by by-law or resolution, as the Board may determine, but it is not essential to the validity of any such by-law or resolution that it be under the corporate seal of the Board if it is authenticated in the manner prescribed by the Board.

Accounts

17. The accounts of the College shall be audited at least once a year by an auditor appointed by the Administrative Council of the Church for that purpose.

Financial
report

18. The Board shall, after the close of each College fiscal year, file with the Administrative Council of the Church, an annual financial report in such form as the Administrative Council may from time to time require.

Questions

19. Any question arising as to the powers or duties of the Principal or of any officer or servant of the College shall be settled and determined by the Board whose decision is final.

Trust
property

20. Subject to the provisions of an Act of the Parliament of Canada to incorporate The Trustee Board of The Presbyterian Church in Canada, being chapter 64 of the Statutes of Canada, 1939, and to An Act respecting the Trustee Board of The Presbyterian Church in Canada, being chapter 69 of the Statutes of Ontario, 1939, all property, real or personal, heretofore or hereafter granted, conveyed, devised or bequeathed to the College, or to any person in trust for or for the benefit of the unincorporated association heretofore known as Ewart College, subject always to any trust affecting the same, shall be and continue to be vested in the Trustee Board, except cash on hand, instruments for the transfer of money and bank balances arising from,

- (a) payments to the College by any person in respect of tuition, residence or incidental fees and all payments of a similar nature;

- (b) payments to the College by other colleges or institutions in respect of services rendered by the College;
- (c) all payments made to the College by the Trustee Board, which shall include all income from investments held by the Trustee Board for the College or in respect of scholarship, bursary or similar funds connected with the College;
- (d) grants, loans and other payments to the College from all sources made in respect of operating expenses, payment to staff, and other normal and regular expenses of the College,

and all moneys or instruments for the transfer of money as shall come to the College in respect of any things other than the foregoing exceptions shall be remitted promptly to the Trustee Board to be dealt with on behalf of the College, subject to the provisions of any particular trust affecting the same and to the provisions of the said Acts governing the Trustee Board.

21. The property, real and personal, vested in the Trustee Board which is or may be used for the benefit of the College is not liable for taxation for provincial, municipal or school purposes and is exempt from every description of taxation. ^{Exemption from taxation}

22. Real property vested in the Trustee Board and used for the benefit of the College 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 hereafter conferred extends to such real property vested in the Trustee Board and used for the benefit of the College, unless in the Act conferring the power it is made in express terms to apply thereto. ^{Exemption from expropriation}

23. Any person with the approval of the Board may, under and subject to such terms and conditions as he may prescribe, endow a chair or found a fellowship, scholarship, bursary, exhibition, medal, prize or other award in the College, or aid the College by providing an endowment for any other purpose or object in connection therewith. ^{Endowments}

24. The Board may grant degrees in religious education and grant certificates and diplomas therein to such persons as the Board determines to be possessed of the necessary qualifications, subject to such examinations or otherwise as may from time to time be prescribed by the Board. ^{Degrees}

Commence-
ment

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

Short title

26. This Act may be cited as *The Ewart College Act, 1968*.

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. PRICE

(Private Bill)

BILL Pr46

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Ewart College

MR. PRICE

(Reprinted as amended by the Committee on Private Bills)



An Act respecting Ewart College

WHEREAS Agnes Roy, Joan Louise MacLellan and James Donald McCormack by their petition have represented that they are members of the Board of Management of Ewart College, an unincorporated body engaged in education for religious purposes under the authority of the General Assembly of The Presbyterian Church in Canada; and whereas the General Assembly has authorized an application for the incorporation of Ewart College; and whereas the petitioners in pursuance of the authority of the General Assembly have prayed for special legislation incorporating Ewart College; and whereas it is expedient to grant the prayer of the petition;

Preamble

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

1. In this Act,

Interpre-
tation

- (a) "Board" means the Board of Management of Ewart College;
- (b) "Church" means The Presbyterian Church in Canada;
- (c) "College" means Ewart College;
- (d) "General Assembly" means the General Assembly of the Church;
- (e) "Trustee Board" means The Trustee Board of The Presbyterian Church in Canada.

2.—(1) The members of the Board of Management of the unincorporated body known, prior to the coming into force of this Act, as Ewart College, namely: Elsie Carson, James Stanley Clarke, Gwendolyn Margaret Davenport, George Edgar Dobie, Howard Andrew Doig, James Karl English,

Incor-
poration

Annabelle Thora Evans, Allan Leonard Farris, Benjamin David Hostetter, Giollo Kelly, Jessie Marguerite Leckie, Lennora May Lennox, John Logan-Vencta, Dorothy Joan Lukes, Jean Margaret MacGregor, Joan Louise MacLellan, James Donald McCormack, John Joseph Harrold Morris, Louise Ann Reith, Agnes Roy, Harry Douglas Stewart, Lois Jean Stewart, Charles Rodger Talbot, James Allan Thomson, William Smith Walton, Clara Margaret Webster, Mary Edith Whale, Edythe Evelyn Williamson, Frederick Norman Young, and such other persons as may hereafter become members of the Board together with all graduates of the said existing unincorporated body and all persons who may hereafter graduate from the College, are hereby created a body corporate with perpetual succession and a common seal under the name of Ewart College.

Applica-
tion of
R.S.O. 1960,
c. 71

(2) *The Corporations Act* does not apply to the College.

Seal

(3) The seal of the College shall be adopted by the Board by by-law.

Officers
and by-laws
continued

(4) Until their successors are appointed, the Secretary, Financial Secretary, Principal and all other persons holding offices or positions of whatever nature in the unincorporated body known as Ewart College shall continue to hold the offices or positions held by them prior to the coming into force of this Act, and all existing by-laws, rules and regulations of the said unincorporated body not inconsistent with this Act continue in force until repealed by the Board.

Provisional
Board

3.—(1) The persons named in subsection 1 of section 2 constitute the provisional Board, which shall act until the Board is reconstituted in accordance with subsection 2, and, until their successors are appointed, Agnes Roy shall hold office as Chairman and Lennora May Lennox shall hold office as Vice-Chairman.

Constitution
of Board

(2) Within fifteen months from the coming into force of this Act, the Board shall be reconstituted to consist of,

- (a) the Principal of the College, the Moderator of the existing or previous General Assembly, and the Treasurer of the Church, who shall be *ex officio* members of the Board;
- (b) any number of persons appointed by the General Assembly;
- (c) any number of persons who hold office in and are appointed in writing by such boards and societies of the Church as the General Assembly may from time to time designate, the number of representatives

from any such board or society at any time to be as specified by the General Assembly.

(3) The General Assembly may remove from membership ^{Removal of Board members} on the Board any member thereof, and may appoint some person as a member of the Board in the place and stead of the person so removed, but removal from the Board of an *ex officio* member shall not of itself affect the holding of his office.

4.—(1) One of the members of the Board shall be appointed ^{Chairman} by the General Assembly to be its Chairman.

(2) The Board may appoint one of its members to be ^{Vice-chairman} Vice-Chairman, and, in case of the absence or illness of the Chairman or of there being a vacancy in the office of Chairman, the Vice-Chairman shall act as and have all the powers of the Chairman.

(3) In the absence or illness of the Chairman and the Vice-^{Acting chairman} Chairman, the Board may appoint one of its members to act as Chairman who shall act as and have all the powers of the Chairman.

5.—(1) Subject to the authority of the General Assembly, ^{Duties of Board} the affairs of the College are under the control of the Board, and the Board has all the powers necessary or convenient to perform its duties and to achieve the objects of the College.

(2) The Chairman shall preside at all meetings of the ^{Duties of Chairman} Board.

(3) The Board shall report annually to the General Assem- ^{Report of Board} bly in respect of all matters of substance concerning the College.

6. Unless otherwise provided by the Board, one-third of ^{Quorum of Board} its members for the time being constitutes a quorum, but such quorum shall include at least one-third of the members appointed under clause *b* of subsection 2 of section 3 holding office at the time.

7. Each member of the Board appointed under clause ^{Term of office} *b* of subsection 2 of section 3 shall hold office for a term, fixed by the General Assembly at the time of such appointment, not exceeding three years.

8. Subject to section 6, notwithstanding any vacancy in ^{Quorum} the Board, as long as there are at least five members the Board is competent to exercise all or any of its powers.

9. Unless otherwise provided by the Board, an appointed ^{Re-appointment} member of the Board is eligible for re-appointment.

Vacancies

10. Where the office of a member of the Board becomes vacant before the term of office for which he has been appointed has expired, the vacancy may be filled by appointment by the Board until the next General Assembly when the vacancy may be filled by the General Assembly for the remainder of the term.

Principal and teaching staff

11. The Principal and members of the permanent teaching staff of the College shall be appointed by the General Assembly with the concurrence of the Board, shall have their remuneration fixed by the General Assembly and may be removed from office by the General Assembly.

Objects

12. The objects of the College are to educate persons for specialized service, such as Christian education, welfare and mission work, in the Church in Canada and elsewhere.

By-laws

13. Without limiting the general powers by this Act conferred upon or vested in the Board, the Board may make by-laws, rules and regulations providing for,

- (a) meetings of the Board and its transactions, and fixing the quorum of the Board;
- (b) the appointment of committees by the Board and the conferring upon any such committee of authority to act for the Board with respect to any matter or class or classes of matters, but,
 - (i) a majority of the members of every such committee shall be members of the Board, and
 - (ii) no decision of a committee that includes in its membership persons who are not members of the Board shall be valid or effective until approved and ratified by the Board;
- (c) the education of the students of the College;
- (d) the management, government and control of buildings, residences, dining halls and related facilities of the College.

Powers of Board

14. Without limiting the general powers by this Act conferred upon or vested in the Board, the Board may,

- (a) appoint an acting Principal to act in the case of the death, illness or absence of the Principal;

- (b) appoint the Secretary and a Financial Secretary, and, with the approval of the Principal, all sessional lecturers, a Registrar, and such other officers, clerks, employees and servants as the Board may deem necessary for the purposes of the College, and may fix their remuneration and define their duties and their tenure of office or employment, which, unless otherwise provided, shall be during the pleasure of the Board;
- (c) make recommendations to the General Assembly in respect of the appointment of the Principal and members of the permanent teaching staff of the College;
- (d) establish, except as otherwise provided herein, conditions of employment of the Principal, permanent teaching staff and other employees of the College;
- (e) consult with the Trustee Board in connection with the administration of any property, real or personal, held by the Trustee Board for the College or in respect of scholarship, bursary or similar funds connected with the College;
- (f) expend such sums as the Board may deem necessary for the support and maintenance of the College and for the improvement of the buildings used by the College, and for the furnishing and equipping of such buildings;
- (g) expend such sums as the Board may deem necessary for the erection, equipping, furnishing and maintenance of academic areas, residences and dining-halls for use in connection with the College;
- (h) establish such departments, chairs and courses of instruction in the College in any subject related to the objects of the College, as the Board thinks fit;
- (i) fix from time to time the fees to be paid for instruction, residential accommodation, incidental requirements, and the fees for examinations, degrees and certificates;
- (j) with the approval of the General Assembly, provide for the affiliation or federation of the College with any university or college established in Canada for the promotion of any useful branch of learning, on

such terms as the Board thinks fit, and to enter into any agreement that is deemed necessary to give effect to such affiliation or federation;

- (k) with the approval of the General Assembly, provide for the dissolution of any such affiliation or federation, or for the modification or alteration of the terms thereof.

No con-
firmation
required

15. No by-law, rule, regulation or act of the Board requires notice to or confirmation by the members of the College.

By-laws and
resolutions

16. Except where otherwise expressly provided, the action of the Board in any matter with which it may deal shall be by by-law or resolution, as the Board may determine, but it is not essential to the validity of any such by-law or resolution that it be under the corporate seal of the Board if it is authenticated in the manner prescribed by the Board.

Accounts

17. The accounts of the College shall be audited at least once a year by an auditor appointed by the Administrative Council of the Church for that purpose.

Financial
report

18. The Board shall, after the close of each College fiscal year, file with the Administrative Council of the Church, an annual financial report in such form as the Administrative Council may from time to time require.

Questions

19. Any question arising as to the powers or duties of the Principal or of any officer or servant of the College shall be settled and determined by the Board whose decision is final.

Trust
property

20. Subject to the provisions of an Act of the Parliament of Canada to incorporate The Trustee Board of The Presbyterian Church in Canada, being chapter 64 of the Statutes of Canada, 1939, and to An Act respecting the Trustee Board of The Presbyterian Church in Canada, being chapter 69 of the Statutes of Ontario, 1939, all property, real or personal, heretofore or hereafter granted, conveyed, devised or bequeathed to the College, or to any person in trust for or for the benefit of the unincorporated association heretofore known as Ewart College, subject always to any trust affecting the same, shall be and continue to be vested in the Trustee Board, except cash on hand, instruments for the transfer of money and bank balances arising from,

- (a) payments to the College by any person in respect of tuition, residence or incidental fees and all payments of a similar nature;

- (b) payments to the College by other colleges or institutions in respect of services rendered by the College;
- (c) all payments made to the College by the Trustee Board, which shall include all income from investments held by the Trustee Board for the College or in respect of scholarship, bursary or similar funds connected with the College;
- (d) grants, loans and other payments to the College from all sources made in respect of operating expenses, payment to staff, and other normal and regular expenses of the College,

and all moneys or instruments for the transfer of money as shall come to the College in respect of any things other than the foregoing exceptions shall be remitted promptly to the Trustee Board to be dealt with on behalf of the College, subject to the provisions of any particular trust affecting the same and to the provisions of the said Acts governing the Trustee Board.

21. The property, real and personal, vested in the Trustee Board which is used for the benefit of the College is not liable for taxation for provincial, municipal or school purposes and is exempt from every description of taxation. Exemption
from
taxation

22. Real property vested in the Trustee Board and used for the benefit of the College 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 hereafter conferred extends to such real property vested in the Trustee Board and used for the benefit of the College, unless in the Act conferring the power it is made in express terms to apply thereto. Exemption
from ex-
propriation

23. Any person with the approval of the Board may, under and subject to such terms and conditions as he may prescribe, endow a chair or found a fellowship, scholarship, bursary, exhibition, medal, prize or other award in the College, or aid the College by providing an endowment for any other purpose or object in connection therewith. Endow-
ments

24. The Board may grant degrees in religious education and grant certificates and diplomas therein to such persons as the Board determines to be possessed of the necessary qualifications, subject to such examinations or otherwise as may from time to time be prescribed by the Board. Degrees

Commence-
ment

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

Short title

26. This Act may be cited as *The Ewart College Act, 1968*.

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. PRICE

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

BILL Pr47

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Laurentian University of Sudbury

MR. SOPHA

(PRIVATE BILL)



BILL Pr47

1968

**An Act respecting
Laurentian University of Sudbury**

WHEREAS Laurentian University of Sudbury by its ^{Preamble} petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

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

1. Section 1 of *The Laurentian University of Sudbury Act*, 1960, c. 151, s. 1, 1960, as re-enacted by section 1 of *The Laurentian University of Sudbury Act*, 1961-62, c. 154, s. 1), ^{(1961-62, c. 154, s. 1),} is repealed and the following sub-re-enacted stituted therefor:

1. In this Act,

Inter-
pre-
ta-
tion

- (a) "affiliated college" means an institution of higher learning affiliated with the University;
- (b) "Board" means the Board of Governors of the University;
- (c) "federated university" means a university admitted into federation with the University;
- (d) "property" includes all property, both real and personal;
- (e) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof or any estate or interest therein;
- (f) "Senate" means the Senate of the University;

(g) "teaching staff" includes professors, associate professors, assistant professors, lecturers, associate instructors, demonstrators and all others engaged in the work of teaching or giving instruction;

(h) "University" means Laurentian University.

1960,
c. 151, s. 2,
amended

2.—(1) Section 2 of *The Laurentian University of Sudbury Act, 1960* is amended by striking out "under the name of 'Laurentian University of Sudbury'" in the twelfth and thirteenth lines and inserting in lieu thereof "to be known in the English language as 'Laurentian University' and in the French language as 'Université Laurentienne'".

Reference
to former
name

(2) Any reference to Laurentian University of Sudbury in any document, by-law, Act or regulation entered into, made or passed before this Act comes into force shall be deemed to be a reference to Laurentian University or Université Laurentienne.

1960, c. 151,
s. 3, cl. b,
re-enacted

3. Clause *b* of section 3 of *The Laurentian University of Sudbury Act, 1960* is repealed and the following substituted therefor:

(b) the promotion on Christian principles of the intellectual, social, moral and physical development of its members and the betterment of society.

1960, c. 151,
ss. 4, 5
(1961-62,
c. 154, s. 2),
re-enacted

4. Sections 4 and 5 of *The Laurentian University of Sudbury Act, 1960*, as re-enacted by section 2 of *The Laurentian University of Sudbury Act, 1961-62*, are repealed and the following substituted therefor:

Powers,

4.—(1) The University has university powers, including the power,

establish
courses

(a) to establish and maintain, in either or both of the French and English languages such faculties, colleges, schools, institutes, departments, chairs and courses of instruction as the Senate deems necessary and as shall be approved by the Board;

degrees

(b) to confer university degrees, honorary degrees, awards and diplomas in any and all branches of learning, except in Theology;

University
College

(c) to establish within the Faculty of Arts and Science a college to be known as University College, which College shall give instruction

in either or both of the French and English languages in such subjects, excepting religious knowledge, as may from time to time be approved by the Senate and be consented to by the Board, and the University shall accept such courses in partial fulfilment of the requirements for a degree;

- (d) to admit church-related universities into ^{federation of church-related universitites} federation with the University, and to make agreements whereby each church-related university so admitted may establish in the Faculty of Arts and Science a college that has the right to give instruction in philosophy and religious knowledge and in such other subjects as may from time to time be approved by the Senate and be consented to by the Board, and the University shall accept such courses in partial fulfilment of the requirements for a degree under the same academic terms and conditions as would obtain if the instruction were given by the University;
- (e) to permit federation of other universities or ^{other federations} affiliation of other colleges with the University and to make agreements of federation with other universities or of affiliation with other colleges;
- (f) in addition to the powers, rights and privileges ^{University property R.S.O. 1960, c. 191} mentioned in section 26 of *The Interpretation Act*, to purchase or otherwise acquire, take or receive by deed, gift, bequest or devise and to hold and enjoy any estate or property whatsoever, and to sell, grant, convey, mortgage, hypothecate, pledge, charge, lease or 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 licence in mortmain and without limitation as to the period of holding;
- (g) if authorized by by-law of the Board, ^{borrowing}
- (i) to borrow money on its credit in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the Board,

- (ii) to make, draw and endorse promissory notes or bills of exchange,
- (iii) to hypothecate, pledge, charge or mortgage any or all of its property to secure any money so borrowed or the fulfilment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it,
- (iv) to issue bonds, debentures and obligations on such terms and conditions as the Board may decide and to pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide and to hypothecate, pledge, charge or mortgage all or any part of the property of the University to secure any such bonds, debentures and obligations.

Enrolment in colleges

(2) Every undergraduate student in the Faculty of Arts and Science shall enroll in one of the colleges of the faculty.

University non-denominational

5. The management and control of the University shall be non-denominational, and no religious test shall be required of any member of the teaching staff, officer, employee, servant or student of the University.

1960, c. 151, s. 8, re-enacted

5. Section 8 of *The Laurentian University of Sudbury Act, 1960* is repealed and the following substituted therefor:

Proceedings

8. All proceedings by or against the University may be had and taken in the name of "Laurentian University" or "Université Laurentienne".

1960, c. 151, s. 11, re-enacted

6. Section 11 of *The Laurentian University of Sudbury Act, 1960* is repealed and the following substituted therefor:

Tax exemption

11. Property vested in the University or in any federated university or affiliated college or property vested in both the University and one or more federated universities or affiliated colleges, and any property leased to and occupied by the University or any federated university or affiliated college, or leased to and occupied by the University and one or more

federated universities or affiliated colleges, is not liable for taxation for provincial, municipal or school purposes and is exempt from every description of such taxation so long as the same are actually used and occupied for the purposes of the University or of a federated university or affiliated college.

7. Section 14 of *The Laurentian University of Sudbury Act*, 1960, c. 151, s. 14, as re-enacted by section 4 of *The Laurentian University of Sudbury Act, 1961-62*, is amended by adding thereto the following subsection: (1961-62, c. 154, s. 4), amended

- (2) If, within any fiscal year of the University, a member of the Board, not having been granted leave of absence by the Board, attends less than 50 per cent of the regular meetings of the Board, the Board may, by resolution, declare the membership vacant. Attendance at meetings

8. Section 15 of *The Laurentian University of Sudbury Act*, 1960, c. 151, s. 15, as re-enacted by section 4 of *The Laurentian University of Sudbury Act, 1961-62*, is repealed and the following substituted therefor: (1961-62, c. 154, s. 4), re-enacted

15. Except as otherwise provided in this Act, no principal or head of any faculty, college, school or institute of the University or of any federated university or of any college of a federated university, or any member of the administrative staff of the University or of any federated university or college thereof, or of any affiliated college, or any member of the staff, Board, Senate or governing body of any other degree-granting institution is eligible for appointment or election as a member of the Board. Eligibility for re-appointment to Board

9. Subsection 1 of section 18 of *The Laurentian University of Sudbury Act, 1960*, as re-enacted by section 4 of *The Laurentian University of Sudbury Act, 1961-62*, is repealed and the following substituted therefor: (1960, c. 151, s. 18 (1961-62, c. 154, s. 4), subs. 1, re-enacted

- (1) Except as to such matters as are by this Act specifically assigned to the President, the Senate, federated universities and affiliated colleges, all powers over, in respect of or in relation to the government, financial management and control of the University and of its officers, servants and agents, its property, revenues, expenditures, business and affairs are vested in the Board, and the Board has all powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, and, without limiting the generality of the foregoing, has power, Management of University vested in Board

- (a) to appoint and dismiss the President and Vice-Presidents;
- (b) upon the recommendation of the President, to appoint and dismiss the heads and associate heads of the faculties, colleges, schools and departments of the University other than of federated universities or their colleges or of affiliated colleges, and the professors and other members of the teaching staff of the University other than of federated universities or their colleges or of affiliated colleges, and to appoint and dismiss all other officers, servants, agents and employees of the University other than of federated universities or their colleges and other than of affiliated colleges, and the tenure of office and employment of all such appointments made by the Board shall, unless otherwise provided, be during the pleasure of the Board;
- (c) to determine and fix the salaries of the President, the Vice-Presidents and all other members of the teaching staff and all servants, agents and employees of the University;
- (d) to appoint an executive committee of six members, and to define its powers.

1960,
c. 151, s. 19
(1961-62,
c. 154, s. 4),
re-enacted

10. Section 19 of *The Laurentian University of Sudbury Act, 1960*, as re-enacted by section 4 of *The Laurentian University of Sudbury Act, 1961-62*, is repealed and the following substituted therefor:

Composi-
tion of
Senate

19. There shall be a Senate of the University composed of,
- (a) the Chancellor;
 - (b) the President, who shall be its chairman;
 - (c) the Academic Vice-President, when there is such an official;
 - (d) the principal or head of each college established by the University, of each college of a federated university established in the Faculty of Arts and Science, and of each affiliated college;

- (e) the dean of each faculty and director of each school of the University;
- (f) the Librarian;
- (g) the Registrar of the University, who shall be the secretary of the Senate;
- (h) the Director of the Extension Department of the University;
- (i) such other persons as the Senate by its by-laws may provide.

11. Sections 22, 23 and 24 of *The Laurentian University of Sudbury Act, 1960*, as re-enacted by section 4 of *The Laurentian University of Sudbury Act, 1961-62*, are repealed and the following substituted therefor:

22. In addition to such other powers and duties as are expressly mentioned in this Act, the Senate shall,

- (a) provide for the regulation and conduct of its proceedings, including the determination of a quorum necessary for the transaction of business;
- (b) provide for the convening and conduct of such convocations as may be requisite for the purposes set out in this Act;
- (c) recommend to the Board the federation of any university or the affiliation of any college, the dissolution or suspension of any such federation or affiliation or the modification or alteration of the terms thereof;
- (d) consider and determine, on the recommendations of the respective faculty and school councils, the courses of study in all faculties and schools;
- (e) provide, if deemed necessary by the Senate, for an executive committee, which shall act in the name and on behalf of the Senate, whose constitution and powers shall be as the Senate may from time to time determine;
- (f) consider all such matters as are reported to it by any faculty or school council and communicate its opinion or action thereof to the council concerned;

(g) make rules and regulations for the management and conduct of the library and prescribe the duties of the Librarian;

(h) make such changes in the composition of the Senate as may be deemed expedient, provided that no change shall be made that affects the rights of representation thereon of a college of a federated university established in the Faculty of Arts and Science, or of an affiliated college, unless the change is assented to by the college affected by the change and is approved by the Board.

Court of Discipline

23. There shall be a committee to be called the Court of Discipline that shall be composed of the President who shall be the chairman, the Vice-President (Student Affairs), the Registrar of the University, the principal or head of each college in the Faculty of Arts and Science, the Dean of Men and the Dean of Women if and when appointed, the dean of each faculty and the director of each school of the University, and the presence of at least four members constitutes a quorum at a meeting of the Court of Discipline.

Disciplinary jurisdiction of governing bodies

24.—(1) The governing body of each federated university or affiliated college has disciplinary jurisdiction over and the entire responsibility for the conduct of its students in respect of all matters arising or occurring in or upon its university or college buildings and grounds including residences.

Disciplinary jurisdiction of Court of Discipline

(2) In all other cases, as respects all students of the University and of the federated universities and their colleges, or of affiliated colleges, disciplinary action is vested in the Court of Discipline, but the Court of Discipline may delegate its authority in any particular case or by general regulations to the governing body of the faculty, college, school or university to which the student belongs.

1960, c. 151, s. 25, (1961-62, c. 154, s. 4), subs. 2, re-enacted

12. Subsection 2 of section 25 of *The Laurentian University of Sudbury Act, 1960*, as re-enacted by section 4 of *The Laurentian University of Sudbury Act, 1961-62*, is repealed and the following substituted therefor:

Expulsion

(2) In cases involving conduct that the Court of Discipline or the governing body of a federated university or a college thereof, or of an affiliated college,

considers as warranting the punishment of expulsion, the Court of Discipline has power to award, either in addition to or in substitution for any other punishment that may be awarded, the punishment of expulsion, subject to confirmation by the Board whose decision is final and not open to review.

13. Section 26 of *The Laurentian University of Sudbury Act, 1960*, as re-enacted by section 4 of *The Laurentian University of Sudbury Act, 1961-62*, is repealed and the following substituted therefor: ^{1960, c. 151, s. 26 (1961-62, c. 154, s. 4), re-enacted}

26. With respect to the conduct and discipline as students of the University of all students enrolled in the University, any federated university or college thereof, or in any affiliated college, the provisions of sections 24 and 25 may be abrogated or changed by the Board. ^{Power to change provisions re discipline}

14. Section 28 of *The Laurentian University of Sudbury Act, 1960*, as re-enacted by section 4 of *The Laurentian University of Sudbury Act, 1961-62*, is repealed and the following substituted therefor: ^{1960, c. 151, s. 28 (1961-62, c. 154, s. 4), re-enacted}

28.—(1) The Board may, at its discretion after consultation with the Senate, appoint a Chancellor, who shall hold office for three years or until such time as his successor is appointed. ^{Chancellor}

(2) The Chancellor shall preside at all convocations and by virtue of the authority vested in him by the Senate shall admit to degrees, diplomas and certificates such candidates, including the recipients of honorary degrees, as may be requested by the Senate. ^{Duties}

15. Sections 29 and 30 of *The Laurentian University of Sudbury Act, 1960*, as enacted by section 4 of *The Laurentian University of Sudbury Act, 1961-62*, are repealed and the following substituted therefor: ^{1960, c. 151, ss. 29, 30 (1961-62, c. 15, s. 4), re-enacted}

29.—(1) There shall be a Vice-Chancellor of the University whose office shall be occupied *ex officio* by the President of the University; ^{Vice-Chancellor and President}

(2) In the absence of the Chancellor or there being a vacancy in the office, the Vice-Chancellor, or, in his absence or there being a vacancy in his office, the Vice-President (Academic), or a member of the faculty chosen by the Senate, shall act as Chancellor at convocation. ^{Duties}

- President 30.—(1) There shall be a President of the University who shall be appointed by the Board, and who, unless otherwise provided, shall hold office during the pleasure of the Board.
- Duties (2) The President is the chief executive officer of the University and the chairman of the Senate, and has supervision over and direction of the academic work and general administration of the University and the teaching staff thereof, and the students thereof, and the officers and servants thereof, and has such other powers and duties as may from time to time be conferred upon him by the Board.
- Vice-Presidents (3) The Board may appoint one or more Vice-Presidents, who have such powers and duties as may be conferred upon or assigned to them by the Board.
- Audit 30a. The accounts of the University shall be audited at least once a year by an auditor or auditors appointed annually by the Board.
- Commencement **16.** This Act comes into force on the day it receives Royal Assent.
- Short title **17.** This Act may be cited as *The Laurentian University Act, 1968*.







An Act respecting
Laurentian University of Sudbury

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. SOPHA

(Private Bill)

BILL Pr48

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting the Village of Point Edward

MR. BULLBROOK

(PRIVATE BILL)



BILL Pr48

1968

An Act respecting the Village of Point Edward

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

Preamble

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

1. The real property vested in or controlled by the Blue Water Bridge Authority and located in the Village of Point Edward shall not be deemed a highway, lane or other communication or public square for the purposes of paragraph 8 of section 4 of *The Assessment Act*, and section 44 of that Act does not apply to the structures of the said Authority and the said real property shall be assessed in accordance with section 35 of *The Assessment Act*.

Assessment
of Blue
Water
Bridge
propertyR.S.O. 1960,
c. 23

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

Commence-
ment

3. This Act may be cited as *The Village of Point Edward Act, 1968*.

Short title

An Act respecting
the Village of Point Edward

1st Reading

2nd Reading

3rd Reading

MR. BULLBROOK

(Private Bill)

BILL Pr49

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Carleton University

MR. LAWRENCE (Carleton East)

(PRIVATE BILL)



BILL Pr49

1968

An Act respecting Carleton University

WHEREAS Carleton University by its petition has ^{Preamble} represented that it is a body incorporated under the laws of Ontario, and is invested with certain powers to acquire and hold land by virtue of *The Carleton College Act, 1952*, ^{1952, c. 117} as amended by *The Carleton University Act, 1957*, and that ^{1957, c. 130} it has purchased from English Oblates of Eastern Canada, a body incorporated under the laws of the Dominion of Canada, certain lands and premises, and buildings, fixtures and equipment therein; and whereas the petitioner has prayed for special legislation to confirm the said purchase; and whereas it is expedient to grant the prayer of the petition;

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

1. There shall be deemed not to have been any limitation ^{Acquisition of land confirmed} on the power of Carleton University to acquire, or of English Oblates of Eastern Canada to sell and convey, the lands and premises described in the deed of conveyance dated the 6th day of October, 1967, and registered in the registry office for the Registry Division of the City of Ottawa on the 3rd day of November, 1967, as No. 533889, conveying the lands described in the Schedule, and the buildings, fixtures and equipment therein; and, notwithstanding the provisions of any public or private Act of the Legislature of the Province of Ontario and in particular of *The Mortmain and Charitable Uses Act*, the said lands and premises shall be deemed to have ^{R.S.O. 1960, c. 246} been vested absolutely in Carleton University by the said deed of conveyance.

2. This Act shall be deemed to have come into force on ^{Commencement} the 3rd day of November, 1967.

3. This Act may be cited as *The Carleton University Act*, ^{Short title} 1968.

SCHEDULE

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Ottawa, in the County of Carleton, and being composed of part of Lot "G", Concession "C" (Rideau Front), in the Township of Nepean, County of Carleton, and which said parcel or tract of land may be more particularly described as follows: PREMISING that the northerly limit of Graham Avenue, according to a plan registered in the Registry Office for the Registry Division of the City of Ottawa as No. 90280, has an assumed bearing of North 59 degrees 40 minutes 40 seconds East as shown on the said plan and relating all bearings herein, thereto; COMMENCING at the southeast angle of said Lot "G", being also the northeasterly angle of Lot 1, Block "A", according to a plan registered in the said Registry Office as No. 102; thence North 22 degrees 31 minutes West along the easterly limit of said Lot "G", being the westerly limit of Main Street, a distance of 556.2 feet, more or less, to the point where the same is intersected by a chain link fence; thence South 67 degrees 20 minutes 50 seconds West along the line of the said fence and its westerly production a distance of 173.17 feet to an iron bar planted; thence North 35 degrees 39 minutes 10 seconds West, a distance of 144.75 feet to an iron bar planted in the southerly limit of said plan No. 90280; thence South 58 degrees 58 minutes 50 seconds West along the last-mentioned limit, a distance of 385.64 feet, more or less, to the intersection of the same with the Ordnance Boundary Line between Ordnance Stones X and XI; thence South 18 degrees 37 minutes East following the Ordnance Boundary Line between Ordnance Boundary Stones XI and X, 15.5 feet, more or less, to the Ordnance Boundary Stone XI; thence South 18 degrees 37 minutes East following the said Ordnance Boundary Line between Ordnance Boundary Stones XI and XIII, 38.7 feet, more or less, to the intersection of the said boundary line with the easterly limit of Echo Drive; thence South along the said easterly limit of Echo Drive to the intersection of the same with the southerly limit of said Lot "G", being the northerly limit of said registered plan No. 102; thence North 59 degrees 29 minutes East along the said southerly boundary of said Lot "G", a distance of 644 feet, more or less, to the place of beginning. (As outlined in red on the attached plan of survey.)

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Ottawa, in the County of Carleton, and being composed of part of Lot 6, Block "G", on the easterly side of Echo Drive according to a plan registered in the Registry Office for the Registry Division of the City of Ottawa as No. 102 and which said parcel or tract of land may be more particularly described as follows: COMMENCING at the northwesterly angle of said Lot 6 as at present defined by an iron bar; thence easterly along the northerly limit of said Lot 6 a distance of 54.79 feet to the northeasterly angle thereof; thence southerly along the easterly limit of said Lot 6 a distance of 91.04 feet to the southeasterly angle thereof; thence westerly along the southerly limit of said Lot 6 a distance of 35 feet; thence northerly and parallel with the said easterly limit of said Lot 6 a distance of 38.42 feet, more or less, to a line drawn parallel with the said southerly limit of Lot 6 from a point in the westerly limit of said Lot 6, distant 45 feet measured northerly thereon from the southwestly angle thereof; thence westerly in a straight line a distance of 40.73 feet, more or less, to a point in the said westerly limit of said Lot 6, distant 47.16 feet measured northerly thereon from the southwestly angle thereof; thence northerly along the said westerly limit of said Lot 6 a distance of 40.09 feet to the said point of commencement. (As outlined in yellow on the attached plan of survey.)

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Ottawa, in the County of Carleton, and being composed of part of Lot One in Block "A" on the west side of

Main Street in the said City of Ottawa, as shown on a plan of subdivision of part of Lot "H", Concession "C" (Rideau Front), in the Township of Nepean, drawn from actual survey by W. J. MacDonald, P.L.S., and registered in the Registry Office for the Registry Division of the City of Ottawa as No. 102, more particularly described as follows: COMMENCING at a point on the easterly boundary of said Lot No. One (1) distant fifty-eight feet (58') measured northerly from the southeast angle of said lot; thence northerly along the said easterly boundary of said lot a distance of thirty-four feet (34') to the northeast angle of said lot; thence westerly and along the northerly boundary of the said lot a distance of one hundred feet (100') to the northwest angle of the said lot; thence southerly and along the westerly boundary of the said lot to a point in said westerly boundary distant fifty-eight feet (58') measured northerly from the southwest angle of said Lot No. One (1); thence easterly in a straight line to the place of beginning.

Fourthly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Ottawa, in the County of Carleton, and being composed of Lot One (1) on the south side of Seventh Street, now called Hawthorne Avenue, in the said City of Ottawa, according to a plan of subdivision of part of the westerly part of the northerly part of Lot "G", Concession "D" (Rideau Front), in the Township of Nepean, drawn by C. A. Biggar, O.L.S., and registered in the Registry Office for the Registry Division of the City of Ottawa as No. 150.

1st Reading

2nd Reading

3rd Reading

MR. LAWRENCE (Carleton East)

(Private Bill)

BILL Pr49

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Carleton University

MR. LAWRENCE (Carleton East)

BILL Pr49

1968

An Act respecting Carleton University

WHEREAS Carleton University by its petition has ^{Preamble} represented that it is a body incorporated under the laws of Ontario, and is invested with certain powers to acquire and hold land by virtue of *The Carleton College Act, 1952*, ^{1952, c. 117} as amended by *The Carleton University Act, 1957*, ^{1957, c. 130} and that it has purchased from English Oblates of Eastern Canada, a body incorporated under the laws of the Dominion of Canada, certain lands and premises, and buildings, fixtures and equipment therein; and whereas the petitioner has prayed for special legislation to confirm the said purchase; and whereas it is expedient to grant the prayer of the petition;

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

1. There shall be deemed not to have been any limitation ^{Acquisition of land confirmed} on the power of Carleton University to acquire, or of English Oblates of Eastern Canada to sell and convey, the lands and premises described in the deed of conveyance dated the 6th day of October, 1967, and registered in the registry office for the Registry Division of the City of Ottawa on the 3rd day of November, 1967, as No. 533889, conveying the lands described in the Schedule, and the buildings, fixtures and equipment therein; and, notwithstanding the provisions of any public or private Act of the Legislature of the Province of Ontario and in particular of *The Mortmain and Charitable Uses Act*, ^{R.S.O. 1960, c. 246} the said lands and premises shall be deemed to have been vested absolutely in Carleton University by the said deed of conveyance.

2. This Act shall be deemed to have come into force on ^{Commencement} the 3rd day of November, 1967.

3. This Act may be cited as *The Carleton University Act*, ^{Short title} 1968.

SCHEDULE

Firstly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Ottawa, in the County of Carleton, and being composed of part of Lot "G", Concession "C" (Rideau Front), in the Township of Nepean, County of Carleton, and which said parcel or tract of land may be more particularly described as follows: PREMISING that the northerly limit of Graham Avenue, according to a plan registered in the Registry Office for the Registry Division of the City of Ottawa as No. 90280, has an assumed bearing of North 59 degrees 40 minutes 40 seconds East as shown on the said plan and relating all bearings herein, thereto; COMMENCING at the southeast angle of said Lot "G", being also the northeasterly angle of Lot 1, Block "A", according to a plan registered in the said Registry Office as No. 102; thence North 22 degrees 31 minutes West along the easterly limit of said Lot "G", being the westerly limit of Main Street, a distance of 556.2 feet, more or less, to the point where the same is intersected by a chain link fence; thence South 67 degrees 20 minutes 50 seconds West along the line of the said fence and its westerly production a distance of 173.17 feet to an iron bar planted; thence North 35 degrees 39 minutes 10 seconds West, a distance of 144.75 feet to an iron bar planted in the southerly limit of said plan No. 90280; thence South 58 degrees 58 minutes 50 seconds West along the last-mentioned limit, a distance of 385.64 feet, more or less, to the intersection of the same with the Ordnance Boundary Line between Ordnance Stones X and XI; thence South 18 degrees 37 minutes East following the Ordnance Boundary Line between Ordnance Boundary Stones XI and X, 15.5 feet, more or less, to the Ordnance Boundary Stone XI; thence South 18 degrees 37 minutes East following the said Ordnance Boundary Line between Ordnance Boundary Stones XI and XIII, 38.7 feet, more or less, to the intersection of the said boundary line with the easterly limit of Echo Drive; thence South along the said easterly limit of Echo Drive to the intersection of the same with the southerly limit of said Lot "G", being the northerly limit of said registered plan No. 102; thence North 59 degrees 29 minutes East along the said southerly boundary of said Lot "G", a distance of 644 feet, more or less, to the place of beginning. (As outlined in red on the attached plan of survey.)

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Ottawa, in the County of Carleton, and being composed of part of Lot 6, Block "G", on the easterly side of Echo Drive according to a plan registered in the Registry Office for the Registry Division of the City of Ottawa as No. 102 and which said parcel or tract of land may be more particularly described as follows: COMMENCING at the northwesterly angle of said Lot 6 as at present defined by an iron bar; thence easterly along the northerly limit of said Lot 6 a distance of 54.79 feet to the northeasterly angle thereof; thence southerly along the easterly limit of said Lot 6 a distance of 91.04 feet to the southeasterly angle thereof; thence westerly along the southerly limit of said Lot 6 a distance of 35 feet; thence northerly and parallel with the said easterly limit of said Lot 6 a distance of 38.42 feet, more or less, to a line drawn parallel with the said southerly limit of Lot 6 from a point in the westerly limit of said Lot 6, distant 45 feet measured northerly thereon from the southwestly angle thereof; thence westerly in a straight line a distance of 40.73 feet, more or less, to a point in the said westerly limit of said Lot 6, distant 47.16 feet measured northerly thereon from the southwestly angle thereof; thence northerly along the said westerly limit of said Lot 6 a distance of 40.09 feet to the said point of commencement. (As outlined in yellow on the attached plan of survey.)

Thirdly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Ottawa, in the County of Carleton, and being composed of part of Lot One in Block "A" on the west side of

Main Street in the said City of Ottawa, as shown on a plan of subdivision of part of Lot "H", Concession "C" (Rideau Front), in the Township of Nepean, drawn from actual survey by W. J. MacDonald, P.L.S., and registered in the Registry Office for the Registry Division of the City of Ottawa as No. 102, more particularly described as follows: COMMENCING at a point on the easterly boundary of said Lot No. One (1) distant fifty-eight feet (58') measured northerly from the southeast angle of said lot; thence northerly along the said easterly boundary of said lot a distance of thirty-four feet (34') to the northeast angle of said lot; thence westerly and along the northerly boundary of the said lot a distance of one hundred feet (100') to the northwest angle of the said lot; thence southerly and along the westerly boundary of the said lot to a point in said westerly boundary distant fifty-eight feet (58') measured northerly from the southwest angle of said Lot No. One (1); thence easterly in a straight line to the place of beginning.

Fourthly:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Ottawa, in the County of Carleton, and being composed of Lot One (1) on the south side of Seventh Street, now called Hawthorne Avenue, in the said City of Ottawa, according to a plan of subdivision of part of the westerly part of the northerly part of Lot "G", Concession "D" (Rideau Front), in the Township of Nepean, drawn by C. A. Biggar, O.L.S., and registered in the Registry Office for the Registry Division of the City of Ottawa as No. 150.

An Act respecting Carleton University

1st Reading

March 5th, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 9th, 1968

MR. LAWRENCE (Carleton East)

BILL Pr50

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting
Lake of the Woods District Hospital**

MR. BERNIER

(PRIVATE BILL)

BILL Pr50

1968

**An Act respecting
Lake of the Woods District Hospital**

WHEREAS the Board of Directors of Kenora General Hospital and the Board of Directors of St. Joseph Hospital, Kenora, by their joint petition have represented that, pursuant to the provisions of *An Act respecting the Town of Kenora*, being chapter 104 of the Statutes of Ontario, 1929 and *An Act respecting the Town of Kenora*, being chapter 102 of the Statutes of Ontario, 1931, the Kenora General Hospital is a corporate entity and as such owns and operates a public hospital; and whereas the St. Joseph Hospital, Kenora, is a public hospital owned and operated by La Communauté des Soeurs de Charite de la Providence under the direction of the Board of Directors of St. Joseph Hospital, Kenora; and whereas the petitioners deem it desirable to merge certain assets of Kenora General Hospital and St. Joseph Hospital, Kenora, and to entrust ownership, general management, operation and maintenance of both hospitals to a corporation to be created and to be known as "Lake of the Woods District Hospital"; and whereas the petitioners have prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; and whereas La Communauté des Soeurs de Charite de la Providence has consented and concurred herein;

Preamble

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

1. In this Act,

Interpre-
tation

- (a) "Board" means The Board of Directors of Lake of the Woods District Hospital;
- (b) "Corporation" means Lake of the Woods District Hospital.

Board of
Directors

2.—(1) There shall be a Board to be known as “The Board of Directors of Lake of the Woods District Hospital”, which shall manage and administer Lake of the Woods District Hospital.

Composi-
tion

(2) The Board shall consist of,

- (a) twelve directors elected in accordance with section 3;
- (b) four directors appointed in accordance with section 4; and
- (c) such medical representation, not exceeding seven, as is required by *The Public Hospitals Act*.

R.S.O. 1960,
c. 322Elected
members

3.—(1) Subject to subsection 5, of the twelve directors to be elected,

- (a) eight shall be elected by the electors of the Town of Kenora;
- (b) two shall be elected by the electors of the Town of Keewatin;
- (c) two shall be elected by the electors of the Township of Jaffray-Melick.

Voters

(2) Every person entitled to vote at municipal elections is entitled to vote at the election of directors in each municipality.

Elections

(3) The directors in each municipality shall be elected by ballot and the nominations and elections shall be held at the same times and places as and by the same returning officers and conducted in the same manner as municipal nominations and elections of aldermen or councillors in each municipality, and the provisions of *The Municipal Act* respecting the time and manner of holding the elections including the mode of receiving nominations for office and the resignation of persons nominated apply *mutatis mutandis* to the election.

R.S.O. 1960,
c. 249

Ballots

(4) A separate set of ballot papers shall be prepared by the clerk of each municipality containing the names of the candidates in the same form *mutatis mutandis* as those used for aldermen or councillors.

Interim
Board

(5) The twelve directors required to be elected shall, until the next municipal elections are held in the towns of Kenora and Keewatin and the Township of Jaffray-Melick, consist

of six directors appointed by the Board of Directors of Kenora General Hospital and six directors appointed by the Board of Directors of St. Joseph Hospital.

(6) Of the twelve directors elected at the first election held ^{First election} after this Act comes into force, the one half of the directors elected in each municipality with the largest number of votes shall hold office for a two-year term and the remaining half shall hold office for a term of one year, and thereafter each director elected holds office for a term of two years.

4. Of the four directors to be appointed, <sup>Appoint-
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- (a) one shall be appointed annually by resolution of the council of the Town of Kenora and shall be a member of the council or the mayor;
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- (c) one shall be appointed annually by resolution of the council of the Township of Jaffray-Melick and shall be a member of the council or the reeve;
- (d) one shall be appointed annually by the President of the Ladies' Auxiliary of Lake of the Woods District Hospital.

5. Where a vacancy occurs from any cause in the Board, ^{Vacancies} a majority of the remaining directors shall, at the first regular meeting after the vacancy occurs, elect some qualified person to fill the vacancy, and the person so elected shall hold office for the remainder of the term for which his predecessor was elected, and, in the case of equality of votes, the chairman of the meeting has a second or casting vote.

6.—(1) No person is eligible for election or appointment ^{Eligibility} to the Board who is,

- (a) a member of the medical staff of the Corporation, except as a member under clause *c* of section 2;
- (b) an employee of the Corporation; or
- (c) a member of the immediate family of a person mentioned in clause *a* or *b*.

(2) No person may be elected or appointed a director <sup>Idem,
age</sup> after reaching the age of seventy years.

Idem.
three
terms

(3) No person may be elected or appointed a director for more than three terms of six consecutive years of service, but, following a break in the continuous service of at least one year, the same person may be re-elected or re-appointed to any office.

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(4) No director may serve as chairman or vice-chairman of the Board for more than three consecutive annual terms in one office, but, following a break in the continuous service of at least one annual term, the same person may be re-elected or re-appointed to any office.

Honorary
directors
R.S.O. 1960,
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(5) Honorary, Term and Life directors may be appointed in accordance with *The Public Hospitals Act*.

Hospital a
corporation

7. The Board shall be a corporation without share capital under the name of "Lake of the Woods District Hospital" and by that name shall have perpetual succession and a corporate seal and may under that name sue and be sued, and shall have all the powers and privileges conferred upon it by this Act, and all the other powers, privileges and immunities vested by law in a corporation necessary or proper for carrying out its objects.

Property
of Kenora
General
Hospital

8. All assets of every nature and kind vested in the Kenora General Hospital or its governing body immediately before this Act comes into force are hereby vested in the Corporation, subject to all liabilities, debts and obligations affecting same or owing by the said Kenora General Hospital, and the Corporation shall satisfy, pay and discharge all such liabilities, debts and obligations.

Assets of
St. Joseph
Hospital

9. The following assets vested in the Board of Directors of St. Joseph Hospital, Kenora, or La Communauté des Soeurs de Charité de la Providence at Kenora, immediately before this Act comes into force, are hereby vested in the Corporation:

- (a) all that real property more particularly described as lots 28, 29, 30, 31, 32, 33, 34, 37, 38, 39, 40, 41 and 42, and the northerly 17.00 feet in perpendicular width of lots 35 and 36, situate in the Town of Kenora, District of Kenora, as shown on a plan of subdivision registered in the office of land titles at Kenora as Plan M18;
- (b) all hospital supplies, furniture and equipment, both depreciable and non-depreciable except for the furniture and equipment of the sisters' department and the chapel;
- (c) all moneys on deposit for St. Joseph Hospital and choses in action.

10. Subject to *The Public Hospitals Act*, the Corporation may acquire such real and personal property as it, from time to time, considers necessary for the purpose of properly conducting the hospital, and may erect and maintain such buildings as are necessary for that purpose.

11. Subject to *The Public Hospitals Act* and any regulations made thereunder and to *The Hospital Services Commission Act* and any regulations made thereunder, the Corporation has charge of and supervision over the conduct, direction, management, operation, maintenance, alteration, enlargement, erection, furnishing and equipping of the hospital and, without limiting the generality of the foregoing, may,

- (a) make all such expenditures and enter into all such contracts and agreements as are necessary or convenient for the purpose of the hospital;
- (b) appoint and suspend or remove such employees as are deemed necessary for the general management, direction, control, operation and maintenance of the hospital, and fix their remuneration and prescribe their privileges, duties and working conditions;
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- (e) enact by-laws providing for,
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 - (ii) the qualifications and duties of the officers and employees of the Corporation,
 - (iii) the organization, qualifications and privileges of and appointments to the medical, dental and nursing staff of the hospital, and
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12. The Corporation may invest in such securities as are authorized by law for investment by trustees any moneys that at any time come into its possession in connection with the hospital.

Donations
R.S.O. 1960,
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13. Subject to *The Mortmain and Charitable Uses Act*, the Corporation may receive and take from the Crown and from any person, by grant, gift, advance or otherwise, any land or interest in land or any goods, chattels, moneys or effects for use in connection with the construction, operation, maintenance or any other object for the benefit of the Corporation.

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1929, c. 104;
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14. The Kenora General Hospital is dissolved.

1929, c. 104;
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16. This Act comes into force on the day it receives Royal Assent.

Short title

17. This Act may be cited as *Lake of the Woods District Hospital Act, 1968*.





An Act respecting
Lake of the Woods District Hospital

1st Reading

February 22nd, 1968

2nd Reading

3rd Reading

MR. BERNIER

(*Private Bill*)

BILL Pr50

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

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Lake of the Woods District Hospital**

MR. BERNIER

(Reprinted as amended by the Committee on Private Bills)

BILL Pr50

1968

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R.S.O. 1960,
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(2) Every person entitled to vote at municipal elections is entitled to vote at the election of directors in each municipality.

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TORONTO
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March 11th, 1968

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*(Reprinted as amended by the Com-
mittee of the Whole House)*

BILL Pr50

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

**An Act respecting
Lake of the Woods District Hospital**

MR. BERNIER

BILL Pr50

1968

**An Act respecting
Lake of the Woods District Hospital**

WHEREAS the Board of Directors of Kenora General Hospital and the Board of Directors of St. Joseph Hospital, Kenora, by their joint petition have represented that, pursuant to the provisions of *An Act respecting the Town of Kenora*, being chapter 104 of the Statutes of Ontario, 1929 and *An Act respecting the Town of Kenora*, being chapter 102 of the Statutes of Ontario, 1931, the Kenora General Hospital is a corporate entity and as such owns and operates a public hospital; and whereas the St. Joseph Hospital, Kenora, is a public hospital owned and operated by La Communauté des Soeurs de Charite de la Providence under the direction of the Board of Directors of St. Joseph Hospital, Kenora; and whereas the petitioners deem it desirable to merge certain assets of Kenora General Hospital and St. Joseph Hospital, Kenora, and to entrust ownership, general management, operation and maintenance of both hospitals to a corporation to be created and to be known as "Lake of the Woods District Hospital"; and whereas the petitioners have prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; and whereas La Communauté des Soeurs de Charite de la Providence has consented and concurred herein;

Preamble

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

1. In this Act,

Inter-
pretation

- (a) "Board" means The Board of Directors of Lake of the Woods District Hospital;
- (b) "Corporation" means Lake of the Woods District Hospital.

Board of
Directors

2.—(1) There shall be a Board to be known as “The Board of Directors of Lake of the Woods District Hospital”, which shall manage and administer Lake of the Woods District Hospital.

Composi-
tion

(2) The Board shall consist of,

- (a) twelve directors elected in accordance with section 3;
- (b) four directors appointed in accordance with section 4; and
- (c) such medical representation, not exceeding seven, as is required by *The Public Hospitals Act*.

R.S.O. 1960,
c. 322Elected
members

3.—(1) Subject to subsection 5, of the twelve directors to be elected,

- (a) eight shall be elected by the electors of the Town of Kenora;
- (b) two shall be elected by the electors of the Town of Keewatin;
- (c) two shall be elected by the electors of the Township of Jaffray-Melick.

Voters

(2) Every person entitled to vote at municipal elections is entitled to vote at the election of directors in each municipality.

Elections

(3) The directors in each municipality shall be elected by ballot and the nominations and elections shall be held at the same times and places as and by the same returning officers and conducted in the same manner as municipal nominations and elections of aldermen or councillors in each municipality, and the provisions of *The Municipal Act* respecting the time and manner of holding the elections including the mode of receiving nominations for office and the resignation of persons nominated apply *mutatis mutandis* to the election.

R.S.O. 1960,
c. 249

Ballots

(4) A separate set of ballot papers shall be prepared by the clerk of each municipality containing the names of the candidates in the same form *mutatis mutandis* as those used for aldermen or councillors.

Interim
Board

(5) The twelve directors required to be elected shall, until the next municipal elections are held in the towns of Kenora and Keewatin and the Township of Jaffray-Melick, consist

of six directors appointed by the Board of Directors of Kenora General Hospital and six directors appointed by the Board of Directors of St. Joseph Hospital.

(6) Of the twelve directors elected at the first election held ^{First election} after this Act comes into force, the one half of the directors elected in each municipality with the largest number of votes shall hold office for a two-year term and the remaining half shall hold office for a term of one year, and thereafter each director elected holds office for a term of two years.

4. Of the four directors to be appointed, ^{Appoint-ments}

- (a) one shall be appointed annually by resolution of the council of the Town of Kenora and shall be a member of the council or the mayor;
- (b) one shall be appointed annually by resolution of the council of the Town of Keewatin, and shall be a member of the council or the mayor;
- (c) one shall be appointed annually by resolution of the council of the Township of Jaffray-Melick and shall be a member of the council or the reeve;
- (d) one shall be appointed annually by the President of the Ladies' Auxiliary of Lake of the Woods District Hospital and shall be a member of the said auxiliary.

5. Where a vacancy occurs from any cause in the Board, ^{Vacancies} a majority of the remaining directors shall, at the first regular meeting after the vacancy occurs, elect some qualified person to fill the vacancy, and the person so elected shall hold office for the remainder of the term for which his predecessor was elected, and, in the case of equality of votes, the chairman of the meeting has a second or casting vote.

6.—(1) No person is eligible for election or appointment ^{Eligibility} to the Board who is,

- (a) a member of the medical staff of the Corporation, except as a member under clause *c* of section 2;
- (b) an employee of the Corporation; or
- (c) a member of the immediate family of a person mentioned in clause *a* or *b*.

Idem.
three
terms

(2) No person may be elected or appointed a director for more than three terms of six consecutive years of service, but, following a break in the continuous service of at least one year, the same person may be re-elected or re-appointed to any office.

Idem,
chairman,
etc.

(3) No director may serve as chairman or vice-chairman of the Board for more than three consecutive annual terms in one office, but, following a break in the continuous service of at least one annual term, the same person may be re-elected or re-appointed to any office.

Honorary
directors
R.S.O. 1960,
c. 322

(4) Honorary, Term and Life directors may be appointed in accordance with *The Public Hospitals Act*.

Hospital a
corporation

7. The Board shall be a corporation without share capital under the name of "Lake of the Woods District Hospital" and by that name shall have perpetual succession and a corporate seal and may under that name sue and be sued, and shall have all the powers and privileges conferred upon it by this Act, and all the other powers, privileges and immunities vested by law in a corporation necessary or proper for carrying out its objects.

Property
of Kenora
General
Hospital

8. All assets of every nature and kind vested in the Kenora General Hospital or its governing body immediately before this Act comes into force are hereby vested in the Corporation, subject to all liabilities, debts and obligations affecting same or owing by the said Kenora General Hospital, and the Corporation shall satisfy, pay and discharge all such liabilities, debts and obligations.

Assets of
St. Joseph
Hospital

9. The following assets vested in the Board of Directors of St. Joseph Hospital, Kenora, or La Communauté des Soeurs de Charité de la Providence at Kenora, immediately before this Act comes into force, are hereby vested in the Corporation:

- (a) all that real property more particularly described as lots 28, 29, 30, 31, 32, 33, 34, 37, 38, 39, 40, 41 and 42, and the northerly 17.00 feet in perpendicular width of lots 35 and 36, situate in the Town of Kenora, District of Kenora, as shown on a plan of subdivision registered in the office of land titles at Kenora as Plan M18;
- (b) all hospital supplies, furniture and equipment, both depreciable and non-depreciable except for the furniture and equipment of the sisters' department and the chapel;
- (c) all moneys on deposit for St. Joseph Hospital and choses in action.

10. Subject to *The Public Hospitals Act*, the Corporation may acquire such real and personal property as it, from time to time, considers necessary for the purpose of properly conducting the hospital, and may erect and maintain such buildings as are necessary for that purpose. ^{Acquisition of property}

11. Subject to *The Public Hospitals Act* and any regulations made thereunder and to *The Hospital Services Commission Act* and any regulations made thereunder, the Corporation has charge of and supervision over the conduct, direction, management, operation, maintenance, alteration, enlargement, erection, furnishing and equipping of the hospital and, without limiting the generality of the foregoing, may, ^{Powers of corporation R.S.O. 1960, cc. 322 176}

- (a) make all such expenditures and enter into all such contracts and agreements as are necessary or convenient for the purpose of the hospital;
- (b) appoint and suspend or remove such employees as are deemed necessary for the general management, direction, control, operation and maintenance of the hospital, and fix their remuneration and prescribe their privileges, duties and working conditions;
- (c) fix the fees to be charged patients for accommodation in and services rendered by the hospital;
- (d) direct, manage and control the expenditure of all moneys received or provided for the construction or improvement of the hospital and for the operation, enlargement, alteration, erection and maintenance thereof;
- (e) enact by-laws providing for,
 - (i) the administration, operation, management and maintenance of the hospital,
 - (ii) the qualifications and duties of the officers and employees of the Corporation,
 - (iii) the organization, qualifications and privileges of and appointments to the medical, dental and nursing staff of the hospital, and
 - (iv) the conduct of professional practice in the hospital.

12. The Corporation may invest in such securities as are authorized by law for investment by trustees any moneys that at any time come into its possession in connection with the hospital. ^{Investments}

Donations
R.S.O. 1960,
c. 246

13. Subject to *The Mortmain and Charitable Uses Act*, the Corporation may receive and take from the Crown and from any person, by grant, gift, advance or otherwise, any land or interest in land or any goods, chattels, moneys or effects for use in connection with the construction, operation, maintenance or any other object for the benefit of the Corporation.

Dissolution
of Kenora
General
Hospital

14. The Kenora General Hospital is dissolved.

1929, c. 104;
1931, c. 102,
repealed

15. *An Act respecting the Town of Kenora and The Town of Kenora Act, 1931* are repealed.

Commence-
ment

16. This Act comes into force on the 1st day of May, 1968.

Short title

17. This Act may be cited as *Lake of the Woods District Hospital Act, 1968*.



An Act respecting
Lake of the Woods District Hospital

1st Reading

February 22nd, 1968

2nd Reading

March 11th, 1968

3rd Reading

April 9th, 1968

MR. BERNIER

BILL Pr51

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Janbi Holdings Limited

MR. REILLY

(PRIVATE BILL)

BILL Pr51

1968

An Act respecting Janbi Holdings Limited

WHEREAS Bessie E. Hallatt, Jack Sydney Midanik, Theodore I. Sherman and Walter Bick by their petition have represented that Janbi Holdings Limited, herein called the Corporation, was incorporated by letters patent dated the 18th day of June, 1963; that the Provincial Secretary, by order dated the 12th day of December, 1967 and made under the authority of section 327 of *The Corporations Act*, accepted the surrender of the charter of the Corporation and declared that the Corporation be dissolved on the 26th day of February, 1968; that the petitioners were all the directors of the Corporation and represented the holders of all of the common shares of the Corporation at the time of the acceptance of the surrender of the charter of the Corporation; that subsequent to the making of the said order by the Provincial Secretary assessments were made against the Corporation for corporation tax under *The Corporations Tax Act*; that the petitioners desire that any liability for tax be determined on the merits; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petition;

Preamble

R.S.O. 1960,
cc. 71, 73

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

1. Janbi Holdings Limited, incorporated by letters patent dated the 18th day of June, 1963, 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 fixed in the said order for its dissolution, and declared to be a subsisting corporation since its incorporation in the same manner and to the same extent as if it had not been dissolved.

Revival

2. The name of the Corporation is changed to J. W. T. B. Holdings Limited.

Change of
name

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 J. W. T. B. Holdings Limited Act, 1968*.



An Act respecting
Janbi Holdings Limited

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. REILLY

(Private Bill)

BILL Pr51

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Janbi Holdings Limited

MR. REILLY

(Reprinted as amended by the Committee on Private Bills)

BILL Pr51

1968

An Act respecting Janbi Holdings Limited

WHEREAS Bessie E. Hallatt, Jack Sydney Midanik, ^{Preamble} Theodore I. Sherman and Walter Bick by their petition have represented that Janbi Holdings Limited, herein called the Corporation, was incorporated by letters patent dated the 18th day of June, 1963; that the Provincial Secretary, by order dated the 12th day of December, 1967 and made under the authority of section 327 of *The Corporations Act*, ^{R.S.O. 1960, cc. 71, 73} accepted the surrender of the charter of the Corporation and declared that the Corporation be dissolved on the 26th day of February, 1968; that the petitioners were all the directors of the Corporation and represented the holders of all of the common shares of the Corporation at the time of the acceptance of the surrender of the charter of the Corporation; that subsequent to the making of the said order by the Provincial Secretary assessments were made against the Corporation for corporation tax under *The Corporations Tax Act*; that the petitioners desire that any liability for tax be determined on the merits; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petition;

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

1.—(1) Janbi Holdings Limited, incorporated by letters ^{Revival} patent dated the 18th day of June, 1963, 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 fixed in the said order for its dissolution, and declared to be a subsisting corporation since its incorporation in the same manner and to the same extent as if it had not been dissolved.

Liability of
shareholders

(2) This Act does not affect any liability to which the persons who were shareholders of Janbi Holdings Limited at the time of its dissolution would be subject if this Act had not been passed.

Change of
name

2. The name of the Corporation is changed to J. W. T. B. Holdings Limited.

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 J. W. T. B. Holdings Limited Act, 1968*.

An Act respecting
Janbi Holdings Limited

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. REILLY

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

BILL Pr51

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Janbi Holdings Limited

MR. REILLY

BILL Pr51

1968

An Act respecting Janbi Holdings Limited

WHEREAS Bessie E. Hallatt, Jack Sydney Midanik, Theodore I. Sherman and Walter Bick by their petition have represented that Janbi Holdings Limited, herein called the Corporation, was incorporated by letters patent dated the 18th day of June, 1963; that the Provincial Secretary, by order dated the 12th day of December, 1967 and made under the authority of section 327 of *The Corporations Act*, accepted the surrender of the charter of the Corporation and declared that the Corporation be dissolved on the 26th day of February, 1968; that the petitioners were all the directors of the Corporation and represented the holders of all of the common shares of the Corporation at the time of the acceptance of the surrender of the charter of the Corporation; that subsequent to the making of the said order by the Provincial Secretary assessments were made against the Corporation for corporation tax under *The Corporations Tax Act*; that the petitioners desire that any liability for tax be determined on the merits; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petition;

Preamble

R.S.O. 1960,
cc. 71, 73

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

1.—(1) Janbi Holdings Limited, incorporated by letters patent dated the 18th day of June, 1963, 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 fixed in the said order for its dissolution, and declared to be a subsisting corporation since its incorporation in the same manner and to the same extent as if it had not been dissolved.

Revival

Liability of
shareholders

(2) This Act does not affect any liability to which the persons who were shareholders of Janbi Holdings Limited at the time of its dissolution would be subject if this Act had not been passed.

Change of
name

2. The name of the Corporation is changed to J. W. T. B. Holdings Limited.

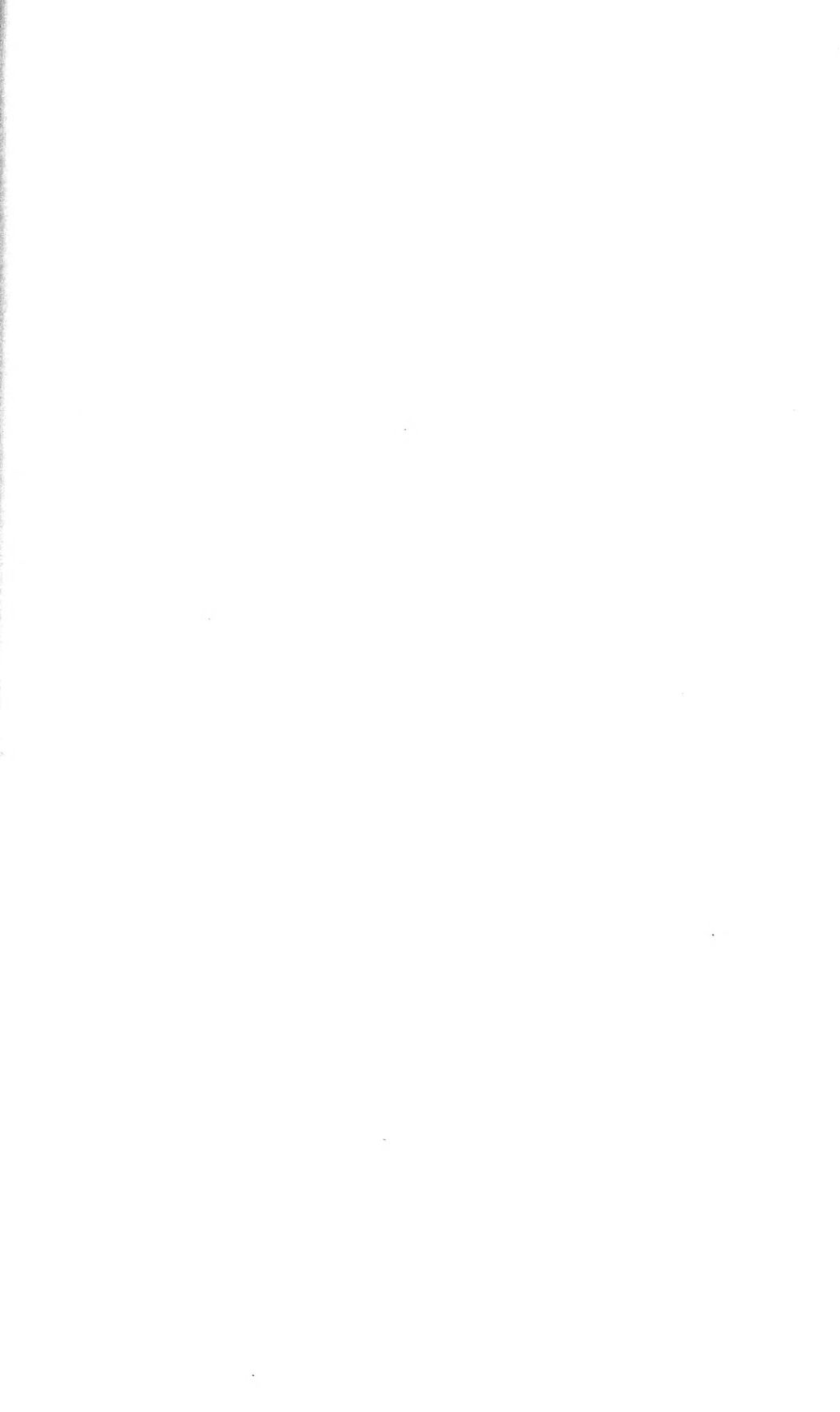
Commence-
ment

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

Short title

4. This Act may be cited as *The J. W. T. B. Holdings Limited Act, 1968*.





An Act respecting
Janbi Holdings Limited

1st Reading

March 5th, 1968

2nd Reading

April 8th, 1968

3rd Reading

April 11th, 1968

Mr. REXELLY

BILL Pr52

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Walbi Holdings Limited

MR. REILLY

(PRIVATE BILL)

BILL Pr52

1968

An Act respecting Walbi Holdings Limited

WHEREAS Jeanny Bick, Bessie E. Hallatt, Theodore I. Sherman and Jack Sydney Midanik by their petition have represented that Walbi Holdings Limited, herein called the Corporation, was incorporated by letters patent dated the 10th day of January, 1964; that the Provincial Secretary, by order dated the 20th day of December, 1967 and made under the authority of section 327 of *The Corporations Act*, accepted the surrender of the charter of the Corporation and declared that the Corporation be dissolved on the 12th day of February, 1968; that the petitioners were all the directors of the Corporation and represented the holders of all of the common shares of the Corporation at the time of the acceptance of the surrender of the charter of the Corporation; that subsequent to the making of the said order by the Provincial Secretary assessments were made against the Corporation for corporation tax under *The Corporations Tax Act*; that the petitioners desire that any liability for tax be determined on the merits; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petition;

Preamble

R.S.O. 1960,
cc. 71, 73

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

1. Walbi Holdings Limited, incorporated by letters patent dated the 10th day of January, 1964, 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 fixed in the said order for its dissolution, and declared to be a subsisting corporation since its incorporation in the same manner and to the same extent as if it had not been dissolved.

Revival

2. The name of the Corporation is changed to H. B. S. M. Holdings Limited.

Change of
name

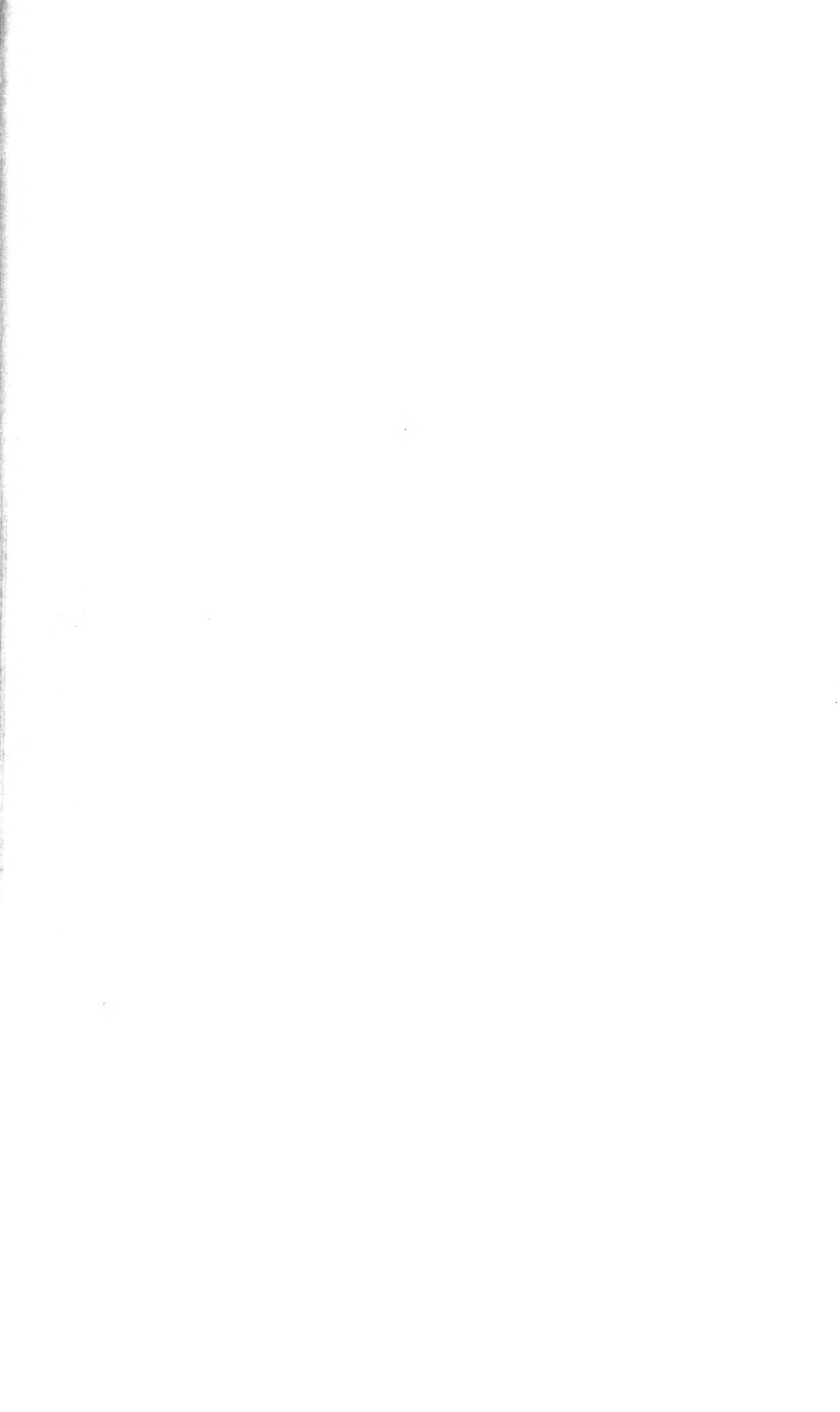
Commence-
ment

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

Short title

4. This Act may be cited as *The H. B. S. M. Holdings Limited Act, 1968*.





An Act respecting
Walbi Holdings Limited

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. REILLY

(Private Bill)

BILL Pr52

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Walbi Holdings Limited

MR. REILLY

(Reprinted as amended by the Committee on Private Bills)

BILL Pr52

1968

An Act respecting Walbi Holdings Limited

WHEREAS Jeanny Bick, Bessie E. Hallatt, Theodore I. Sherman and Jack Sydney Midanik by their petition have represented that Walbi Holdings Limited, herein called the Corporation, was incorporated by letters patent dated the 10th day of January, 1964; that the Provincial Secretary, by order dated the 20th day of December, 1967 and made under the authority of section 327 of *The Corporations Act*, accepted the surrender of the charter of the Corporation and declared that the Corporation be dissolved on the 12th day of February, 1968; that the petitioners were all the directors of the Corporation and represented the holders of all of the common shares of the Corporation at the time of the acceptance of the surrender of the charter of the Corporation; that subsequent to the making of the said order by the Provincial Secretary assessments were made against the Corporation for corporation tax under *The Corporations Tax Act*; that the petitioners desire that any liability for tax be determined on the merits; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petition;

Preamble

R.S.O. 1960,
cc. 71, 73

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

1.—(1) Walbi Holdings Limited, incorporated by letters patent dated the 10th day of January, 1964, 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 fixed in the said order for its dissolution, and declared to be a subsisting corporation since its incorporation in the same manner and to the same extent as if it had not been dissolved.

Revival

Liability of
shareholders

(2) This Act does not affect any liability to which the persons who were shareholders of Walbi Holdings Limited at the time of its dissolution would be subject if this Act had not been passed.

Change of
name

2. The name of the Corporation is changed to H. B. S. M. Holdings Limited.

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 H. B. S. M. Holdings Limited Act, 1968*.

An Act respecting
Walbi Holdings Limited

1st Reading

March 5th, 1968

2nd Reading

3rd Reading

MR. REILLY

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

BILL Pr52

1ST SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968

An Act respecting Walbi Holdings Limited

MR. REILLY

TORONTO
PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

BILL Pr52

1968

An Act respecting Walbi Holdings Limited

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Liability of
shareholders

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Change of
name

2. The name of the Corporation is changed to H. B. S. M. Holdings Limited.

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 H. B. S. M. Holdings Limited Act, 1968*.

An Act respecting
Walbi Holdings Limited

1st Reading

March 5th, 1968

2nd Reading

April 9th, 1968

3rd Reading

April 11th, 1968

MR. REILLY



