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**Wednesday 26 June 2002**

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(Hansard)**

**Mercredi 26 juin 2002**

**Standing committee on  
regulations and private bills**

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

Chair: Rosario Marchese  
Clerk: Katch Koch

Président : Rosario Marchese  
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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 26 June 2002

Mercredi 26 juin 2002

*The committee met at 1001 in committee room 1.*

1397399 ONTARIO INC. ACT, 2002

Consideration of Bill Pr8, An Act to revive 1397399 Ontario Inc.

**The Chair (Mr Rosario Marchese):** I call the meeting to order. Good morning, everyone. We are considering the first item of business, and that is Bill Pr8, An Act to revive 1397399 Ontario Inc; sponsor, Raminder Gill. Good morning M. Gill, substituting for John O'Toole. Do you have any comments before we invite the applicants?

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** I do, Mr Chair. First of all, I want to give you thanks for allowing me to present this case on behalf of another esteemed member of this Legislature, John O'Toole. I'm here this morning, Chair and members of the committee, trying to revive 1397399 Ontario Inc, a Sears Canada store. I have with me Hartley R. Nathan, who is a lawyer with Minden Gross Grafstein and Greenstein.

I would ask Mr Nathan to perhaps shed some light on this case.

**Mr Hartley Nathan:** The situation is that back in April 2000, a purchaser, Mr Boomsma, bought the shares of the company and the vendor's solicitor undertook to file the form 1 notifying the ministry of change of directors and officers. He filed a form 1 that removed his client, the vendor, as director and officer, but failed to add the name of the purchaser as the new director and officer. As a result, the ministry sent notices to the corporation, but because the corporation's address was incomplete and it was in a strip mall, all the notices came back and, ultimately, the ministry cancelled the charter. There's no procedure under the Ontario Business Corporations Act to revive the charter. Hence the application for a private member's bill to revive the charter to enable the corporation to file corporate tax returns and, hopefully, pay some corporate taxes to the province, which they are unable to do right now.

**The Chair:** Thank you, Mr Nathan. Any further comments, Mr Gill?

**Mr Gill:** No, Mr Chair.

**The Chair:** Very well. Parliamentary assistant, any comments on this bill?

**Mr Morley Kells (Etobicoke-Lakeshore):** None whatsoever. We're pleased to support the bill.

**The Chair:** Very good. Any other questions and/or discussion? Then I think we're ready for the vote.

Shall section 1 carry?

Shall section 2 carry? I'm assuming there's no opposition when I move on.

Shall section 3 carry?

Shall section 4 carry?

Shall section 5 carry?

Shall section 6 carry?

*Interjection.*

**The Chair:** We are going to shift back to the appropriate bill.

*Interjections.*

**The Chair:** You see, once we moved beyond section 3, it was, "Where's section 4?" Is that what you were asking, Mr Nathan?

*Interjections.*

**The Chair:** We'll start all over again.

Shall section 1 carry?

Shall section 2 carry?

Shall section 3 carry?

Shall the preamble carry?

Shall the title carry?

Shall the bill carry?

Shall I report the bill to the House?

Very well. Thank you, Mr Nathan. Thank you, Mr Gill.

**Mrs Claudette Boyer (Ottawa-Vanier):** Chair, could I just ask a sub-question?

**The Chair:** Yes.

**Mrs Boyer:** Last year, in the course of the year, didn't we decide that with these acts to revive a company or something, it would be automatic that it wouldn't come back here, or did it not go? I think it was last year that we did that, during the course of the year.

**The Chair:** Is anybody familiar with that?

**Mrs Boyer:** It's just a question of clarity. I recall during one our meetings—

**The Chair:** Last year.

**Mrs Boyer:** —last year, we had a lot of these acts to revive numbered companies. I remember that somebody made a motion that we should try that they not come back here; it would be automatic that they would—

**The Chair:** That they would proceed.

**Mrs Boyer:** Yes.

**The Chair:** That they wouldn't come back.

**Mrs Boyer:** That's right, and I think Mr Hoy remembers that, too.

**Mr Hoy:** That they wouldn't come here at all.

**Mrs Boyer:** They wouldn't come to this committee.

**The Chair:** I'm not quite sure how we deal with that question. Does somebody—

**Mrs Boyer:** I just wonder if we did something with that, that's all.

**The Chair:** Yes, but given that I wasn't here then, it's hard to comment on something with which I'm not familiar. Is somebody else familiar with this?

**Mr Gill:** Was this something about the revival of companies like this?

**Mrs Boyer:** Yes.

**Mr Gill:** OK. I think the idea was that there was some discussion that on minor issues like this, perhaps there should be less red tape, that maybe there should be a shortcut method of doing that. But I don't know—

**Mrs Boyer:** And not coming back here.

**Mr Gill:** I don't know where it went after that.

**The Chair:** What I will undertake is to locate that motion because I'm assuming there was a motion to that effect, and then we'll review it, OK? We'll bring it back to the committee for discussion, if need be.

**Mrs Boyer:** So that I remember what went on in the meeting.

**Mr Gill:** Which makes sense in terms of some minor stuff like this, if there's an easier way of doing something.

**The Chair:** You're quite right. If there is, we'll look at it, and if it involves the committee, we'll come back and discuss it with the committee and/or review it with the subcommittee first, perhaps, and see when we come back. Very well.

ROYAL OTTAWA HEALTH CARE  
GROUP/SERVICES DE SANTÉ ROYAL  
OTTAWA ACT, 2002

Consideration of Bill Pr10, An Act respecting Royal Ottawa Health Care Group/Services de Santé Royal Ottawa.

**The Chair:** On to the second bill, Bill Pr10, An Act respecting Royal Ottawa Health Care Group/Services de Santé Royal Ottawa; sponsor, Mr Patten. Good day.

**Mr Richard Patten (Ottawa Centre):** Good morning, ladies and gentlemen.

**The Chair:** Perhaps you can introduce the applicant.

**Mr Patten:** Yes, I'll introduce my colleague Mr Greg Kelly, who is representing the hospital as legal counsel and is here to answer any of the legal implications of this particular bill, which is fairly straightforward in the preamble.

It's great to be in this position. Can I now talk about the environment and a variety of other things?

**Interjection:** No.

**Mr Patten:** OK.

**The Chair:** Whatever you like.

**Mr Patten:** Would you like to talk just briefly about the bill?

**Mr Greg Kelly:** Just very briefly, by way of background. I think the preamble captures it, but this is very antiquated legislation, as you can see. It relates to the days when the Royal Ottawa Hospital was a TB sanatorium. So it really doesn't reflect its ongoing nature, the fact that it operates out of two principal sites. Its objects have very much changed over the years, as has its board.

The bill has the support of the city of Ottawa and the Lung Association, which had been historically closely tied to the hospital by this legislation. They both wish to be out of the picture, and that's in large part what the bill is about. The Ministry of Health, of course, is supporting this and has consented to the issuance of new letters patent. So the new hospital, if the bill is allowed, will be governed by the ministry under the Public Hospitals Act and the Mental Health Act. I think that's essentially it, unless there are questions that I can answer.

**The Chair:** We'll find out in a minute. Mr Patten, anything further from you?

**Mr Patten:** No.

**The Chair:** Mr Parliamentary Assistant, anything on this bill?

**Mr Kells:** We're happy to support the bill from the Ministry of Municipal Affairs.

**The Chair:** Very well. Any questions from the members? Seeing none, we're ready for the vote, then. I've got the right bill.

Shall section 1 carry?

Shall section 2 carry?

Shall section 3 carry?

Shall section 4 carry?

Shall section 5 carry?

Shall section 6 carry?

Shall section 7 carry?

Shall the preamble carry?

Shall the title carry?

Shall the bill carry?

Shall I report the bill to the House? That's carried.

Thank you, Mr Patten.

CITY OF OTTAWA ACT  
(REMEMBRANCE DAY), 2002

Consideration of Bill Pr3, An Act respecting the City of Ottawa.

**The Chair:** Moving on to the next bill, Bill Pr3, An Act respecting the City of Ottawa; sponsor, Mr Gary Guzzo; the applicant, the city of Ottawa, Anne Peck. Welcome to you both.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** Thank you, Mr Chair. Ms Peck is the solicitor with the city and she will speak to the bill and a proposed amendment, I believe.

**Ms Anne Peck:** Good morning. This is an application by the city of Ottawa for private legislation to permit city

council to enact a bylaw to close retail establishments within the city until 12:30 on Remembrance Day.

As you're aware, the city of Ottawa has recently undergone an amalgamation of 12 municipalities. Similar legislation to this had been in place in the former city of Ottawa since 1967. The proposed legislation would harmonize the provisions across the new municipality. Neither the current Municipal Act nor the new Municipal Act that comes in in January 2003 permits closures for half-days. City council felt it was important to recognize the significance of Remembrance Day in the nation's capital, yet maintain flexibility for retailers by remaining open in the afternoon and evening.

A notice of application was advertised for four weeks. There were no objections, to my knowledge, and we did receive a letter of endorsement from the Royal Canadian Legion, which I've forwarded to the clerk.

I would ask that the committee recommend the bill for approval.

**The Chair:** Very well. Thank you. Anything further, Mr Guzzo?

**Mr Guzzo:** Nothing, sir.

**The Chair:** Parliamentary assistant?

**Mr Kells:** As long as the bill is in the form that I see it in front of me, we have no complaints whatsoever.

**Ms Peck:** It is.

**The Chair:** Questions?

**Mr Dave Levac (Brant):** Just a compliment to the organization for bringing the bill forward. I respect the fact that you sought the legion's endorsement for that as well. Just a comment of congratulations for doing the right thing for our veterans.

**Ms Peck:** Thank you.

**The Chair:** Anything further? Seeing no other comments from anyone, I think we're ready for the vote.

Shall section 1 carry?

Shall section 2 carry?

Shall section 3 carry?

Shall section 4 carry?

Shall the preamble carry?

Shall the title carry?

Shall the bill carry?

Shall I report the bill to the House? That has passed.

Thank you, Mr Guzzo, and thank you, city of Ottawa, Anne Peck.

OK. Seeing no other item of business, we're adjourning.

*Interjections.*

**The Chair:** No, we have another item on the back of the page. Now I think you'll want to come back.

#### DRAFT REPORT ON 1999 AND 2000 REGULATIONS

**The Chair:** I have number 2 here, on the back of the page: consideration of draft report on 1999 and 2000 regulations.

**Mr Kells:** I move that we accept the report.

**The Chair:** Its acceptance and reporting to the House?

**Mr Kells:** Yes.

**The Chair:** So moved by Mr Kells. Any discussion? All in favour? That carries. Thank you.

We can now adjourn.

*The committee adjourned at 1014.*





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