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**Wednesday 13 April 2016**

**Journal  
des débats  
(Hansard)**

**Mercredi 13 avril 2016**

**Standing Committee on  
Regulations and Private Bills**

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

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Hansard Reporting and Interpretation Services  
Room 500, West Wing, Legislative Building  
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Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
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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 13 April 2016

Mercredi 13 avril 2016

*The committee met at 0902 in committee room 1.*

**The Chair (Ms. Indira Naidoo-Harris):** Good morning, everyone. The Standing Committee on Regulations and Private Bills will now come to order.

We have a bit of a busy morning today. There are four items on our agenda, so let's get going.

**CORPORATION  
OF THE MUNICIPALITY OF HURON  
SHORES AND THESSALON FIRST  
NATION ACT (TAX RELIEF), 2016**

Consideration of the following bill:

Bill Pr38, An Act respecting the Corporation of the Municipality of Huron Shores and the Thessalon First Nation.

**The Chair (Ms. Indira Naidoo-Harris):** First off, a bit of a housecleaning kind of issue. The first item is Bill Pr38, An Act respecting the Corporation of the Municipality of Huron Shores and the Thessalon First Nation. Last week, this committee voted down each part of the bill but we were kind of rushed for time and didn't get to the last question to be asked. We did not vote on whether the bill should be reported back to the House. As I said, it's just a bit of a housekeeping issue right now.

I'm going to put the following question to all of you so we can tie this up and move on with the other three bills that we're looking at today. The question being put forward right now is, shall I report that the bill not be reported to the House?

*Interjections.*

**The Chair (Ms. Indira Naidoo-Harris):** This is Bill Pr38. Shall I report that the bill not be reported to the House? Essentially, the bill was voted down so the question that has to be asked is, shall the bill not be reported to the House?

All those agreed—sorry, one moment. MPP Walker?

**Mr. Bill Walker:** A point of clarification, Madam Chair: How would the Legislature know that we've even dealt with this if it doesn't go to the House? Why would we not send it to the House so they at least know what happened with this?

**The Chair (Ms. Indira Naidoo-Harris):** I'll ask the Clerk to answer that.

**The Clerk of the Committee (Mr. Christopher Tyrell):** Essentially, by passing the motion that was just

proposed, the Chair of the committee will report to the House that the bill not be reported. It will be brought to the attention of the House that the bill is not being reported back.

**The Chair (Ms. Indira Naidoo-Harris):** So can we move on with this? MPP McGarry?

**Mrs. Kathryn McGarry:** Just one last comment: All of the committee proceedings are reported on Hansard.

**The Chair (Ms. Indira Naidoo-Harris):** That's right. Thank you.

So I'm going to put forward the following question again: Shall I report that the bill not be reported to the House?

**Mr. Jeff Yurek:** Recorded vote.

**Ayes**

Delaney, Dickson, Mangat, McGarry.

**Nays**

Gélinas, Walker, Yurek.

**The Chair (Ms. Indira Naidoo-Harris):** Carried. We will now move on to Bills Pr39, Pr40 and Pr41.

**CORPORATION OF MASSEY HALL  
AND ROY THOMSON HALL ACT  
(TAX RELIEF), 2016**

Consideration of the following bill:

Bill Pr39, An Act respecting The Corporation of Massey Hall and Roy Thomson Hall.

**The Chair (Ms. Indira Naidoo-Harris):** Let's start with Bill Pr39, An Act respecting The Corporation of Massey Hall and Roy Thomson Hall. If the sponsor and those involved could come up, please, and also take their seats.

**Mr. Han Dong:** Good morning, Chair, and good morning, members of the committee. In front of you is the private bill, Bill Pr39, An Act respecting The Corporation of Massey Hall and Roy Thomson Hall. The board of governors of these two organizations has applied for special legislation that provides an exemption from taxation for municipal and school purposes, other than local improvement rates for certain properties, while the corporation occupies and uses the property.

As you are very familiar with these two great establishments here in downtown Toronto, it's very important for the cultural sector here in downtown. One of the problems that we constantly hear is that young, talented artists are lacking platforms to showcase their talent. I think it is appropriate for us to provide this exemption and support to these two corporations. So, humbly, I ask for your support, committee members, on this private bill.

Thank you. I'll pass it on to Mr. Grant Troop, from Massey Hall, and Albert Lin, the legal counsel.

**Mr. Grant Troop:** Good morning, everyone. I'm the director of operations at The Corporation of Massey Hall and Roy Thomson Hall. We're a not-for-profit charitable organization. We run two well-known and major music venues in the city of Toronto for all Torontonians, Ontarians, Canadians and international visitors to this city. Massey Hall has been in continuous operation since 1894. It was the original home of the Toronto Symphony Orchestra, which is one of our tenant organizations or anchor organizations that provides performing arts.

In 1983, Roy Thomson Hall was opened, so our corporation expanded at that point and we became owner and operator of two major music and arts concert halls in the city of Toronto. Both venues have continuously operated since 1983. We have always been exempt from property taxation on the lands that we own and operate on.

The corporation has been interested in expanding Massey Hall for quite some years. For those of you who are familiar with Massey Hall, it's a beautiful and iconic music facility, but it has always been somewhat hampered in its operations by the extremely small site on which it's situated. This adds to the beauty of the performance hall itself, but unfortunately, in terms of operations for today's music concerts, we're extremely restricted in our ability to provide modern facilities for the support of artists and audiences.

In July of 2014, we were fortunate enough to acquire a new piece of land that is roughly 500 square metres or 5,000 square feet directly to the south of the existing Massey property. That's the land that's in question. Right now, what we're asking for through this private bill is a similar exemption on those lands that we're currently enjoying for all the lands that are part of the corporation and are music venues at this time.

The last point I'd make is that the corporation receives no direct operating support from any level of government. We do have a few performance-based grants through the Ontario Music Fund, but we're not receiving any direct operating funding from the province, the city or the federal government. So we feel that it's appropriate to ask for this exemption of realty taxation on this additional parcel of land that we have acquired.

**The Chair (Ms. Indira Naidoo-Harris):** Thank you. Before we proceed to committee questions, are there any other interested parties in attendance? All right. Also, are there any comments from the government? Okay.

Let's proceed to questions and comments from committee members. Yes, MPP Gélinas?

**0910**

**M<sup>me</sup> France Gélinas:** I have no problem with what you're requesting us to do. I'm just a little bit curious as to—in the bill, it does mention a “condominium unit.” What's that?

**Mr. Grant Troop:** Yes. Let me explain that briefly. We acquired the land from a private developer, MOD Developments Inc. Part of the agreement with acquiring the land—because really, this is a very landlocked site. We are directly adjacent to the Elgin and Winter Garden Theatre Centre, which is an asset of the crown and is managed through the Ontario Heritage Trust. There's a condo development happening there, and then there's Massey Hall. It's a very congested area. In order to provide access to municipal services for garbage removal, it was agreed by all of the adjoining properties, including the Elgin and Winter Garden, that MOD Development would provide a basement unit that is essentially a garbage room. All collected recycling and refuse from the properties will go there for storage and then will be brought streetside into St. Enoch's Lane for collection on garbage days. There's no intent to use this condominium unit for anything other than the storage and collection of garbage materials from the sites that are in that particular area.

**M<sup>me</sup> France Gélinas:** Thank you.

**The Chair (Ms. Indira Naidoo-Harris):** MPP McGarry?

**Mrs. Kathryn McGarry:** Thank you very much for your presentation. Massey Hall also has great acoustics. I'm not sure that you used those words, but it is a great organization.

A quick question just on condos: Who owns the title for the condominium?

**Mr. Albert Lin:** I'm happy to address that. Good morning, Madam Chair, and good morning, members of the committee. It will be owned as tenants in common and so it would be between Massey Hall and other tenants in common representing the developer.

**Mrs. Kathryn McGarry:** Okay. Thank you.

**The Chair (Ms. Indira Naidoo-Harris):** MPP Yurek?

**Mr. Jeff Yurek:** Just a question: I noticed that you have a motion at city council that went to committee. Where does it stand? Do you have the support of Toronto city council as a whole that this is a go?

**Mr. Grant Troop:** Yes.

**Mr. Albert Lin:** That is correct.

**The Chair (Ms. Indira Naidoo-Harris):** Further questions? MPP Mangat.

**Mrs. Amrit Mangat:** Thank you, Mr. Troop, for coming to Queen's Park. My question is, are there any interested parties who are opposing this exemption?

**Mr. Albert Lin:** As part of the process for applying for this bill, we provided notice. Throughout the notice period, we have not received any notice of opposition from potential interested parties.

**Mrs. Amrit Mangat:** Okay.

**The Chair (Ms. Indira Naidoo-Harris):** Further questions or comments? Okay, are we ready to vote? Are members ready to vote?

All right. Thank you.

As this bill has two schedules that are tied to section 1 of the bill, I'm going to propose that we stand down consideration of sections 1 to 5 until after we have dealt with the schedules. Are we agreed on that? Okay, thank you.

Shall schedule 1 carry? Carried.

Shall schedule 2 carry? Carried.

We will now return to dealing with the main sections of the bill.

Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall section 4 carry? Carried.

Shall section 5 carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall the bill carry? Carried.

Shall I report the bill to the House? Yes.

**Mr. Bob Delaney:** That one was easy.

**The Chair (Ms. Indira Naidoo-Harris):** Yes, that one was easy. All right. Thank you very much.

MPP Gélinas?

**M<sup>me</sup> France Gélinas:** I'm just curious: Why is it that those bills are not available in English and French? It's rather rare. All the bills that come to us are always available in English and French, but this one is only available in English.

**The Chair (Ms. Indira Naidoo-Harris):** I'm just consulting with the Clerk. Apparently, traditionally, Pr bills are in English; however, I will refer to the counsel to clarify for this.

**Ms. Catherine Oh:** They can be produced in English and French, but it's at the request of the applicant, because private bills are viewed as being promoted. They are promoted and brought forward by an applicant, so when an applicant requires that a bill be in English and French, we can provide that service in my office.

**The Chair (Ms. Indira Naidoo-Harris):** Okay. Thank you very much for coming.

#### 828117 ONTARIO LIMITED ACT, 2016

Consideration of the following bill:

Bill Pr40, An Act to revive 828117 Ontario Limited.

**The Chair (Ms. Indira Naidoo-Harris):** Next up: Bill Pr40.

Good morning. I'm wondering if the sponsor can introduce herself and also introduce the applicants from the agenda.

**Mrs. Kathryn McGarry:** Thank you very much, Chair. Katherine McGarry, MPP for Cambridge. I'm here to sponsor Bill Pr40 and wanted to introduce Lena Isaacs and Adam Pyne-Hilton—

*Interjection.*

**Mrs. Kathryn McGarry:** Sorry, it's Richard Pyne. I'll get him to spell that.

Lena has applied for special legislation to revive 828117 Ontario Ltd. She was a shareholder of the corporation when it was dissolved. The corporation was voluntarily dissolved under the Business Corporations Act on November 2, 2006, pursuant to articles of dissolution. Ms. Isaacs would like to revive the corporation in order to deal with certain property that was held in the corporation's name at the time of the dissolution.

**The Chair (Ms. Indira Naidoo-Harris):** Does the applicant have any comments?

**Mr. Richard Pyne:** I don't think so, Madam Chair. I think it's pretty straightforward. There's a parcel of vacant land near Tillsonburg which the corporation owns and, of course, can't deal with until the corporation is revived.

**The Chair (Ms. Indira Naidoo-Harris):** Okay. Thank you.

Before we proceed to committee member questions, are there any other interested parties in attendance? Also, are there any comments from government?

Questions and comments from committee members? MPP Gélinas.

**M<sup>me</sup> France Gélinas:** Pure curiosity, and if you don't want to share, don't feel like you have to because there's a little microphone in front of you: What are your plans for that parcel of land?

**Ms. Lena Isaacs:** We don't have any at this time. We'd like investigate that after this is done.

**M<sup>me</sup> France Gélinas:** Very good.

**The Chair (Ms. Indira Naidoo-Harris):** Further questions or comments from committee members? Are members ready to vote, then? Okay, members are ready to vote.

We are looking at Bill Pr40, An Act to revive 828117 Ontario Limited. Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall the bill carry? Carried.

Shall I report the bill to the House? Yes.

All right. Thank you very much for coming in.

#### BUD MONAHAN GUITAR SALES & SERVICE LTD. ACT, 2016

Consideration of the following bill:

Bill Pr41, An Act to revive Bud Monahan Guitar Sales & Service Ltd.

**The Chair (Ms. Indira Naidoo-Harris):** We will move on to our next order of business, Bill Pr41, An Act to revive Bud Monahan Guitar Sales & Service Ltd.

**Mr. Bill Walker:** Thank you, Madam Chair. My name is Bill Walker, MPP for Bruce-Grey-Owen Sound, and I am supporting this on behalf of my colleague Gila Martow, the member from Thornhill, who cannot be here

today. It's in relation to Bill Pr41, An Act to revive Bud Monahan Guitar Sales & Service Ltd.

I'll turn it over to the applicant, James Klein from Klein and Associates Professional Corp.

**Mr. James Klein:** Good morning, ladies and gentlemen. I am the lawyer for Long and McQuade music. Long and McQuade music, if you're not aware of this particular company, is a music store that started in the 1950s. Through hard work and good entrepreneurial spirit, this is a music store that now carries on business throughout Canada in approximately 70 locations.

The bill that is before you pertains to a particular purchase of Bud's Music, which was a small music outfit in Peterborough, Ontario. What's happened over the years with Long and McQuade, and part of the way in which they grow, is that when the owners of some of these smaller music stores which generally are family-type businesses retire, they approach Long and McQuade and ask if Long and McQuade would be interested in purchasing the music store, and usually rebranding it. That's what happened here. There was a purchase of shares of Bud's Music by Long and McQuade. Ultimately, what happens is that the particular music assets end up being transferred to Long and McQuade and they carry forward with their business, either at that location or another location in the same city.

However, what happened after the transfer of the music assets is that the company, Bud's Music, was voluntarily wound up, and there was real estate which was owned by Bud's Music—in fact, the store itself. That was not discovered until there was a subsequent agreement of purchase and sale entered into to sell that particular retail location by Long and McQuade. Then it was discovered that Bud's Music, which is the titled owner, had been voluntarily dissolved.

For that reason, we require a special bill in order to revive the corporation. We've put the closing on hold pending that occurring, and then we can complete the transaction afterwards.

**The Chair (Ms. Indira Naidoo-Harris):** Thank you. Before we move on to committee member questions, are there any other interested parties in attendance? Okay. Are there any comments from government?

All right, let's move to questions or comments from committee members. Any questions or comments? MPP Gélinas.

**M<sup>me</sup> France Gélinas:** It has very little to do with what we're doing here this morning, I'm just curious to see, of the 70 locations, how many are in Ontario? Would you know?

**Mr. James Klein:** I don't want to guess. It could be half, and the other half are throughout, literally, every other province in the country.

**M<sup>me</sup> France Gélinas:** Okay.

**The Chair (Ms. Indira Naidoo-Harris):** Further questions? Yes, MPP McGarry?

**Mrs. Kathryn McGarry:** We're happy in Cambridge to have a Long and McQuade. My boys have frequented that establishment.

My question is, this is almost like a housekeeping item, that in order for Long and McQuade to continue, they have to revive this until they complete the purchase?

**Mr. James Klein:** Not for Long and McQuade to continue, but when they purchased the store that belonged to Bud's Music—they purchased that company. That company had a music store and they actually owned the location. So in order for Long and McQuade to complete a sale of the underlying real estate, Bud's Music—because they own the shares of Bud's Music—has to be revived.

**Mrs. Kathryn McGarry:** I get it.

**Mr. James Klein:** Once that happens, actually, we're going to voluntarily dissolve it, because that's just the one step. Unfortunately, it occurred without realizing, until many months later, that there was a piece of real estate there.

**Mrs. Kathryn McGarry:** Thank you. That clarifies it.

**The Chair (Ms. Indira Naidoo-Harris):** Are members ready to vote? All right, let's proceed, then. We're looking at Bill Pr41, An Act to revive Bud Monahan Guitar Sales & Service Ltd.

Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall the bill carry? Carried.

Shall I report the bill to the House? Yes.

All right, that wraps up our business of the day. Thank you very much, everyone, for coming in.

*The committee adjourned at 0924.*



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