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**Wednesday 30 May 2007**

**Journal  
des débats  
(Hansard)**

**Mercredi 30 mai 2007**

**Standing committee on  
regulations and private bills**

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

Chair: Andrea Horwath  
Clerk: Susan Sourial

Présidente : Andrea Horwath  
Greffière : Susan Sourial

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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 30 May 2007

Mercredi 30 mai 2007

*The committee met at 0901 in committee room 1.*

**DRAFT REPORT ON REGULATIONS**

**The Chair (Ms. Andrea Horwath):** Good morning, members of the committee. Welcome to the standing committee on regulations and private bills. We are here to review a report, so that's our first order of business. We will have our representative from legislative research, Andrew McNaught, walk us through the report—I believe all members of the committee have the report—and we'll go from there.

Andrew, if you want to begin. Welcome.

**Mr. Andrew McNaught:** Good morning. I'm Andrew McNaught, the research officer and counsel for this committee, as far as the regulations review goes. I'm here this morning to present the committee's first report on regulations for 2007. I'll begin by briefly refreshing your memories about the committee's role in reviewing regulations.

This committee is required, under the Regulations Act and the standing orders of the House, to conduct a review of regulations made under Ontario statutes each year. For this purpose, the research lawyers at the legislative library act as counsel to the committee. The purpose of the regulations review is to determine whether regulations are being made in accordance with the nine guidelines set out in standing order 106(h). You'll find the standing order in appendix B to the draft report in front of you. For example, the committee's second guideline requires that there must be authority in the enabling statute to make a regulation.

The review procedure that we have developed is as follows: We read the regulations and identify potential violations of the committee's guidelines. We then write letters expressing our concerns to the various legal branches of the ministries responsible for those regulations, and if we feel that a ministry's response does not adequately address our concerns, we include a discussion of that regulation in the draft report that we bring to the committee. The committee then decides whether a particular regulation should be cited in its final report. A final report is then tabled in the Legislature.

The 2007 draft report in front of you is quite short, but I'll go through it with you quickly. On page 1, we have the usual description of the terms of reference of the

committee. Then, starting at the bottom of the page, and through to page 3, we've set out some statistics. The first section provides a statistical overview of the number of regulations made under Ontario statutes from 1991 through to the end of 2006. You'll see that the number of regulations filed in 2006 appears to be within the average range for the period covered by the chart. I also note that appendices C and D to the report contain statistical tables related to regulation-making activity in 2006.

At the bottom of page 2 is a second set of statistics, setting out the number of new regulations filed from 2003 to 2006. New regulations are distinct from regulations that either simply amend or revoke an existing regulation. You'll see from the chart at the top of page 3 that there was a relatively large number of new regulations filed in 2006, as compared with previous years. There are two main reasons for this: First, there were 37 new regulations filed by conservation authorities under the Conservation Authorities Act last year. These were filed in order to comply with a new model regulation that was made in 2004. Secondly, there were 17 new regulations filed in 2006 under the new City of Toronto Act, which took effect on January 1 of this year.

Finally, at the bottom of page 3, we deal with regulations reported. Some of you may recall that in the committee's last report, which was tabled in December, we covered all of the regulations made in 2005 and the first 182 regulations filed in 2006. In that report, we identified a number of regulations filed under three statutes, and we made four recommendations. The draft report before you covers the remaining regulations filed in 2006. As you can see in the last couple of paragraphs, we found no further violations of the committee's guidelines, and so we're proposing in the last sentence there that we not report any further regulations made in 2006. That's the report.

**The Chair:** Comments from members of the committee?

**Mr. Mario Sergio (York West):** Madam Chair, I'm moving receipt of the report. I would like to compliment Mr. McNaught and all the staff who participated in drafting this lengthy number of regulations. I move the receipt of the report.

**The Chair:** So, then, I guess what I'm asking, are you moving receipt of the report or are you moving that the report be adopted by the committee?

**Mr. Sergio:** Yes.

**The Chair:** Be adopted by the committee? Okay, Mr. Sergio has moved adoption of the report. Is there any other comment?

**Mr. Gerry Martiniuk (Cambridge):** In looking at the graph, I don't know whether there's any correlation between the regulations and then the number of statutes passed, either in that year or the year before. I was just thinking it might prove instructive if the graph would indicate on a bar beside each year the number of actual statutes passed so that one could compare. If there is a correlation—I'm sure there is; there must be. I throw that out for the committee's consideration.

**Mr. McNaught:** We do provide some explanation. For example, in the early 1990s all those health profession acts were passed: the Medicine Act—

**Mr. Martiniuk:** I understand that.

**Mr. McNaught:** That did reflect a larger volume of regulations in those years, but it doesn't show up in the chart.

**Mr. Martiniuk:** You've made a value judgment that the red tape committee was a partial contributor to the lessening of that. Well, that may or may not be. If, in fact, the number of statutes declined and there were fewer new statutes to have regulations, I don't know whether that assumption or inference is correct. I just have no idea. I thought it might prove instructive, but as I say, I'm in the hands of the committee.

**Mr. Sergio:** Okay.

**The Chair:** That's fine?

**Mr. Sergio:** If it is possible for the staff to do that for the next report.

**The Chair:** For the next report? For the next report, maybe we'll have that added information, the fullness of information for the committee to consider.

**Mr. McNaught:** Sure.

**The Chair:** Is there any other debate, any other comment on the report?

**Mr. Jeff Leal (Peterborough):** Just a quick comment. When you see the regulations drop 34% from 1995 to 1997, to 551, Justice O'Connor in the Walkerton report certainly noted—I think it's about page 511 where he talked about the Red Tape Commission going after the MOE. Justice O'Connor made the link between the Red Tape Commission going after the MOE and activities that were related to Walkerton. That's clearly highlighted. That's not me making that up. It's about 511 in the Walkerton report—it could be 510 or it could be 512.

**The Chair:** Further comment? Okay. Mr. Sergio has moved the report, so shall the draft report on regulations be adopted? That's agreed. That's unanimous.

Upon receipt of the printed report, shall the Chair present the committee's report on regulations to the House and move the adoption of the recommendations? It's agreed. Thank you very much, members. Thank you very much, Andrew; we appreciate that.

## MASTER'S COLLEGE AND SEMINARY ACT, 2007

Consideration of Bill Pr28, An Act respecting Master's College and Seminary.

**The Chair:** Our next order of business is Bill Pr28, and I'm not sure if everyone is here for that, so if we can just move along. Is that all right? Okay.

The sponsor of the bill is Mr. Delaney. You can stay in your seat if you want to, Mr. Delaney, as well as the principals who are bringing the bill forward. If you'll have a seat and just introduce yourselves. I believe we have on our agenda your names, but for the purposes of the record it would be helpful. Welcome.

**Ms. Mary Ruth O'Brien:** Madam Chair, my name is Mary Ruth O'Brien. I'm legal counsel for Master's College and Seminary in this matter. I have with me David Hazzard, who is president of the college, and Don Ariss, who is the business administrator for the college.

0910

**The Chair:** Good morning and welcome. I'm not sure if the sponsor wanted to make a few initial comments.

**Mr. Bob Delaney (Mississauga West):** The last time Master's College came before the committee, the decision was deferred pending some efforts by Master's College to address some of the concerns of the Ministry of Finance. They've met with me. I'm about to move a motion that the committee can consider and we can make our decision on their application.

**The Chair:** Did you want to make some comments as well to the committee?

**Ms. O'Brien:** Yes, I do have some comments, but perhaps the motion should be dealt with first. The motion deals with amendments to update it because we're a year later so we're dealing with a different time frame. It also includes a provision that if we are successful in getting this legislation passed, we will be going back to the city of Toronto, and we have put a sunset clause in our request for relief. That is included in the motion material as well.

**The Chair:** When we go through the voting of the actual bill, we go through it clause by clause, and that's when the amendments come. If you wanted you could give a more fulsome description, so that when those amendments come, the committee will understand. I'm sure Mr. Delaney will pick up the same themes as you're picking up, but this is probably your best opportunity to give us an explanation, give members of the committee—some might have changed since the last time the bill has been here—an explanation not only of what you're trying to do with the bill but also the amendments that we'll be seeing brought forward by Mr. Delaney. That would probably be a helpful process.

**Ms. O'Brien:** As you've noted, I think there are a few new faces around the table from last year. Master's College and Seminary has been an institution in Ontario since 1939. It has had various names. It was, for most of its history, known as the Eastern Pentecostal Bible College. It changed its name in 2001 to Master's College

and Seminary. It was originally in Toronto, but was located in Peterborough for over 50 years. Last year, it had a staff of 25 full-time teachers and professors, 133 full-time students and 279 part-time students. It is the seminarian college for the Pentecostal Assemblies of Canada for all of eastern Canada, from Ontario through to Newfoundland.

When it rented premises in Toronto—it's at the corner of Yonge and Lawrence—in 2003, the college thought it was going to be exempt. There was a contact made with an MPAC official, and it was indicated that the tax-exempt status would continue in spite of the fact of it being rented premises. This information later turned out to be incorrect, and ever since then, through the city and through this process, the college has been trying to get tax relief for its rental premises. City officials throughout have been most co-operative. When I was here last year, I had a letter from Councillor Stintz, who had done a canvass of council in support. Since that time, we have obtained a resolution from the city of Toronto; it was passed on April 24. I have copies of the minutes of that meeting indicating that the city strongly supports this private member's bill that we are producing. So clearly, when the time comes, the city will reiterate its support by passing an appropriate bylaw.

Last year, we got into some discussion about the effect of the Municipal Act, section 361. Since then, the City of Toronto Act has come into effect; section 329 has essentially—I think, word for word—the same provision as section 361. That's the provision whereby the city is entitled to give rebates on taxes to various charitable organizations. Our position—and the city understands this—is that that section doesn't apply to us for two reasons. One, it's an annual rebate that can be given in the current year only, so it requires dealing with on an annual basis. The second thing: It cannot be retroactive. By now, we've come from 2003 to 2007 and we are asking for tax relief for cancellation of those taxes.

We have learned that there are various rented premises such as Master's has in the building at Yonge and Lawrence that are exempt from municipal taxes. Most of the university legislation that I checked—Trent, Ryerson, McMaster—have very general provisions exempting them from any property that they occupy and use for their educational purposes.

Other institutions have been given tax exemptions. I've looked at some recent private bills. It is most helpful that some of these are now available on the web. The Reena Foundation: There were some special circumstances for that, but it was rented property. The past taxes were cancelled in that situation. It had a sunset clause, and we've agreed to insert a sunset clause for ours at the termination of our lease. Ronald McDonald House in London: That was in 2005 and that applied to leased property in the city of London. More recently, the Perimeter Institute Act applied to freehold and leasehold property that they used and operated in their community, the city of Waterloo. Sheena's Place was also making representations when we were here last June. Their legis-

lation passed in December and it permitted a retroactive cancellation of taxes. In 2005 there was the Pontifical Institute of Mediaeval Studies. Section 15 of their act—that was an act that was setting up the institute; it was a new institute associated with St. Michael's—covered land vested in and land leased to and occupied by the institute that was exempt from taxes.

Since we were here in June, the Ministry of Finance has drafted a set of guidelines. I think that, given that Master's College is a charity—and again, I have verification of its charitable status to circulate if anyone has any questions about that, but it is a charity. I think that the only issue where we don't meet the guidelines is this issue of it being rented premises and the retroactivity, which the guidelines indicate that the government is not in favour of. I think that there are a couple of reasons. First of all, these guidelines came up well into our process and, in fact, after our first appearance to discuss this bill with this committee. Secondly, we do have the strong support of the city behind us on this issue, so they're well aware of any consequences to them of the passing of this legislation.

I guess the other factor is, I really think this is an appropriate situation for grandfathering because we are in that process, and I guess a reminder that they are guidelines; they're not hard-and-fast rules. I used to do some practising in the area of family law. When the support guidelines came in I found that in many judges' eyes they were very vague guidelines indeed, so I'm not even sure of the effect sometimes that people place on things like guidelines and the effect that they should have. But I would very much like this committee to give some consideration to this matter. I do think we have strong support from the city on this and I would hope that you, as a committee, would recommend to the Legislature that this bill be passed.

**The Chair:** Are there any other comments? Rev. Hazzard or Mr. Ariss?

**Rev. David Hazzard:** I think Ms. O'Brien has communicated our position well.

**The Chair:** Very good. Mr. Delaney?

**Mr. Delaney:** I guess I'll move the motion, then.

**0920**

**The Chair:** First, I should ask: Is there anybody else in the room who is interested in this issue and wanted to make representations to committee? No?

Is there any comment from any of the committee members?

**Mr. Sergio:** I'd like to hear the motion, Madam Chair, and then I'll make some comments.

**The Chair:** Yes. I'm going to take this through the process of going through the sections, and as we go through the sections Mr. Delaney will bring the appropriate amendments at the appropriate times. Is that okay?

**Mr. Sergio:** Sure.

**The Chair:** Very good.

So the members have Bill Pr28 in front of them. Yes, Mr. Martiniuk?

**Mr. Martiniuk:** I just have a question of the presenters.

**The Chair:** Absolutely. Now's the time.

**Mr. Martiniuk:** This is the second time we've dealt with it, and there was a sort of freeze put on by the finance department while they reviewed the whole field. I don't know whether I asked this question when you first were before the committee, but if this were owned by your institution, would it be exempt under the Assessment Act?

**Ms. O'Brien:** Yes, it would.

**Mr. Martiniuk:** Thank you.

**The Chair:** Are members of the committee ready, then, to go through the voting on the bill? Okay.

I believe before we even get to section 1, we have an amendment by Mr. Delaney.

**Mr. Delaney:** I move that section 9.1 of the Master's College and Seminary Act, 2001, as set out in section 1 of the bill, be struck out and the following substituted:

"Tax exemption bylaw

"9.1(1) The council of the city of Toronto may pass bylaws exempting the specified property from taxes for municipal purposes, other than local improvement rates, beginning January 1, 2007 and continuing to July 31, 2013 if,

"(a) the specified property is occupied and used solely for the purposes of Master's College and Seminary; and

"(b) Master's College and Seminary is a registered charity within the meaning of the Income Tax Act (Canada).

"Tax cancellation bylaw

"(2) The council of the city of Toronto may pass bylaws cancelling the taxes for municipal purposes, other than local improvement rates, on the specified property for the period from August 1, 2003 to December 31, 2003 and for the years 2004, 2005 and 2006.

"Taxes for school purposes exemption

"(3) If the council of the city of Toronto passes a bylaw under subsection (1), the specified property is also exempt from taxes for school purposes for so long as the bylaw remains in effect.

"Same

"(4) If the council of the city of Toronto passes a bylaw under subsection (2), the taxes for school purposes on the specified property are also cancelled for the period for which the taxes for municipal purposes, other than local improvement rates, are cancelled.

"Chargeback

"(5) Sections 301 (adjustments) and 318 (taxes collected on behalf of other bodies) of the City of Toronto Act, 2006 apply, with necessary modifications, to taxes cancelled under subsections (2) and (4).

"Definition

"(6) In this section,

"specified property' means the lands and premises used and occupied by Master's College and Seminary at 3080 Yonge Street in the city of Toronto, being part of the lands currently assessed as 1904116010059000000 and further described in schedule 1."

**The Chair:** Excellent. Any debate on the amendment, members?

Shall the amendment carry?

Then shall section 1, as amended, carry?

**Mr. Sergio:** Sorry, Madam Chair—

**The Chair:** Is there a problem?

**Mr. Delaney:** Could we go through that one more time, please?

**The Chair:** What's that?

**Mr. Sergio:** Madam Chair, with all due respect—

**The Chair:** I'm going through the bill. I called for the first amendment; it was to the first section. Now I'm calling for the vote on the section. I asked if there was any debate. Nobody wanted any debate. I asked if it was carried, and it was carried.

**Mr. Sergio:** Well—

**The Chair:** So, fine, if you want to have some debate. I've asked the members in the appropriate process and nobody spoke up. But that's fine. If there are some comments, that's fine.

**Mr. Sergio:** Madam Chair, with all due respect, I thought you said before that Mr. Delaney would be reading it and then we would be going to various comments, whoever wished to have comments.

**The Chair:** And I asked if there was any debate and nobody spoke up.

**Mr. Gilles Bisson (Timmins-James Bay):** Go on to the next section. It's passed, so it doesn't make any change.

**The Chair:** Nobody spoke up, so—

**Mr. Martiniuk:** I believe we carried it.

**The Chair:** I believe we did carry it. I believe we carried it. When I ask if there's any further debate, that's the opportunity to debate the bill. But there are more sections coming, so on any section there can be discussion.

**Mr. Sergio:** That's fine.

**The Chair:** So, shall section 1, as amended, carry? Okay, thank you.

Shall section 2, schedule—

**Mr. Bisson:** I want to talk about section 1 now. No, I'm just joking.

**The Chair:** Shall section 2, schedule 1, carry? If there is any debate on these sections, I'm certainly open to members who want to debate. You just need to let me know that you want to debate it, and we can. It's not a problem.

**Mr. Sergio:** No, I'll make my comments prior to going to the bill, Madam Chair.

**The Chair:** Pardon me? When we go right to the end?

**Mr. Sergio:** Yes.

**The Chair:** Okay.

Shall section 2, schedule 1, carry? Carried.

Shall section 3 carry? Carried.

Shall section 4 carry? Carried.

I believe Mr. Delaney has an amendment to the preamble.

**Mr. Delaney:** I move that the preamble to the bill be amended by striking out "to exempt certain land from

taxation for municipal and school purposes, other than local improvement rates, while the land is used for a specified purpose and to cancel the taxes for municipal and school purposes, other than local improvement rates, on the land for part of 2003 and for 2004 and 2005” and substituting “to exempt certain land from taxation for municipal and school purposes, other than local improvement rates, while the land is used for a specified purpose from January 1, 2007 to July 31, 2013 and to cancel the taxes for municipal and school purposes, other than local improvement rates, on the land for part of 2003 and for 2004, 2005 and 2006.”

**The Chair:** Is there any debate on the amendment? Any debate on the amendment? Okay.

Shall the amendment carry? Carried.

Shall the preamble, as amended, carry? Carried.

Shall the title carry? Carried.

Shall the bill carry?

*Interjection.*

**The Chair:** As amended. Sorry.

**Mr. Delaney:** I think that Mr. Sergio had a comment.

**The Chair:** Okay.

**Mr. Sergio:** I gave you notice that I wanted to speak on the bill, Madam Chair.

**The Chair:** Very good. Mr. Sergio.

**Mr. Sergio:** I appreciate the effort of Mr. Delaney with respect to the introduction of this private bill, Madam Chair, and the applicant for coming back. However, concern was expressed before, when the bill appeared before the committee last time, from both the Ministry of Finance and the Ministry of Housing. They still have this concern, and I have to reiterate what we said before. The applicant knows that the city of Toronto has all the powers, especially now. Since the last time they were here, the city of Toronto has even more power to deal more fully with this particular situation. Therefore, I would like to again express the position of both ministries and move that the bill not be approved.

**The Chair:** Thank you, Mr. Sergio.

Is there any further debate?

**Mr. Martiniuk:** I have a question. We have already dealt with this bill once, and I understood that the whole area was going to be reviewed. I really don't understand. If the property were owned, this property would be exempt, but because the method of holding title is a rental—and it could be a 50-year rental. I mean, it isn't necessarily—it could be a long-term leasehold. To me, as a former lawyer, it's just a matter of holding title, and it doesn't change the use of the property; it doesn't change the intent of the property. It's merely the way one holds title, whether it's ownership, a long-term lease or a short-term lease. So I don't understand the concern of the finance minister. Perhaps Mr. Sergio could assist me, because I don't understand why the method of holding title and ownership of the land would alter the fact of whether or not these people should receive the benefit of carrying on this charitable use and be exempt from taxes.

**The Chair:** Mr. Sergio, did you want to try to respond?

**0930**

**Mr. Sergio:** Yes, briefly. I can sympathize with the comment from the member; however, the problem is the way the tax system is structured. This exemption would not guarantee the tenants the benefit of the tax exemption. You would get that if you owned the building, and this is the concern that both ministries continue to have. Doing otherwise would constitute a—

**Mr. Bisson:** Constitute what? I didn't hear the last word.

**Mr. Sergio:** I didn't finish.

**Mr. Bisson:** Oh, sorry.

**Mr. Sergio:** It would constitute a precedent. Therefore, the ministries continue to have some concern, and that is the main reason why I suggest not supporting the bill.

**The Chair:** Mr. Bisson.

**Mr. Bisson:** I think we want to hear from—they want to say something.

**Ms. O'Brien:** If I can just intervene here, I think the precedent has already occurred. It has been given for rented premises before. MPAC can easily calculate the benefit. Master's College and Seminary does have a 10-year lease, which has a specific provision—I sent a copy of that part of the lease to someone at the Ministry of Finance last week, which specifically requires the landlord to give credit to the tenant, the college, for any tax relief or benefit or tax exemption that the college may get or be entitled to. So I think that issue is covered. I can provide a copy for the committee—it must be in my briefcase—of that part of the lease.

If I could also perhaps refer to Mr. Sergio's comments about the amendments to the City of Toronto Act giving this relief, I reviewed that and spoke with counsel in the city's tax department last October and was clearly advised that the only comparable relief was that contained in section 329 of the City of Toronto Act, and that only provides, as I stated before, for annual relief by way of rebate each year and can have no retroactive effect. As you know, what we are requesting is a retroactive effect. She was quite clear that the city of Toronto could not help us with the relief we wanted and said, “You're just going to have to carry on with your attempts to amend the legislation.”

I think there has been, as I listed in my initial remarks, some private legislation within this decade where rented land has been exempted. It has happened. Certainly older legislation covering institutions like McMaster, U of T and Ryerson has general clauses exempting any premises they rent and use for their purposes from taxation.

**Mr. Bisson:** I'm just wondering if either the clerk or leg. counsel could speak to that point, because it seems to me that—I've been on this committee for a number of years and I've seen where we've given exemptions before where there's been a lease. So I'm not so sure that there is a precedent being created here, and I'm just wondering if you can refresh our memories. I seem to remember when it was—I think it was in London, if I remember correctly. There was a bible college or some-

thing. I may have my towns mixed up, but I remember having this debate at one time a number of years ago.

**Ms. Laura Hopkins:** I have two private bills that the House has passed, one in 2002 for the Reena Foundation, which leased its premises, and the other for Ronald McDonald House in London—

**Mr. Bisson:** That was the one. It wasn't a bible college, though.

**Ms. Hopkins:** —which leased its premises. That was passed in 2005.

**Mr. Bisson:** So there is a precedent where we've done this before.

**Ms. O'Brien:** Even more recently than that, there was the Perimeter Institute Act, 2006, which referred to a leasehold being exempt, and the Pontifical Institute of Mediaeval Studies, which is associated with the Roman Catholic church and is a theological seminary of sorts; it has other factors with it. That was in 2005, and that referred to land leased as well.

**Mr. Bisson:** Just to my point: I hear what the parliamentary assistant is saying, but clearly, this committee and this House—more importantly, the Legislature—have already spoken to this and have already created the precedent that you can grant this type of legislation, even though the land is leased. So I would ask him to reconsider.

**The Chair:** Mr. Martiniuk and then Mr. Sergio.

**Mr. Martiniuk:** In addition to this specific case, I really would urge Mr. Sergio to go back to the ministry, because this is going to affect Toronto in particular as compared with other areas of the province. Because of the cost of land in Toronto, more and more charities are going to be forced to lease because they just can't afford to buy a piece of land. In Cambridge or up north, that's not going to be such a problem because the cost of land is correspondingly less. So I think it's a big-city problem, particularly in Toronto. Before we make a refusal, which would be a precedent, because this may—the values of land in Toronto are astronomical at this stage and are still increasing, unlike in the United States. I'm just concerned that we would be harming inadvertently a number of charities in the city of Toronto, with its millions of people.

I suggest that it really is of wider ramification. Before we refuse this one and set a precedent that rental properties are no longer going to be available under the Assessment Act for an exemption, I think that a good, hard look has to be taken at it. I certainly would like to know about the charities in Toronto and the effect of this bill on them.

**Mr. Sergio:** I can appreciate the expression of the member. I'm not privy to all of the information as to what conditions some of those applications may have been approved under, if indeed they were approved under the same conditions, but I can appreciate what the member is saying. If he wants to make a motion to defer until we get more information or the applicant provides more direct information—because I believe some of those applications contain some facts that are completely

different from this one here. For example, there is one that I remember with the Reena Foundation, where they specifically had an option to purchase the property as well. So instead, perhaps, of receiving a refusal today, I would welcome the opportunity, if given by the member, to defer the application and get more comment from the ministry.

**Mr. Bisson:** Well, to defer it is to kill it, because the House will sit for about another week and then we're gone into election mode.

**Mr. Martiniuk:** The bill disappears.

**Mr. Bisson:** The bill will die on the order paper, so that's not a very useful or friendly offer, I would argue.

Listen, we've done this before. I'd like to hear from Mr. Delaney as to whether other members of the government are prepared to vote in favour of this. If so, I say we move to the vote. In this case, you've got a parliamentary assistant who's being told what to do. What do the rest of the members of the committee want to do? I'll support it, Mr. Martiniuk will support it, and I take it Mr. Delaney will support it. It's his bill. Anybody else? We need one more and we've got a bill. This is called negotiations bicameral.

**The Chair:** Just to facilitate the committee's discussion, the committee is meeting again next week, so the issue becomes the vote. We can bring it back next week if that's enough time to deal with some of these pieces. Having said that, if we decide that the bill not be reported today—if we pretty much vote it down—then the bill dies.

**Mr. Bisson:** I'm just curious to see if there are enough members who are willing to vote for it on the other side.

**The Chair:** It looks like that's not going to happen, Mr. Bisson. But I appreciate your effort.

**Mr. Bisson:** No, there are some people there who want to speak. They've got their own voices.

**The Chair:** Mr. Rinaldi.

**Mr. Lou Rinaldi (Northumberland):** I think that if we do have another opportunity to compare—because as we deal with these issues, they are different, and I don't know what those differences are. It's easy with the stroke of a pen to say “yea” or “nay” because it sounds the same or it is the same. I'm glad that we do have another opportunity. So I would strongly support that we defer it until we clarify the questions that came up this morning. Mr. Sergio indicated that one of the issues is that there are some differences. So the top line may be the same and the intent may be the same, but there might be some technical ramifications, whatever they may be; I don't know. So I would recommend that.

**0940**

**Mr. Martiniuk:** May I move that this matter be deferred until next Wednesday for consideration of the comments of the ministry?

**The Chair:** We have a motion for deferral. If it's all right with you, Mr. Martiniuk, Mr. Leal had indicated that he wants to speak to this as well, so I'll just hear him out and then we'll go to your motion.

**Mr. Leal:** I certainly support the deferral, because I think there is an opportunity to get some additional information. Particularly as several other private bills that have gone through this committee have been approved, it seems to me that there may be similar circumstances that are quite relevant in this case.

During my time as a city councillor in Peterborough, we often looked at charitable issues and provided property tax exemptions in particular cases when relevant information was brought forward. We looked at precedents, not only in my own community but throughout Ontario, to make the ultimate determination.

This is one where I think some sober second thought and a week to do some additional research will be helpful. For 50 years, the Eastern Pentecostal Bible College had its headquarters in Peterborough, and I had a very long association, being a city councillor, working with that very fine and distinguished group of men and women. I think that to take a week is very fair at this particular time.

**The Chair:** Is there any further comment on the motion? Further comment? All right, then. Mr. Martiniuk has moved that we defer this until next week's agenda. Would the applicants be available to return next week?

**Ms. O'Brien:** Yes, we would be available. I'm not sure whether all of us would be, but I can certainly be here. I do have some copies of all the acts that have been referred to, which I can perhaps provide to the secretary.

**The Chair:** That would be helpful.

**Ms. O'Brien:** Of course, they're fairly readily available on the Net, but I have a few extra copies anyway and I can leave those. I had also looked at Hansard for the background of some of these, but I'm afraid I don't have extra copies.

I'm aware of the difference in the Reena situation; they were planning to purchase a house. But as far as I'm aware, there were no references to other issues, at least that came up before the committee. I don't know any further background than that.

I would also like to know if I can be of assistance in trying to collect any information for people and provide it as soon as I can to the secretary, who perhaps could circulate it.

**The Chair:** We appreciate that, Ms. O'Brien. In fact, I was going to suggest that anything you think is helpful, or if any members have any information they'd like you to provide, we can do all that through our clerk, Susan Sourial. That's a very helpful offer.

**Mr. Martiniuk:** I did not specify, but I assume that we will meet at 9 o'clock next Wednesday—

**The Chair:** Certainly.

**Mr. Martiniuk:** —so if it does pass, it could be reported to the House that day.

**Mr. Bisson:** I'll just give a caveat. It could be that the House is not here by Wednesday next week. I'll just let you know.

**The Chair:** I'm sorry?

**Mr. Bisson:** It could end up that the House may not sit at all next Wednesday. I'm just raising it as a possibility. It's a chance they take.

**The Chair:** I'm in the hands of the committee. We have a motion on the floor. If we do have committee next Wednesday and we are sitting in the House, then we will have time to report the bill to the House. The motion is on the table.

**Mr. Martiniuk:** Perhaps, after hearing from my friend, who no doubt is great friends with the House leader for the NDP—

**Mr. Sergio:** I think it's wonderful. He knows something that we don't.

**Mr. Martiniuk:** Yes, he may know something that we don't. Perhaps I'd best withdraw, because the bill will die again if we don't meet. That'll be the—

**Mr. Bisson:** The point I'm just—

**Mr. Sergio:** What if? What if?

**Mr. Martiniuk:** I withdraw the motion. I'm sorry; I withdraw it because the risk—it's really up to the group. Perhaps I would be guided by your wishes, because—

*Interjections.*

**The Chair:** Okay, okay. We're losing it here. Can I just ask members to speak through the Chair, please?

**Mr. Martiniuk:** Chair, I withdraw the motion.

**The Chair:** Thank you, Mr. Martiniuk.

Mr. Sergio.

**Mr. Sergio:** First of all, I was going to say, why 9 o'clock and not 10 o'clock? For those travelling from their own place to come down here, it's an hour and a half. Toronto in the morning is—

**The Chair:** It makes no difference. Our general time for the committee is 9:30, so it would likely be 9:30.

**Mr. Sergio:** That's fine. But there is a risk. I'm not sure how much Mr. Bisson knows with respect to next week about when the House may or may not rise. But if it doesn't and the bill should be defeated today, then I think we have lost everything, even the opportunity to know from the ministry what and if.

**The Chair:** I understand what you're saying.

Mr. Bisson and then Mr. Delaney.

**Mr. Bisson:** Now that I've created this havoc, let me get in.

**The Chair:** Yes. Thank you for that.

**Mr. Bisson:** You're quite welcome. I'm just seeing what can be done here.

My point was that there is a risk that it may not come back. I'm not saying there's a crystal ball and we're not going to be here, because I expect the House is either going to rise Wednesday or Thursday. I'm just saying there is a slight risk that you may not get another shot at this. If we're going to lose the bill today by way of a vote, I would say take the chance, defer it until next week and hope to hell that we do meet. But there is a risk that we may not. That's the point I was making.

**The Chair:** All right. Are you moving that, Mr. Bisson?

**Mr. Bisson:** Yes, I am.

**The Chair:** All right, you're moving deferral until next week.

Is there any further debate on this deferral motion?

Shall the motion carry?

**Mr. Rinaldi:** For deferral?

**The Chair:** Yes, the deferral motion. That's carried. Very good.

Thank you very much for your time today. We're going to ask you to come back next week, likely at 9:30, the usual time scheduled for our committee. Thank you for this debate. It was very helpful. Hopefully, next week we can resolve the issue. It will be resolved one way or the other, no matter what, next Wednesday. So at least you'll have—

**Mr. Bisson:** Maybe.

**The Chair:** Oh, no; likely.

**Mr. Sergio:** Madam Chair, before we go, can we have Mr. Bisson advise us if he knows when the House is rising?

**The Chair:** He can bring his crystal ball and we can all look at it.

**Mr. Bisson:** I'll bring it. I've got the little crystal ball in here.

**The Chair:** Thank you, everyone, for participating in the debate. We'll call the meeting adjourned. We'll see you next week.

*The committee adjourned at 0948.*



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