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of Debates
(Hansard)**

Wednesday 9 March 2005

**Journal
des débats
(Hansard)**

Mercredi 9 mars 2005

**Standing committee on
regulations and private bills**

**Comité permanent des
règlements et des projets
de loi d'intérêt privé**

Chair: Marilyn Churley
Clerk: Tonia Grannum

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE
ON REGULATIONS
AND PRIVATE BILLS**

**COMITÉ PERMANENT DES
RÈGLEMENTS ET DES PROJETS DE LOI
D'INTÉRÊT PRIVÉ**

Wednesday 9 March 2005

Mercredi 9 mars 2005

The committee met at 1102 in committee room 1.

KITCHENER-WATERLOO
Y.M.C.A. ACT, 2005

Consideration of Bill Pr11, An Act respecting The Kitchener-Waterloo Young Men's Christian Association.

The Vice-Chair (Mr. Tony C. Wong): I call the meeting to order. The only order of business is Bill Pr11. MPP Elizabeth Witmer will be sponsoring this bill.

Would you like to come forward at this time.

Mrs. Elizabeth Witmer (Kitchener–Waterloo): It's with great pleasure that I introduce Bill Pr11, An Act respecting The Kitchener-Waterloo Young Men's Christian Association. I would also like to introduce to you the applicants, who will make a few points: John Haddock, the chief executive officer, and Dwayne Kuiper, the legal counsel. At this time, I do believe Mr. Haddock is going to make some comments.

The Vice-Chair: Welcome to you both.

Mr. John Haddock: Thank you, Mr. Chair. Kitchener-Waterloo YMCA is a single association that is serving the adjoining cities of Kitchener and Waterloo. The Kitchener-Waterloo area has been experiencing rapid growth over the past few years. In response, the YMCA has been expanding its services as a community organization to meet some needs. This bill alleviates a current disparity between the two municipalities and will enable the YMCA to better serve the residents of both Kitchener and Waterloo.

Those would be the key points, but also, as a charity, I would request that the committee consider returning associated fees and printing costs related to this bill.

The Vice-Chair: This is all that you would like to say at this time, right?

Mr. Haddock: Yes.

The Vice-Chair: I'd like to ask the PA first, if that's OK with members. Any comments from the PA?

Mrs. Maria Van Bommel (Lambton–Kent–Middlesex): Just a quick question: What is the common practice in relation to other YMCAs across the province?

Mr. Haddock: I can't speak on behalf of all YMCAs, but I do know that when I was in Owen Sound in the late 1980s, a private bill was introduced similar to this, so I believe most YMCAs have this treatment within their own municipalities.

Mrs. Van Bommel: What is the current status? Are you currently paying taxes?

Mr. Haddock: I believe in Kitchener, no, and in Waterloo there have been some site-specific designations.

Mr. Gilles Bisson (Timmins–James Bay): I just want to be clear. You currently have exemption on some of your property, right?

Mr. Haddock: I believe it's the city of Kitchener.

Mr. Bisson: So only some of your properties are exempt and others are not?

Mr. Haddock: Yes.

Mr. Bisson: So my next question, obviously, is, what's the position of the municipalities? What are they saying?

Mr. Haddock: There has been no opposition. There's a letter from the city of Waterloo indicating no opposition.

Mrs. Witmer: The city is supportive, Mr. Bisson, in this request.

Mr. Bisson: How much property are we talking about? Have you got a fair amount of buildings or property?

Mr. Haddock: No, we have some small programs in a few sites.

Mr. Bisson: Obviously, this would apply if there was an expansion in the future, so you wouldn't have to come back to this committee in order to get further exemption?

Mr. Haddock: Correct.

Mr. Bisson: OK. I think my last question is the same question that Mrs. Van Bommel had, and I'm not sure there is an answer, but is there any sense of what the uptake is by other YMCAs across the province taking a similar position? Is there anybody who has that information? I'd just be kind of curious.

Mr. Haddock: I'm not sure. Each association has its own relationship with its municipality, and I believe a number have this treatment. You will note in the file that in the 1920s we actually had this and then—I'm not quite sure what the reason was, but we're basically asking to be returned to that status.

Mr. Bisson: I'm just curious, because I know this is an issue that we deal with at the municipal level, and a number of organizations—the Legion and others—bring these forward to the municipalities. The municipality, as I understand, has the right to grant this anyway, right? If I could just get a bit of an explanation from legislative

counsel. Currently a municipality has the right to exempt the municipal taxes of such an organization?

Mr. Ralph Armstrong: Such is my understanding, sir. I think perhaps legal counsel for the YMCA might be in a better position to roll you through the points on that.

Mr. Bisson: And answer my second question: Why, then, is this necessary? It's not that I'm opposing; I'm just trying to figure out in my own mind why you're doing it this way.

Mr. Dwayne Kuiper: Under the Assessment Act, the MPAC goes through and determines what properties can be exempted from tax, and there are certain requirements to meet to be exempted. In this particular instance, the Y does not fit within those categories. What the municipality is permitted to do is sort of a rebate program that can be effected, and it's a percentage of the tax that can be rebated back to the charity.

Mr. Bisson: What's the percentage?

Mr. Kuiper: It varies by municipality, but I believe in the region of Waterloo it's 50%. That is the extent to which you can get relief from tax, but with that rebate program, it's a continuing application cycle. You have to apply every year to get the rebate and then meet the criteria as it goes on.

Mr. Bisson: Just to refresh my memory, legislative counsel, when the Conservatives were in power, they made a change through the Ministry of Finance to allow Legions to be exempted, if I remember correctly. It doesn't expand beyond such organizations, just so I understand?

Mr. Armstrong: This is my understanding, sir, and so we're left with a few cases like this, where an organization that is already covered by private legislation and wants to make a change in its current position would need a private bill mechanism like this rather than, as has been mentioned, going back for a continuing out, as it were, on an annual basis.

Mr. Bisson: Just a final question: What organizations specifically do municipalities now have the right to exempt from municipal taxes? Is it only Legions? I'm trying to remember, because it actually was a good thing that was done by the Tories. Does it go beyond the Legions? That's what I'm trying to remember.

Mr. Armstrong: I honestly don't know, sir. Municipal government is not my area of drafting, and you can get a little focused on what you do. I could undertake to find the information for you.

Mr. Bisson: Could you just provide that to my office later, and maybe to the members of the committee; that would be the best way to do it. Passing this bill is not contingent on that; it's just for our information. Which organizations specifically are mentioned in the bill—I forget what year that was, 1997 or 1998—that basically allowed municipalities to exempt Legions from municipal taxes? I'm just wondering how far it goes. That's it.

The Vice-Chair: Any further comments or questions?

Mr. Kim Craiton (Niagara Falls): Yes. In answer to Gilles, I do remember that when I was at city council, there were two Legions that we exempted at the municipal level.

Just a very quick comment. Congratulations. I think this is excellent, and it's one of the things I supported as a municipal politician. We've done it for at least one or two organizations. At that time, we did it through my predecessor, Bart Maves. He brought at least one or two up here and was able to get those through the House. I'm quite familiar—I think we all are—with the organization and the good that it does. So I'm certainly going to support it.

The Vice-Chair: Are members ready to vote?

Shall section 1 carry? All in favour? Opposed, if any? That is carried.

Shall section 2 carry? All in favour? Opposed, if any? That is carried.

Shall section 3 carry? All in favour? Opposed, if any? That is carried.

Shall the preamble carry? All in favour? Opposed, if any? That is carried.

Shall the title carry? All in favour? Opposed? Carried.

Shall the bill carry? Carried.

Shall I report the bill to the House? Carried.

So that's it—oh, sorry, Mr. Bisson.

Mr. Bisson: I'd like to move the following motion:

I move that the committee recommend that the fees and the actual cost of printing at all stages be remitted on Bill Pr11, An Act respecting the Kitchener-Waterloo Young Men's Christian Association.

The Vice-Chair: Any comments?

Mrs. Van Bommel: First of all, what are the costs? I'd like to know how much we are discussing here.

The Clerk of the Committee (Ms Tonia Grannum): It's about \$1,600. That's the filing fee of \$150 plus the cost of printing at the three stages.

Mrs. Van Bommel: Who are we recommending this to?

Mr. Bisson: It's a decision of this committee.

The Clerk of the Committee: To the Legislature.

Mrs. Van Bommel: And the Legislature would have to vote on that?

The Clerk of the Committee: No, no.

Mr. Bisson: No, no. Here.

Mrs. Van Bommel: I'm still a rookie here, so I want a lesson in what is the process.

The Clerk of the Committee: It's a charitable organization and, as a charitable organization, they can request that their filing fees and their cost of printing be remitted, so we just move a motion to the House saying that's what we've recommended. It goes to the House in the report to the House. and then it's taken care of.

Mr. Bisson: They accept the report.

Mrs. Van Bommel: They accept that as well?

The Clerk of the Committee: Yes.

Mr. Bisson: It has been done from time to time.

The Vice-Chair: Any further questions or comments? If not, then, all in favour of the motion? Opposed, if any? That is carried.

Thank you all, and congratulations to the applicant and Mrs. Witmer.

Meeting adjourned.

The committee adjourned at 1113.

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