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**Wednesday 10 December 2008**

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(Hansard)**

**Mercredi 10 décembre 2008**

**Standing Committee on  
Regulations and Private Bills**

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

Chair: Michael Prue  
Clerk: Sylwia Przedziecki

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Hansard Reporting and Interpretation Services  
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Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
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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**

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*The committee met at 0903 in room 151.*

**JOSEPH AND WOLF LEBOVIC JEWISH  
COMMUNITY CAMPUS ACT, 2008**

Consideration of Bill Pr20, An Act respecting the Joseph and Wolf Lebovic Jewish Community Campus.

**The Vice-Chair (Mr. Paul Miller):** I call this meeting to order. Welcome, everyone. Today, we'll be dealing with the next order of business, Bill Pr20, An Act respecting the Joseph and Wolf Lebovic Jewish Community Campus.

The sponsor is Mr. Sorbara, but Mr. Colle is filling in for Mr. Sorbara and he'll be sponsoring the bill. Would the applicants please come forward? Could you, sirs, introduce yourselves to the committee?

**Mr. Stephen Adler:** Thank you, Mr. Chair. My name is Stephen Adler. I'm the director of public policy and governmental affairs for the UJA Federation of Greater Toronto. I'm joined today, to my left, by David Sadowski, who is CEO of Jewish Community Properties, and, on my far left, David Bronskill, who is our counsel from Goodmans.

Thank you for the opportunity to be here today.

The UJA—

**The Vice-Chair (Mr. Paul Miller):** Actually, could I cut you off?

**Mr. Stephen Adler:** Yes.

**The Vice-Chair (Mr. Paul Miller):** It's not quite your turn, but we're getting there.

Has the sponsor any comments? Mr. Colle?

**Mr. Mike Colle:** Yes, Mr. Chairman. As you know, Mr. Sorbara is unable to be here because of the horrendous accident up on the 401, so I will gladly sponsor the bill; I'm familiar with it. I'm also familiar with the campus and the great work of the UJA, the United Jewish Appeal, and I'm here as the sponsor.

**The Vice-Chair (Mr. Paul Miller):** Thank you, Mr. Colle. Now, the applicant, it's your turn.

**Mr. Stephen Adler:** I jumped the gun and I apologize. In a second, I'll turn it over to my colleague Mr. Sadowski, but I just wanted to thank all members of the House, representing all parties, for your continued support to the Jewish community and to the UJA for the work that we do.

David?

**Mr. David Sadowski:** Thank you, Stephen. Good morning, ladies and gentlemen. Just briefly, had I known you had all these wonderful screens, I would have brought my shameless PowerPoint presentation and shown you, a little more accurately, the campus that's described in the bill.

Two comments, if I may. Firstly, what we are seeking here today is something that has been done in the past. It's been done in the city of Toronto, other municipalities throughout the province, and actually in the city of Vaughan previously with respect to the Reena organization, which deals with developmentally challenged adults, principally.

We are seeking this exemption for the campus as described in the bill. It represents about 50 acres of land in the city of Vaughan, north of Rutherford, off Bathurst. The campus is designed to include a number of buildings that are all principally for community use. Currently, we have built a high school. We have serviced all the land and we are about to start construction on a community centre and a special-needs housing project, both of which are scheduled to begin next year. The balance of the campus is zoned, or designated, for elementary schools; in some cases, synagogues; and other long-term-care and special-needs housing initiatives as may develop over a number of years.

Our time horizon for developing this property is probably about 20 years. In spite of the economic times we're going through now, it doesn't affect us except in a moment; our long-term horizon is much greater than that.

One of the wonderful things about this development is that it has been done with the city of Vaughan, and one of the reasons they have been so supportive of it is that we are seeking, at every opportunity, shared-use agreements with them. If I may just point out one quickly, in the case of the development of our community centre, it is adjacent to a municipal park, which allows our high school and our camps to use the park during the day. The quid pro quo for that is that the community centre is available to all community groups in the city of Vaughan, regardless of background, and at the same rate that they would pay in any community centre in the city of Vaughan. In fact, we make the space available on a gratis basis to the city of Vaughan for a number of dates during the year.

These are complex agreements with municipalities. We always try to pull one out of the drawer, but they're

never there. We've worked very closely with them over the years, and I think it's an important initiative.

Our community centres, even though they're built by the UJA Federation, are open to everyone. There are no membership restrictions. In fact, at our community centre at Bloor and Spadina, which some of you may be familiar with, over 50% of that membership are not members of the Jewish community. So they're open, and we look forward to embracing all members of the community.

Thank you.

**Mr. David Bronskill:** Thank you, Mr. Chair—

**The Vice-Chair (Mr. Paul Miller):** Could you introduce yourself?

**Mr. David Bronskill:** Yes. David Bronskill from Goodmans. Permit me just to add three technical things to the presentation.

The first is our thanks to staff in the clerk's office. Both the clerk and legislative counsel have worked very hard to help us craft the bill and bring it forward, and we are extremely appreciative of their time and their expertise.

The second thing is, part of that work was done to ensure that the bill complies with the guidelines that have come forward through the Ministry of Finance. We've got the support of both municipalities. They understand what we're asking for here today. We will, hopefully, with the support of the Legislature, be going back to those municipalities for the implementing bylaws early in the new year.

The third thing I would add is simply that we have worked out, with the clerk's office, three amendments to the draft bill that is before you. We are in complete and full support of those amendments.

Certainly, the bill benefits from these amendments, and we are quite happy to support them if they are brought forward here today as part of this committee meeting.

Unless there are any technical questions about the bill, that's the last thing that I would say.

**0910**

**The Vice-Chair (Mr. Paul Miller):** We'll get to that. Thank you for your submission. Now I'd like to see if there are any other interested parties in this submission? Seeing none, I'll move on to the parliamentary assistant. Are there any comments from the government?

**Mr. Mario Sergio:** I do have some comments. First of all, I would like to thank Mr. Sorbara, the member for Vaughan, for sponsoring the bill, and of course Mr. Colle, from Eglinton–Lawrence, for being present not only in support of the bill, but also in Mr. Sorbara's place.

From reading the material, I can see that the applicant has worked very closely with the local municipality to ensure not only their support for the proposed tax exemption, but assisting in the application as well. The government does not have any objection to the intent or aims of the legislation.

However, staff of the Ministry of Government Services raised a factual concern with respect to the de-

scription of property in the bill. As well, the Ministry of Finance staff suggest a clarification regarding the application of the tax exemption to all or part of the property. I understand that legislative counsel and staff of interested ministries have worked together to suggest a resolution to these issues via amendments which, when you're ready, I'd like to move, Mr. Chairman.

**The Vice-Chair (Mr. Paul Miller):** Are there any other comments?

**Mr. Gerry Martiniuk:** I certainly support the application, but I'd just like a little more detail as to the future use of the property. I believe you've mentioned a community centre. You've got elementary schools, special-needs residences. It's 50 acres. What else do you have in mind?

**Mr. David Sadowski:** Let me be clear: From the 50 acres, 10 of the acres have gone to roads and valley lands in a normal development course, so it's actually 40 net developable acres. I'll put on my developer hat for a moment.

The land is divided into four separate pieces by roads and by valleys. Without going into too much detail, the first quadrant of the land, which is about 15 acres, has a 200,000-square-foot community centre, which includes a number of social service agencies, typical community centre types of facilities with respect to fitness and physiotherapy, arts—all what I would call fairly typical community centre activities. Special-needs housing is 60 units, all designed for a variety of special-needs people, whether they're developmentally challenged or spousal abuse families, because it's a building that has 24/7 care.

The rest of the site: The two next quadrants, as we call them, which are about seven and a half acres to nine acres each, are designed for elementary schools right now. Again, it's hard to know how many elementary schools will be needed, but interestingly enough, under the agricultural zoning, all of these uses are permitted institutional uses. We have always notionally thought about the balance of the lands being for long-term-care facilities, for seniors' housing or for buildings that serve the seniors' community. It's a little difficult to know at this point.

All of it is to be owned by UJA Federation. All the land is conveyed to other users through long-term land leases. That's in order for us to maintain the integrity of the delivery of services. If an event occurred where it became a private entrepreneur, then this tax exemption obviously wouldn't apply in that case. The intent is, all the land is owned by UJA Federation. It is leased, again, to these various users on a long-term-lease basis so that we can maintain our presence and make sure that it is all about non-profit service delivery.

**Mr. Gerry Martiniuk:** Thank you.

**The Vice-Chair (Mr. Paul Miller):** The third party is absent today because he's sitting here. I'd just like to let you know that our party is in support of this bill.

Now we would like to move on—oh, I'm sorry. Mr. Craitor.

**Mr. Kim Craitor:** I just have a short question; certainly, I'm supporting this. I think this question resonates

from the fact that I spent 10 years on the city council of Niagara Falls and I've seen similar requests. I'm just curious, what would be the tax savings?

**Mr. David Sadowski:** Do you know what? I—

**Mr. Kim Craitor:** Just a round figure.

**Mr. David Sadowski:** It would be millions of dollars, probably, over the period of time.

**Mr. Kim Craitor:** That's round figures.

**Mr. David Sadowski:** Yes. I've actually not sat down and addressed it with respect to that.

We're currently taxed on a single-family residential basis. I remember the last assessment for the 40 acres was somewhere around a million and a half dollars.

It's interesting; the anomaly here, partly, is that the high school which we've currently built would normally be exempt from taxes if they owned the building and the land. In this case, they only own the building, and we're leasing them the land. Under this exemption, they would become exempt, like every other high school would be. So there are some anomalies that are attached to it.

Elementary schools would typically be exempt if they owned the land and the building; but in this case, since we're leasing the land, they wouldn't be exempt. So that will cover off those opportunities. It's the same, I believe, for synagogues and places of worship. They would normally be exempt.

I should add that one of the things Vaughan likes about this community centre is that it alleviates their obligation to build community centres of the same size, because they know that this will serve a certain part of their population. So, in fact, the community centre that they'll be required to build in the next block or nearby will be much smaller in scale, because they'll now have the benefit of two.

It's a significant amount of money, but again, it's all donor-driven money. It's many millions, would you guess, David?

**Mr. David Bronskill:** No—I would support that and add just two things. First, we don't know the full impact of the future savings because, as the campus is developed, we would get reassessed and potentially reclassified, as you know. So the future savings will actually, I would suspect, go up in time, as the property becomes developed and the value of the land therefore increases. Second, the bill, through the help of staff, has been carefully structured so that if there are portions of the property that aren't being used for the charitable purposes of the campus, the municipality can pass a bylaw that is more restrictive or less restrictive and that applies to some of the lands or all of the lands.

The intention here isn't to take the 50 acres and have a blanket exemption for it, but to allow us to continue to work with the municipality, as the campus is developed, to ensure that those portions of the property that truly warrant an exemption receive a bylaw and that exemption. There may be portions of the property, over time, in working with the municipality, where we recognize that the exemption shouldn't apply. We'll continue to have

that dialogue with the municipality as we develop the site over the next 15 to 20 years.

**Mr. Kim Craitor:** You have my best wishes.

**The Vice-Chair (Mr. Paul Miller):** Mr. Ruprecht.

**Mr. Tony Ruprecht:** These tax savings are beginning on January 1, 2008.

I had a chance to meet Mr. Wolf Lebovic on Monday, in fact, and I didn't ask him, number one, when are you going to open the campus?; and number two, what's the potential of these students? What are the rough numbers?

**Mr. David Bronskill:** The high school currently has 650 students in it. It was built and designed for up to 1,200 students.

The community centre, which is scheduled to begin construction in April, will take, depending on who you want to believe, 29 or 30 months to build, so we're scheduled to open in September 2011. My guess is, sitting here knowing what I do about this business, that it'll probably be early in 2012. But please don't tell anybody that, because we're going with 2011.

That building, as I said, includes about 15,000 square feet of social service agencies. One of the hospitals is looking at putting in a family treatment and wellness centre. The community centre has about 90,000 square feet of pools and arts and recreation facilities. Of course, the hospital expects to use the pools for physiotherapy and things like that; that's where that joint use comes into play. Reena is opening up an adult daycare program for their developmentally challenged adults. They use the space from about 8:30 to 5 o'clock during the day, and then at 5 o'clock the space becomes available for community groups to use. It's all been designed to maximize the use, and even the high school is designed in such a way that it connects to the community centre so that the high school gymnasias are used by the high school during the day and then at night the community centre uses them. Again, we maximize use wherever possible. These are initiatives we're starting to see not only in our development but throughout the province, which are just joint uses. But right now, there are 650 students there.

**Mr. Tony Ruprecht:** Finally, on a lighter note, I can only support this bill if Mr. Adler becomes a professor.

**The Vice-Chair (Mr. Paul Miller):** Boy, you're a true politician.

**Mr. Stephen Adler:** Mr. Ruprecht, my parents are very happy right now that you want me to get a doctorate.

**The Vice-Chair (Mr. Paul Miller):** Seeing no further questions or comments, we'll move on to the new amendments. The amendment to section 1—do I have a mover?

**Mr. Mario Sergio:** I do so. Before I move that, I would like to recognize the good work that David Sadowski has done on behalf of the Canada Lands corporation as chairman. It's wonderful park that should add quite a bit to the city of Toronto, if and when it gets under way. So good luck, and—

**The Vice-Chair (Mr. Paul Miller):** Thank you, Mr. Sergio. I guess that was a point of order.

**Mr. Mario Sergio:** Yes.

**The Vice-Chair (Mr. Paul Miller):** We'll let that slip by, even though we've gone past that; you get 10 points.

Are you ready for the first amendment?

**Mr. Mario Sergio:** Yes, I'm ready, Mr. Chairman.

I move that section 1 of the bill be struck out and the following substituted:

"Definition

"1. In this act,

"specified property' means the land, as defined in the Assessment Act, comprising approximately 50 acres on the west side of Bathurst Street, north of Rutherford Road, being composed of part of lots 17 and 18, concession 2, Vaughan, more particularly identified as PINs 03341-2301(LT), 03341-2302(LT) and 03341-2303(LT) within the records of the Land Registry Office, York region (No. 65)."

**The Vice-Chair (Mr. Paul Miller):** Is there any debate on this amendment? Seeing none, shall the amendment carry? Carried.

Shall section 1, as amended, carry? Carried.

We'll now move on to section 2.

**Mr. Mario Sergio:** I move that section 2 of the bill be struck out and the following substituted:

"Tax exemption bylaw

"2. The council of the city of Vaughan may pass a bylaw exempting the specified property, or any portion of it, from taxes for municipal purposes, other than local improvement rates, beginning January 1, 2008, if,

"(a) the specified property, or the portion of it that is subject to the bylaw, is occupied and used solely for the purposes of the Lebovic campus;

"(b) the Lebovic campus is the registered owner of the specified property, or the portion of it that is subject to the bylaw; and

"(c) the Lebovic campus is a registered charity within the meaning of the Income Tax Act (Canada)."

**The Vice-Chair (Mr. Paul Miller):** Any debate on section 2? Seeing none, shall the amendment carry? Carried.

Shall section 2, as amended, carry? Carried.

We'll move on to section 3.

**Mr. Mario Sergio:** I move that subsection 3(1) of the bill be amended by striking out "the specified property" and substituting "the specified property, or the portion of it that is subject to the bylaw".

**The Vice-Chair (Mr. Paul Miller):** Is there any debate on section 3? Seeing none, shall the amendment carry? Carried.

Shall section 3, as amended, carry? Carried.

Shall section 4 carry? Carried.

Shall section 5, short title, carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall the bill, as amended, carry? Carried.

Shall I report the bill, as amended, to the House? Done deal.

Thank you, gentlemen, for your wonderful submission.

*The committee adjourned at 0924.*



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