



The Ontario Gazette

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Toronto

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Le samedi 5 octobre 2002

Criminal Code Code criminel

DESIGNATION OF ANALYST

NOTICE IS HEREBY GIVEN that pursuant to subsection 254(1) of the Criminal Code (Canada), the Honourable Robert Runciman, Minister of Public Safety and Security of Ontario, on the 22nd day of September, 2002, designated the following person as being an analyst.

L'AVIS PRESENT est donné qu'en vertu du paragraphe 254(1) du Code Criminel du Canada, l'honorable Robert Runciman, Ministre de la Sûreté et de la Sécurité publique de l'Ontario, le 22 septembre 2002, a désigné la personne suivante comme étant analyste.

Sarah Anne Rusnak
Royal Canadian Mounted Police
Forensic Laboratory Services

(6679) 40

DESIGNATION OF QUALIFIED TECHNICIANS (BREATH SAMPLES)

NOTICE IS HEREBY GIVEN that pursuant to subsection 254(1) of the Criminal Code (Canada), the Honourable Robert Runciman, Minister of Public Safety and Security of Ontario, on the 22nd day of September, 2002, designated the following persons as being qualified to operate the approved instruments known as the Intoxilyzer® 5000C.

L'AVIS PRESENT est donné qu'en vertu du paragraphe 254(1) du Code Criminel du Canada, l'honorable Robert Runciman, Ministre de la Sûreté et de la Sécurité publique de l'Ontario, le 22 septembre 2002, désigna les personnes suivantes comme étant qualifiées pour manipuler les alcootest approuvé connu sous de nom de Intoxilyzer® 5000C.

Craig Brown	York Regional Police Service
Steve Cabraja	York Regional Police Service
Peter Chornous	York Regional Police Service
Martin Dompierre	Ottawa Police Service
Tammy Ducklow	Peel Regional Police
Eugene Gale	Peel Regional Police
Craig Goddard	York Regional Police Service
Chad Grandy	Waterloo Regional Police Service
Roy Hancock	Peel Regional Police

Joanne Hawley
Kevin Hunter
Stan Leduc
Nin Leung
Chris Lewis
Robin McBride
Shawn McLinden
John McRae
Ross Milne
Wade Nethercott
Darryl Paquette
Carlos Pinho
Reid Saxby
Paul Stewart
Paul Wilson

(6680) 40

York Regional Police Service
York Regional Police Service
York Regional Police Service
York Regional Police Service
York Regional Police Service
York Regional Police Service
Waterloo Regional Police Service
York Regional Police Service
York Regional Police Service
York Regional Police Service
Waterloo Regional Police Service
South Simcoe Police Service
York Regional Police Service
York Regional Police Service

Proclamation

(Great Seal of Ontario)

JAMES K. BARTLEMAN

PROVINCE OF ONTARIO

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

PROCLAMATION

KEEPING THE PROMISE FOR GROWTH AND PROSPERITY ACT (2002 BUDGET), 2002

We, by and with the advice of the Executive Council of Ontario, name September 27, 2002 as the day on which **Schedule K** of the *Keeping the Promise for Growth and Prosperity Act (2002 Budget), 2002* comes into force.

WITNESS:

THE HONOURABLE
JAMES K. BARTLEMAN

LIEUTENANT GOVERNOR OF OUR
PROVINCE OF ONTARIO

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Publié par Ministère des Services aux consommateurs
et aux entreprises



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1189



GIVEN at Toronto, Ontario, on September 26, 2002.

BY COMMAND

DAVID H. TSUBOUCHI
Chair of the Management Board of Cabinet

(Great Seal of Ontario)

JAMES K. BARTLEMAN

PROVINCE DE L'ONTARIO

ELIZABETH DEUX, par la grâce de Dieu, Reine du Royaume-Uni, du Canada et de ses autres royaumes et territoires, Chef du Commonwealth, Défenseur de la Foi.

PROCLAMATION

LOI DE 2002 SUR LE RESPECT DE L'ENGAGEMENT D'ASSURER
LA CROISSANCE ET LA PROSPÉRITÉ (BUDGET DE 2002)

Sur l'avis du Conseil exécutif de l'Ontario, nous désignons le 27 septembre 2002 comme le jour où entre en vigueur l'**annexe K** de la **Loi de 2002 sur le respect de l'engagement d'assurer la croissance et la prospérité (budget de 2002).t.**

TÉMOIN :

L'HONORABLE
JAMES K. BARTLEMAN

LIEUTENANT-GOUVERNEUR DE NOTRE
PROVINCE DE L'ONTARIO

FAIT à Toronto (Ontario) le 26 septembre 2002.

PAR ORDRE

DAVID H. TSUBOUCHI
Président du Conseil de gestion du gouvernement

(6681) 40

Motor Vehicle Transport Act/Truck Transportation Act Loi sur les transports routiers/Loi sur le camionnage

The following are applications for operating licences under the *Truck Transportation Act*, R.S.O. 1990, Chapter T.22, and/or the *Motor Vehicle Transport Act*, 1987, Chapter 35. The applicants have met the fitness requirements pursuant to Section 6 of the *Truck Transportation Act* and/or Section 8(2) of the *Motor Vehicle Transport Act*, 1987 and the provincial transport board and/or the Registrar of Motor Vehicles proposes to issue the licences if no written objection is served on the applicant and filed with the Registrar of Motor Vehicles, within thirty days of this publication.

The following applicants have applied for Authority to offer a transportation service for the carriage of Goods:

On trouvera ci-après la liste des demandes de permis d'exploitation présentées en vertu de la *Loi sur le camionnage*, L.R.O. 1990, chapitre T.22, et/ou la *Loi de 1987 sur les transports routiers*, L.C. 1987, chapitre 35. On a jugé que les personnes ayant présenté ces demandes se conformaient aux critères d'aptitude prévus au paragraphe 8(2) de la *Loi de 1987 sur les transports routiers* et l'office des transports de l'Ontario et/ou le registraire des véhicules automobiles dans les trente jours suivant la publication des présentes.

Les personnes suivantes ont demandé l'autorisation d'offrir des services de transport de marchandises à destination.

BEST, WILLIAM, J
BEAMSVILLE, ON

CANPAR TRANSPORT L.P./
TRANSPORT CANPAR S.E.C.
MISSISSAUGA, ON

CARTER, RANDALL, B
LONDON, ON

CENTRAL REFRIGERATED
SERVICE INC.
WEST VALLEY CITY, UT

CHARBONNEAU, MARIO
GATINEAU, QC

DAVID NORMAN OTTAWAY SERVICES
INC.
TORONTO, ON

DHILLON FREIGHT CARRIER INC.
ETOBICOKE, ON

DURHAM FUEL LUBRICANTS INC.
WHITBY, ON

FRAGOMENI, MICHEL
WOODBIDGE, ON

G. MCALLISTER TRANSIT LTD.
WOLFE ISLAND TWP., ON

GOOD WAY TRANSPORT INC.
BENSENVILLE, IL

HESSELS, CLARENCE
DUNNVILLE RR2, ON

HORNE, GEORGE, R
HAWKESTONE R1, ON

INTER PROTAS CORPORATION
(IPC)
TORONTO, ON

JOHN A. WILKINSON TRANSPORT
LTD.
HAMILTON, ON

KROESBERGEN, JAMES
NORWICH, ON

MILES, DALE, L
KESWICK, ON

NEWCO INDUSTRIAL LTD.
MILTON, ON

NEY, ROBERT, F
ORILLIA R2, ON

PAES, VANESSA
NORTH YORK, ON

PETTIPAS, TYLER, J
LONDON, ON

PHOENIX TRANSIT LINES LTD.
TORONTO, ON

POLARIS MOVING & STORAGE
(1990) LTD.
WHITE HORSE, YT

POTTS, JAMES, W
HARROWSMITH R1, ON

REAL TIME TRANSPORT INC.
RICHMOND HILL, ON

ROSCO EXPRESS INC.
RIVIERE BEAUDETTE, QC

S. BHANDAL TRANSPORT INC.
MISSISSAUGA, ON

SAS LOGISTICS SERVICES INC.
DARTMOUTH, NS

SPECHT, HEINRICH
DAMASCUS, NB

TIMMLER, MARISA
LASALLE, QC

TST SOLUTIONS L.P./TST SOLU-
TINS S.E.C.
MISSISSAUGA, ON

TWISS TRANSPORT INC.
LARGO, FL

ZARE, REZA
MARKHAM, ON

1357238 ONTARIO INC.
STONE CREEK, ON

1540368 ONTARIO CORP.
MISSISSAUGA, ON

3893910 CANADA INC.
ST. ANDRE AVELIN, QC

1491346 ONTARIO LTD.
TORONTO, ON

1540507 ONTARIO INC.
MISSISSAUGA, ON

9104-8983 QUEBEC INC.
ST-LUDGER-DE-MILOT, QC

1522782 ONTARIO INC.
WHITBY, ON

1540557 ONTARIO INC.
BRAMPTON, ON

9119-9562 QUEBEC INC.
LES CEDRES, QC

J. Greig Beatty
Manager/
Chef de Service

40/02

Ontario Highway Transport Board

IN THE MATTER of the *Public Vehicles Act*,
AND IN THE MATTER of the *Motor Vehicle Transport Act, 1987*
AND IN THE MATTER of

Andrew Kwong C. Ning – File # 46119-RE(1)
372 Elm Avenue
Westmount, Quebec H3Z 1Z5

NOTICE

The Board is in receipt of an application by Trentway-Wagar Inc. ("Trentway") pursuant to Section 11 of the *Public Vehicles Act*. Trentway has satisfied the Board that there are apparent grounds to issue an order described in Section 11(3) of the *Public Vehicles Act* on Andrew Kwong C. Ning.

All Information pertaining to this matter is on file at the Board and can be made available on request. (Telephone 416-326-6732).

TAKE NOTICE that the Board will hold a hearing on this matter to determine whether to issue an order described in Section 11 (3) of the *Public Vehicles Act*.

The hearing will be held on **Thursday the 7th day of November, 2002 at 10:00 a.m. in the "Paganini Room" at the Delta Montreal, 475 President Kennedy, Montreal, PQ H3A 1G7.**

AND FURTHER TAKE NOTICE that should any party to this proceedings not attend at the time and place shown for the hearing, the Board may proceed in their absence and they will not be entitled to any further notice in this proceedings.

AND FURTHER TAKE NOTICE that any interested person (i.e.: a person who has an economic interest in the outcome of the matter) may file a statement with the Board and serve it on Andrew Kwong C. Ning at least 10 days before the hearing date and pay a fee of \$400.00 payable to the Minister of Finance.

Felix D'Mello
Board Secretary/
Secrétaire de la Commission

40/02

IN THE MATTER of the *Public Vehicles Act*,
AND IN THE MATTER of the *Motor Vehicle Transport Act, 1987*
AND IN THE MATTER OF

Jacques Pare – File # 46110-RE(1)
o/a "Autotaxi"
131 Laurier West
Montreal, Quebec H2T 2N6

NOTICE

The Board is in receipt of an application by Trentway-Wagar Inc. ("Trentway") pursuant to Section 2 of the *Public Vehicles Act*. Trentway has satisfied the Board that there are apparent grounds to issue an order

described in Section 11(3) of the *Public Vehicles Act* on Jacques Pare ("Autotaxi").

All Information pertaining to this matter is on file at the Board and can be made available on request. (Telephone 416-326-6732).

TAKE NOTICE that the Board will hold a hearing on this matter to determine whether to issue an order described in Section 11 (3) of the *Public Vehicles Act*.

The hearing will be held on **Thursday the 7th day of November, 2002 at 10:00 a.m. in the "Paganini Room" at the Delta Montreal, 475 President Kennedy, Montreal, Quebec H3A 1G7.**

AND FURTHER TAKE NOTICE that should any party to this proceedings not attend at the time and place shown for the hearing, the Board may proceed in their absence and they will not be entitled to any further notice in this proceedings.

AND FURTHER TAKE NOTICE that any interested person (i.e.: a person who has an economic interest in the outcome of the matter) may file a statement with the Board and serve it on Jacques Pare ("Autotaxi") at least 10 days before the hearing date and pay a fee of \$400.00 payable to the Minister of Finance.

Felix D'Mello
Board Secretary/
Secrétaire de la Commission

40/02

NOTICE

Periodically, temporary applications are filed with the Board. Details of these applications can be made available at anytime to any interested parties by calling (416) 326-6732.

The following are applications for extra-provincial and public vehicle operating licenses filed under the *Motor Vehicle Transport Act, 1987*, and the *Public Vehicles Act*. All information pertaining to the applicant (i.e. business plan, supporting evidence, etc.) is on file at the Board and is available upon request.

Any interested person who has an economic interest in the outcome of these applications may serve and file an objection within 29 days of this publication. The objector shall:

1. complete a Notice of Objection Form,
2. serve the applicant with the objection,
3. file a copy of the objection and provide proof of service of the objection on the applicant with the Board,
4. pay the appropriate fee.

Serving and filing an objection may be effected by hand delivery, mail, courier or facsimile. Serving means the date received by a party and filing means the date received by the Board.

LES LIBELLÉS DES DEMANDES PUBLIÉES CI-DESSOUS SONT AUSSI DISPONIBLES EN FRANÇAIS SUR DEMANDE.

McCoy Travel Limited (o/a McCoy Bus Service)
1175 Midland Ave., Kingston, ON K7P 2X8

45538-K

Applies for an extension to extra provincial operating licence X-3197 as follows:

For the transportation of passengers on a chartered trip for McCoy Tours Limited from points in the Management Board of Frontenac (including the City of Kingston), Counties of Hastings (including the Cities of Belleville and Quinte West), Prince Edward and Northumberland, the United Counties of Stormont, Dundas and Glengarry (including the City of Cornwall), and of Leeds and Grenville (including the City of Brockville and the Separated Towns of Gananoque and Prescott), of Lennox & Addington, and the Regional Municipalities of Durham and York to the Ontario/Quebec, Ontario/Manitoba and Ontario/USA border crossings for furtherance to points as authorized by the relevant jurisdiction and for the return of the same passengers on the same chartered trip to point of origin.

PROVIDED THAT:

1. all chartered trips operated under this licence shall be only those initiated, organized and advertised by McCoy Tours Limited;
2. all persons travelling on these chartered trips shall have paid an individual fare to the trip/tour initiator/organizer/advertiser for which they will receive in return, accommodation, meals or a ticket of admission; and
3. chartered trips other than those authorized herein are prohibited;

4. there shall be no pick up or discharge of passengers except at point of origin.

Applies for an extension to public vehicle operating licence PV-5152 as follows:

45538-L

For the transportation of passengers on a chartered trip for McCoy Tours Limited from points in the Management Board of Frontenac (including the City of Kingston), Counties of Hastings (including the Cities of Belleville and Quinte West), Prince Edward and Northumberland, the United Counties of Stormont, Dundas and Glengarry (including the City of Cornwall), and of Leeds and Grenville (including the City of Brockville and the Separated Towns of Gananoque and Prescott), of Lennox and Addington, and the Regional Municipalities of Durham and York.

PROVIDED THAT:

1. all chartered trips operated under this licence shall be only those initiated, organized and advertised by McCoy Tours Limited;
2. all persons travelling on these chartered trips shall have paid an individual fare to the trip/tour initiator/organizer/advertiser for which they will receive in return, accommodation, meals or a ticket of admission; and
3. chartered trips other than those authorized herein are prohibited.

Felix D'Mello
 Board Secretary/
 Secrétaire de la Commission

40/02

Government Notices Respecting Corporations Avis du gouvernement relatifs aux compagnies

Certificates of Dissolution Certificats de dissolution

NOTICE IS HEREBY GIVEN that a certificate of dissolution under the *Business Corporations Act*, has been endorsed. The effective date of dissolution precedes the corporation listings.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément à la *Loi sur les compagnies*, un certificat de dissolution a été inscrit pour les compagnies suivantes : la date d'entrée en vigueur précède la liste des compagnies visées.

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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2002-07-18	
1957 MASONRY INC.	1029966
2002-08-01	
PERFECTION TUTORING LTD.	1306271
2002-08-02	
1447753 ONTARIO INC.	1447753
2002-08-06	
A & E BUILDING DESIGN GROUP LIMITED	1010075
ACADIAN HOME IMPROVEMENTS INC.	879610
D. A. WATT GARAGE LIMITED	425569
K.O.S. HOLDINGS LTD.	468790
M & K HEATING & COOLING LTD.	848104
OLDIES BY GEORGE LIMITED	802121
PRO WOOD FLOORING LTD.	870950
PRO-FILE SPORTS CARD INC.	1084609
1197739 ONTARIO LIMITED	1197739
1274583 ONTARIO INC.	1274583
2010205 ONTARIO INC.	2010205
730900 ONTARIO LIMITED	730900
939964 ONTARIO LIMITED	939964
2002-08-14	
SIGNUM COMMUNICATIONS LIMITED	140366
2002-08-20	
FULL SUCCESS INTERNATIONAL LIMITED	1400610

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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GOLFMARK COMMUNICATIONS (1986) ONTARIO INC.	666397
REALMCO INVESTMENTS LTD.	760752
1174569 ONTARIO LIMITED	1174569
1226250 ONTARIO INC.	1226250
1260991 ONTARIO LIMITED	1260991
561984 ONTARIO LIMITED	561984
586538 ONTARIO LIMITED	586538
638865 ONTARIO LIMITED	638865
2002-08-21	
BARCLAY'S HAULAGE & EXCAVATING LIMITED	219218
CHAMBERS VENTURES INC.	1263195
D.J. STEEL LTD.	1106601
DA & V DONUT INC.	1425935
MUFFLERS & MORE INC.	1205035
OLDENBURG INVESTMENTS LIMITED	389193
PENELOPE FIBRES LTD.	477197
POLYBLOCK INCORPORATED	1239089
TELEMACHUS CORP.	1245459
THE BIYTON INTERNATIONAL TRADING CORPORATION	1472224
828372 ONTARIO INC.	828372
2002-09-02	
668699 ONTARIO LTD.	668699
2002-09-10	
MACKENZIE MACHINE TOOLS INC.	1313024
R. (CURLY) JACKSON CONSTRUCTION LTD.	418522
Z & F MANAGEMENT LIMITED	202567
2002-09-11	
APPLE CREEK EMPORIUM LTD.	813967
OMNI MARKETING CORP.	1196574
1384646 ONTARIO INC.	1384646
795779 ONTARIO LTD.	795779
2002-09-13	
ARCHER TRUCK CENTRE WELLAND (1994) LTD. ...	1032583

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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ARCHER TRUCK SERVICES (1994) LTD.	1032582
MAEVAN LIMITED	759126
SOMERVILLE NURSERIES LIMITED	894900
TRIPLE-M RANCH LIMITED	450650
1142644 ONTARIO INC.	1142644
827016 ONTARIO LIMITED	827016

2002-09-16

CHEVALIER TRUCK EQUIPMENT AND SERVICES CO. LTD.	1000198
SOLRYL DEVELOPMENTS INC.	614924
TAIVAH HOLDINGS LTD.	452625

2002-09-17

DEEP DRAW CYLINDERS INC.	1413476
HARRY R. WHALE INC.	330858
HORSE FUTURES INC.	632312
K WOODWORKING LTD.	1256653
NHL ENTERPRISES CANADA INC.	868584
PEAKTRON (CANADA) INC.	899134
R. G. ELLINGWOOD CONSULTING LIMITED	315649
ROWADON LIMITED	780730
1152811 ONTARIO INC.	1152811
1317189 ONTARIO INC.	1317189

2002-09-18

ALPHA TO OMEGA, INC.	1293438
BODENDISTEL HOLDINGS LTD.	1062458
CABLE ADVERTISING SERVICES, INC.	1469107
CAVEO INVESTMENTS (1993) LTD.	1016330
HELEN WEX HOLDINGS LIMITED	711671
LIVRES ET TROUSSES EDUC INC.	1277895
MRDINNER INC.	1413151
NORTH AMERICAN CABLE PROMOTIONS, INC.	1469188
R. DAVID RADFORD ASSOCIATES LIMITED	469561
WAH SING COMPANY LIMITED	1216172
1017584 ONTARIO LIMITED	1017584
1224086 ONTARIO INC.	1224086
796599 ONTARIO LIMITED	796599
863438 ONTARIO LIMITED	863438
923967 ONTARIO LIMITED	923967

2002-09-19

CHACON MANAGEMENT LIMITED	1126092
1209157 ONTARIO INC.	1209157

B. G. HAWTON,
Director, Companies and Personal Property
Security Branch
Directrice, Direction des compagnies et des
sûretés mobilières

40/02

**Cancellation of Certificates of
Incorporation
(Corporations Tax Act Defaulters)
Annulation de certificats de constitution
en personne morale
(Non-respect de la Loi sur l'imposition
des personnes morales)**

NOTICE IS HEREBY GIVEN that, under subsection 241 (4) of the *Business Corporations Act*, the Certificates of Incorporation of the corporations named hereunder have been cancelled by an Order dated 9 September, 2002 for default in complying with the provisions of the *Corporations Tax Act*, and the said corporations have been dissolved on that date.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241 (4) de la *Loi sur les compagnies*, les certificats de constitution en personne morale des compagnies dont les noms apparaissent ci-dessous ont été annulés par décision datée du 9 septembre 2002 pour non-re-

spect des dispositions de la *Loi sur l'imposition des personnes morales* et que la dissolution des compagnies concernées prend effet à la date susmentionnée.

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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ARCTURUS PRODUCTIONS LTD.	433760
ASSEMBLY SOLUTIONS INC.	983667
B. M. SHERIDAN INSURANCE BROKER LIMITED	491886
BELLE-EAU-CLAIRE INVESTMENTS LIMITED	76159
BISHOP ESTATE HOMES INC.	894442
BUCKSTOP/SHOP-RITE INC.	1057470
BURLINGTON MARTIAL ARTS LIMITED	753614
C. DISADIO & SON CONSTRUCTION (GUELPH) LIMITED	242428
CAREPRO COMMERCIAL SERVICES INC	871481
CHEMICS COMPONENTS ENTERPRISES LTD.	429348
CLAUDE POITRAS CONSTRUCTION LIMITED	595588
D.C. DESIGN BUILD LTD.	1019451
DELONG MOTORSPORTS LTD.	500066
EXPLORE THE WORLD OF SOFTWARE INC.	921480
FIDRA PROPERTIES INC.	916166
FOXTROT SYSTEMS LTD.	983094
FUSIC ENGINEERING CO. LIMITED	780818
G. ERIC HANSON ASSOCIATES LIMITED	120024
GLENELLEN HOMES LIMITED	614063
GLOBAL RESOURCES INTERNATIONAL PROGRAMME INC.	966030
GRANADA INVESTMENTS LIMITED	394621
GRAND FAIR PRINTING & TRADING INC.	1029755
HARTWELL EQUITIES LIMITED	845928
HEARTHWOOD DEVELOPMENTS LTD.	729654
HOLLIS COMMUNICATIONS INC.	657066
IMAGES INC.	1083535
JNP FINANCIAL SERVICES INC.	467923
JOHN CHEN & ASSOCIATES INC.	923410
KAWARTHA GRADER RENTALS LIMITED	389232
KESEPH INVESTMENTS IV INC.	637270
L.L.D. TRANSPORTATION INC.	1027674
LARRY BOYD LTD.	287715
MARINE CITY SPORTS LTD.	736271
NAVAN ROOFING INC.	931951
NIKKO PRODUCTIONS LIMITED	587279
OK FOOD MANAGEMENT SERVICES LTD.	775475
PEDERSEN WORLD TOURS INC.	633828
PEGA INDUSTRIES CORPORATION	893524
PETHICK & ASSOCIATES INSURANCE BROKERS LIMITED	564135
PROMPT FOR WINDOWS INC.	1056686
RISER DEVELOPMENTS LTD.	785359
RIVIERA SODDING CONTRACTORS LIMITED	285390
ROBICHAUD-TAMBEAU CONSTRUCTION INC.	1063209
S.V. PROMOTION CONSULTANTS INC.	618940
SATTERTHWAITE DEVELOPMENTS LIMITED	273931
SET CONSTRUCTION LTD.	289673
SHAFESBURY DEVELOPMENTS LIMITED	402488
STAR SPORTSWEAR INC.	667820
STENO ELECTRIC LIMITED	264391
STONE HOMES CORPORATION	886773
STURGEON TRANSPORTATION INC.	1051957
THE NORTHERN ONTARIO DIRECTORY LTD.	510260
THIRD GENERATION REALTY LIMITED	530885
THOROUGHbred FILM PRODUCTIONS INC.	676892
THREE-TOP INVESTMENT HOLDINGS INC.	764220
1010571 ONTARIO LIMITED	1010571
1042552 ONTARIO INC.	1042552
1047249 ONTARIO INC.	1047249
1063076 ONTARIO LIMITED	1063076
384672 ONTARIO LIMITED	384672
413455 ONTARIO LIMITED	413455
516221 ONTARIO LIMITED	516221
602769 ONTARIO LIMITED	602769
642338 ONTARIO LIMITED	642338
644974 ONTARIO INC.	644974
655619 ONTARIO INC.	655619

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
658120 ONTARIO INC.	658120
676086 ONTARIO LIMITED	676086
705473 ONTARIO INC.	705473
733120 ONTARIO LIMITED	733120
748237 ONTARIO LIMITED	748237
750811 ONTARIO INC.	750811
798232 ONTARIO LIMITED	798232
830844 ONTARIO LIMITED	830844
910512 ONTARIO LTD.	910512
913519 ONTARIO INC.	913519
964302 ONTARIO INC.	964302
977202 ONTARIO INC.	977202

B. G. HAWTON,
Director, Companies and Personal Property
Security Branch
Directrice, Direction des compagnies et des
sûretés mobilières

40/02

**Cancellation of Certificates of
Incorporation
(Business Corporations Act)
Annulation de certificats de constitution
en personne morale
(Loi sur les sociétés par actions)**

NOTICE IS HEREBY GIVEN that by orders under subsection 241 (4) of the *Business Corporations Act*, the certificates of incorporation set out hereunder have been cancelled and corporation(s) have been dissolved. The effective date of cancellation precedes the corporation listing.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241 (4) de la *Loi sur les sociétés par actions*, les certificats présentés ci-dessous ont été annulés et les compagnies ont été dissoutes. La dénomination sociale des compagnies concernées est précédée de la date de prise d'effet de l'annulation.

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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2002-09-25

ADAR LOGISTICS INC.	1453515
ALDANA TRADING INC.	1453561
CANADIAN CLEANERS INC.	1488284
CLEARCON CONTRACTING LTD.	1453571
E-CHOICE LIMITED	1453579
HITISULU INVESTMENTS LTD.	1453545
JOCALA INC.	1008779
KROKUS DESIGN INCORPORATED	1453565
RESOURCE FLOW-THROUGH 2000 INC.	1453235
SAHARA INVESTMENTS LTD.	1453283
SARO JEWELLERS INC.	451137
SCHENBRO FARMS LTD.	1453428
SPECTRUM 21 INC.	1307391
SPONTANEOUS PERSUASIONS INC.	2000381
TIMIS INTERNATIONAL TRANSPORT INC.	1453567
XTRONEX CORPORATION	1057961
693905 ONTARIO LTD.	693905
840072 ONTARIO INC.	840072
1278129 ONTARIO INC.	1278129
1282919 ONTARIO LTD.	1282919
1439684 ONTARIO INC.	1439684
1453346 ONTARIO LTD.	1453346
1482512 ONTARIO CORP.	1482512
1496300 ONTARIO INC.	1496300

B. G. HAWTON,
Director, Companies and Personal Property
Security Branch
Directrice, Direction des compagnies et des
sûretés mobilières

40/02

**Ministry of Finance—Interest Rates
Ministère des Finances—Taux d'intérêt**

NOTICE**CHANGE OF TAX INTEREST RATES**

- Effective October 1, 2002, the rate of interest payable on tax underpayments, and amounts payable with respect to small business development grants administered by the Ministry of Finance, will be 7%. The general rate of interest on overpayment of taxes will be 2%. These rates apply to the following statutes:

*Retail Sales Tax Act
Gasoline Tax Act
Land Transfer Tax Act
Mining Tax Act*

*Corporations Tax Act
Tobacco Tax Act
Succession Duty Act
Employer Health Tax Act*

*Fuel Tax Act
Provincial Land Tax Act
Race Tracks Tax Act
Commercial Concentration Tax Act*

and

Small Business Development Corporations Act.

Also effective October 1, 2002, the rate of interest will be 4% on amounts refunded or credited after an objection or appeal of Commercial Concentration Tax, Corporations Tax, Employer Health Tax, Gasoline Tax, Fuel Tax, Land Transfer Tax, Mining Tax, Retail Sales Tax or Tobacco Tax. Under retroactive regulation changes coming into force in September 1999, the rate of interest on amounts refunded or credited after successful objections or appeals is increased by two points over the general rate on refunds, applicable to periods after 1998 for Commercial Concentration Tax, Gasoline Tax, Fuel Tax, Land Transfer Tax, Retail Sales Tax and Tobacco Tax, and to taxation years ending after 1997 for Corporations Tax, Employer Health Tax and Mining Tax.

- The tables below show the respective rates of interest applicable to past periods of time in the five years ending June 30, 2002, and the new rates now in effect.

TABLE 1
TAX INTEREST RATES

Time Period	Payable on Underpayments	Payable on Overpayments	
	All Underpayments %	General Rate %	Appeals Rate %
Oct. 1/97 — Dec. 31/97	8	3	N/A
Jan. 1/98 — Mar. 31/98	8	3	5
Apr. 1/98 — Jun. 30/98	9	4	6
Jul. 1/98 — Sep. 30/98	10	5	7
Oct. 1/98 — Dec. 31/98	10	5	7
Jan. 1/99 — Mar. 31/99	10	5	7
Apr. 1/99 — Jun. 30/99	10	5	7
Jul. 1/99 — Sep. 30/99	10	5	7
Oct. 1/99 — Dec. 31/99	9	4	6
Jan. 1/00 — Mar. 31/00	9	4	6
Apr. 1/00 — Jun. 30/00	10	5	7
Jul. 1/00 — Sep. 30/00	10	5	7
Oct. 1/00 — Dec. 31/00	11	6	8
Jan. 1/01 — Mar. 31/01	11	6	8
Apr. 1/01 — Jun. 30/01	11	6	8
Jul. 1/01 — Sep. 30/01	10	5	7
Oct. 1/01 — Dec. 31/01	9	4	6
Jan. 1/02 — Mar. 31/02	8	3	5
Apr. 1/02 — Jun. 30/02	7	2	4
Jul. 1/02 — Sep. 30/02	7	2	4
Oct. 1/02 —	7	2	4

TABLE 2
TAX INTEREST RATES
SMALL BUSINESS DEVELOPMENT CORPORATIONS ACT

Time Period	Rate %
Oct. 1/97 — Dec. 31/97	8
Jan. 1/98 — Mar. 31/98	8
Apr. 1/98 — Jun. 30/98	9
Jul. 1/98 — Sep. 30/98	10
Oct. 1/98 — Dec. 31/98	10
Jan. 1/99 — Mar. 31/99	10
Apr. 1/99 — Jun. 30/99	10
Jul. 1/99 — Sep. 30/99	10
Oct. 1/99 — Dec. 31/99	9
Jan. 1/00 — Mar. 31/00	9
Apr. 1/00 — Jun. 30/00	10
Jul. 1/00 — Sep. 30/00	10
Oct. 1/00 — Dec. 31/00	11
Jan. 1/01 — Mar. 31/01	11
Apr. 1/01 — Jun. 30/01	11
Jul. 1/01 — Sep. 30/01	10
Oct. 1/01 — Dec. 31/01	9
Jan. 1/02 — Mar. 31/02	8
Apr. 1/02 — Jun. 30/02	7
Jul. 1/02 — Sep. 30/02	7
Oct. 1/02 —	7

Dated at Oshawa, this 10th day of September, 2002.

Ministry of Finance
Tax Revenue Division
Marion E. Crane
Assistant Deputy Minister

AVIS DE CHANGEMENT DANS LES TAUX D'INTÉRÊT FISCAUX

1. À compter du 1^{er} octobre 2002, le taux d'intérêt sur les paiements en moins de taxes et d'impôts, et les montants payables relativement aux subventions pour l'expansion des petites entreprises administrées par le ministère des Finances sera de 7%. Le taux d'intérêt général sur les paiements en trop de taxes et d'impôts sera de 2%. Ces taux s'appliquent aux lois suivantes :

Loi sur la taxe de vente au détail
Loi de la taxe sur le tabac
Loi de la taxe sur le pari mutuel
Loi de la taxe sur l'essence

Loi sur l'imposition des corporations
Loi sur l'impôt foncier provincial
Loi de l'impôt sur l'exploitation minière
Loi sur les droits successoraux

Loi de la taxe sur les carburants
Loi sur les droits de cession immobilière
Loi sur l'impôt-santé des employeurs
Loi de l'impôt sur les concentrations commerciales

et

Loi sur les sociétés pour l'expansion des petites entreprises.

Également à compter du 1^{er} octobre 2002, le taux d'intérêt sur les montants remboursés ou crédités après une opposition ou un appel de l'impôt sur les concentrations commerciales, l'impôt des compagnies, l'impôt-santé des employeurs, la taxe sur l'essence, la taxe sur le carburant, les droits de cession immobilière, l'impôt sur l'exploitation minière, la taxe de vente au détail ou la taxe sur le tabac sera de 4%. Selon les changements au règlement rétroactif qui entrent en vigueur en septembre 1999, le taux d'intérêt accordé sur les montants remboursés ou crédités après qu'une opposition ou un appel ait été accueilli, augmente de deux points par rapport au taux d'intérêt général accordé sur les remboursements, applicable aux périodes après 1998 pour l'impôt sur les concentrations commerciales, la taxe sur l'essence, la taxe sur les carburants, les droits de cession immobilière, la taxe de vente au détail et la taxe sur le tabac, et aux années d'imposition prenant fin après 1997 pour l'impôt des compagnies, l'impôt-santé des employeurs et l'impôt sur l'exploitation minière.

2. Le tableau ci-après donne les taux d'intérêt respectifs applicables aux périodes antérieures dans les cinq ans prenant fin le 30 juin 2002 et les nouveaux taux en vigueur.

TABLEAU 1
TAUX D'INTÉRÊT FISCAUX

Période	sur les paiements en moins	sur les paiements en trop	
	tous les paiements en moins %	Taux général %	Taux des appels %
1 ^{er} oct. 1997 — 31 déc. 1997	8	3	S/O
1 ^{er} janv. 1998 — 31 mars 1998	8	3	5
1 ^{er} avr. 1998 — 30 juin 1998	9	4	6
1 ^{er} juil. 1998 — 30 sept. 1998	10	5	7
1 ^{er} oct. 1998 — 31 déc. 1998	10	5	7
1 ^{er} janv. 1999 — 31 mars 1999	10	5	7
1 ^{er} avr. 1999 — 30 juin 1999	10	5	7
1 ^{er} juil. 1999 — 30 sept. 1999	10	5	7
1 ^{er} oct. 1999 — 31 déc. 1999	9	4	6
1 ^{er} janv. 2000 — 31 mars 2000	9	4	6
1 ^{er} avr. 2000 — 30 juin 2000	10	5	7
1 ^{er} juil. 2000 — 30 sept. 2000	10	5	7
1 ^{er} oct. 2000 — 31 déc. 2000	11	6	8
1 ^{er} janv. 2001 — 31 mars 2001	11	6	8
1 ^{er} avr. 2001 — 30 juin 2001	11	6	8
1 ^{er} juil. 2001 — 30 sept. 2001	10	5	7
1 ^{er} oct. 2001 — 31 déc. 2001	9	4	6
1 ^{er} janv. 2002 — 31 mars 2002	8	3	5
1 ^{er} avr. 2002 — 30 juin 2002	7	2	4
1 ^{er} juil. 2002 — 30 sept. 2002	7	2	4
À compter du 1 ^{er} octobre 2002	7	2	4

TABLEAU 2
TAUX D'INTÉRÊT SUR L'IMPÔT
LOI SUR LES SOCIÉTÉS POUR L'EXPANSION DES
PETITES ENTREPRISES

Time Period	Rate %
1 ^{er} oct. 1997 au 31 déc. 1997	8
1 ^{er} janv. 1998 au 31 mars 1998	8
1 ^{er} avril 1998 au 30 juin 1998	9
1 ^{er} juillet 1998 au 30 sept. 1998	10
1 ^{er} oct. 1998 au 31 déc. 1998	10
1 ^{er} janv. 1999 au 31 mars 1999	10
1 ^{er} avril 1999 au 30 juin 1999	10
1 ^{er} juillet 1999 au 30 sept. 1999	10
1 ^{er} oct. 1999 au 31 déc. 1999	9
1 ^{er} janv. 2000 au 31 mars 2000	9
1 ^{er} avril 2000 au 30 juin 2000	10
1 ^{er} juillet 2000 au 30 sept. 2000	10
1 ^{er} oct. 2000 au 31 déc. 2000	11
1 ^{er} janv. 2001 au 31 mars 2001	11
1 ^{er} avril 2001 au 30 juin 2001	11
1 ^{er} juillet 2001 au 30 sept. 2001	10
1 ^{er} oct. 2001 au 31 déc. 2001	9
1 ^{er} janv. 2002 au 31 mars 2002	8
1 ^{er} avril 2002 au 30 juin 2002	7
1 ^{er} juillet 2002 au 30 sept. 2002	7
À compter du 1 ^{er} octobre 2002	7

Préparé à Oshawa, ce 10^e jour octobre 2002.

Ministère des finances
Division du revenu fiscal
Marion E. Crane
Sous-ministre adjointe

Ministry of the Attorney General Ministère du Procureur général

RULES OF CIVIL PROCEDURE

Rules 53.09(1) and (2), as amended by section 16 of *O.Reg. 288/99*
and section 2 of *O.Reg. 488/99*

CALCULATION OF AWARDS FOR FUTURE PECUNIARY DAMAGES: TRIALS COMMENCING AFTER January 1, 2003

The Ministry of the Attorney General publishes discount and gross up rates annually to facilitate the calculation of future pecuniary damage awards.

For trials commencing after January 1, 2003, the following rates apply:

DISCOUNT RATE

The discount rate to be used in determining future pecuniary damages for the 15 year period following the start of the trial is **2.50%**

The rate for any later period covered by the award is **2.50%**

GROSS UP RATE

The gross up rate to be used to determine future inflation for the first 15 year period following the start of the trial is **3%**

The rate for any later period covered by the award is **3.25%**

Dated this 25th day of September 2002.

(6678) 40

SANDRA WAIN,
Director,
Program Development Branch,
Court Services Division,
Ministry of the Attorney General

Applications to Provincial Parliament — Private Bills Demandes au Parlement provincial — Projets de loi d'intérêt privé

PUBLIC NOTICE

The rules of procedure and the fees and costs related to applications for Private Bills are set out in the Standing Orders of the Legislative Assembly. Copies of the Standing Orders, and the guide "Procedures for Applying for Private Legislation", may be obtained from the Legislative Assembly's Internet site at <http://www.ontla.on.ca> or from:

Committees Branch
Room 1405, Whitney Block, Queen's Park
Toronto, Ontario M7A 1A2

Telephone: 416/325-3500 (Collect calls will be accepted.)

Applicants should note that consideration of applications for Private Bills that are received after the first day of September in any calendar year may be postponed until the first regular Session in the next following calendar year.

(8699) T.F.N.

CLAUDE L. DESROSIERS,
Clerk of the Legislative Assembly.

Applications to Provincial Parliament Demandes au Parlement provincial

CANTERBURY COLLEGE

NOTICE IS HEREBY GIVEN that, on behalf of Canterbury College, application will be made to the Legislative Assembly of the Province of Ontario for an Act respecting Canterbury University College.

The application will be considered by the Standing Committee on Regulations and Private Bills. Any person who has an interest in the application and who wishes to make submissions, for or against the application, to the Standing Committee on Regulations and Private Bills should notify, in writing, the Clerk of the Legislative Assembly, Legislative Building, Queen's Park, Toronto, Ontario, M7A 1A2.

Dated at Windsor, this 29th day of August, 2002.

(4044) 37 to 40

DR. DAVID T. A. SYMONS
Principal, on behalf of the Applicant

REDEEMER UNIVERSITY COLLEGE

NOTICE IS HEREBY GIVEN that, on behalf of Redeemer University College, Ancaster, Ontario, application will be made to the Legislative Assembly of the Province of Ontario, for an Act to revise its degree granting powers to include the degree of Bachelor of Education.

The application will be considered by the Standing Committee on Regulations and Private Bills. Any person who has an interest in the application and who wishes to make submissions, for or against the application, to the Standing Committee on Regulations and Private Bills should notify, in writing, the Clerk of the Legislative Assembly, Legislative Building, Queen's Park, Toronto, Ontario, M7A 1A2.

Dated at the City of Hamilton this 9th day of September, 2002.

(4052) 38 to 41

Redeemer University College
by its solicitor
ALBERT J. BAKKER J.D. Q.C.
Bakker, Atamanuk, Taylor & Wengowski,
Barristers and Solicitors

Sheriff's Sales of Lands Ventes de terrains par le shérif

ERRATUM

Vide Ontario Gazette, Vol. 135-38, Page 1174, Dated September 28, 2002.

Notice Is Hereby Given that the Municipal Address was printed incorrectly.

1388 King Street East Should have Read: 1388 Main Street East

(4074) 40

CARLITA R. HAWKE
The Ontario Gazette

UNDER AND BY VIRTUE OF a Writ of Seizure and Sale issued out of the Superior Court of Justice at 161 Elgin St., Ottawa, dated March 25/02, Sheriff's file #02-491, to me directed, against the real and personal property of DOUGLAS WOODBURN, Debtor, at the suit of LES ENTREPRISES F & M POIRIER LTEE, Creditors, I have seized and taken in execution all the right, title, interest and equity of redemption of DOUGLAS WOODBURN, Debtor in and to: Firstly parcel 21-3 Section GL-2 (O.F.) being part of Lot 21 Conc 2 (O.F.) designated as part 3 on reference plan 4R-270 City of Gloucester, Regional Municipality of Ottawa Carleton being all of P.I.N. 04358-0245 and Secondly part of Lot 21 conc 2 (O.F.) as in GL34972 except part 3 on reference plan 4R-270 s/t GL38909 City of Gloucester, Regional Municipality of Ottawa Carleton being all of P.I.N. 04358-0249 and known municipally as 1873 Innes Rd., Gloucester.

All of which said right, title, interest and equity of redemption of DOUGLAS WOODBURN, DEBTOR, in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at, Sheriff's Office, 2nd Flr., 161 Elgin St., Ottawa, Friday November 8th, 2002 at 10:00 a.m.

CONDITIONS:

The purchaser to assume responsibility for all mortgages, charges, liens,

outstanding taxes and other encumbrances. No representation is made regarding the title of the land or any other matters relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

TERMS: Deposit 10% of bid price or \$1,000.00, whichever is greater
 - Payable at the time of sale by successful bidder
 - To be applied to purchase price
 - Non-refundable
 Ten business days from date of sale to arrange financing and pay balance in full at Sheriff's Office, 2nd flr., 161 Elgin St., Ottawa, Ontario
 All payments in cash or by certified cheque made payable to the Minister of Finance
 Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price
 Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

NOTE: No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 28th day of September, 2002.

(4070) 40
 GENEVIEVE BLAIS
 Sheriff – City of Ottawa
 161 Elgin St., Ottawa

UNDER AND BY VIRTUE OF a Writ of Seizure and Sale issued out of the Ontario Court (General Division) at Toronto dated July 3, 1997, Court File Number FL 1447/87, to me directed, against the real and personal property of JANE WATT, Respondent, at the suit of ROBERT MORRISON WATT, Applicant, I have seized and taken in execution all the right, title, interest and equity of redemption of JANE WATT, Respondent, in and to:

Part lot 22, west side of Grand River Street, north side of Nith River, Town of Paris, County of Brant, now designated as part 2 on reference plan 2R-3156 together with 1 right-of-way over part 4 on reference plan 2R-3156 all as described in instrument no. A412621 P.I.N. 32047-0088 (LT)

All of which said right, title, interest and equity of redemption of JANE WATT, Respondent, in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at, the Superior Court of Justice, 70 Wellington Street, Brantford Ontario N3T 2L9 on Thursday, November 7, 2002 at 11:00 a.m.

CONDITIONS:

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes and other encumbrances. No representation is made regarding the title of the land or any other matters relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

TERMS: Deposit 10% of bid price or \$1,000.00, whichever is greater
 - Payable at the time of sale by successful bidder
 - To be applied to purchase price
 - Non-refundable
 Ten business days from date of sale to arrange financing and pay balance in full at Superior Court of Justice, 70 Wellington Street, Brantford, Ontario N3T 2L9.
 All payments in cash or by certified cheque made payable to the Minister of Finance
 Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price
 Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

NOTE: No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 5th day of October, 2002.

(4071) 40
 JOYCE MIRCO
 for Sheriff, County of Brant
 Superior Court of Justice
 70 Wellington Street
 Brantford, Ontario
 N3T 2L9

UNDER AND BY VIRTUE OF a Writ of Seizure and Sale issued out of the Superior Court of Justice at Toronto, Ontario dated August 28th, 2001, File Number 00-CV-202262 to me directed, against the real and personal property of VERONICA LYNN ELLIOTT and J. DOUGLAS ELLIOTT Defendant(s), at the suit of LONE STAR REALTY LTD., TRUSTEE, Plaintiff(s), I have seized and taken in execution all the right, title, interest and equity of redemption of VERONICA LYNN ELLIOTT AND J. DOUGLAS ELLIOTT, Defendant(s) in and to:

Part of the south 1/2 of lot 2, concession 2, parcel #11130 S.S.T., in the Township of Otto, municipally known as 3088 Rosegrove Road, Otto Township, Ontario. There is said to be erected a one storey detached cottage of about 700 square feet with two small sheds. There is a sandy beach water frontage and is located on Round Lake with a year round road.

All of which said right, title, interest and equity of redemption of VERONICA LYNN ELLIOTT and J. DOUGLAS ELLIOTT Defendant(s), in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at, Court House, 393 Main Street, Haileybury Ontario on Wednesday, November 13th, 2002 at 1: p.m.

CONDITIONS:

The Purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes and other encumbrances. No representation is made regarding the title of the land or any other matters relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

TERMS: Deposit 10% of bid price or \$1,000.00, whichever is greater
 - Payable at the time of sale by successful bidder
 - To be applied to purchase price
 - Non-refundable
 Ten business days from date of sale to arrange financing and pay balance in full at Court House, Sheriff's Office, 393 Main Street, Haileybury Ontario P0J 1K0
 All payments in cash or by certified cheque made payable to the Minister of Finance
 Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price
 Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

NOTE: No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly. Pour des renseignements en français, composez le (705) 672-3321 – Ex. 201

Dated this 23th day of September, 2002.

(4072) 40
 CARMEN MACKAWN
 Sheriff
 Court House, 393 Main Street,
 Haileybury, Ontario

UNDER AND BY VIRTUE OF a Writ of Seizure and Sale issued out of the Ontario Superior Court of Justice at Pembroke, Ontario and

directed to the Sheriff of the County of Prince Edward at 44 Union Street, Picton, ON K0K 2T0 dated February 11, 2002, Court File Number D04644/92, to me directed, against the real and personal property of DAVID HENRY VANGENSEN Defendant, at the suit of MARGARET VANGENSEN, Plaintiff, I have seized and taken in execution all the right, title, interest and equity of redemption of DAVID HENRY VANGENSEN, Defendant, in and to:

East half of lot no. 64, Concession Bayside, former township of North Marysburgh, now North Marysburgh Ward, Municipality of the County of Prince Edward

All of which said right, title, interest and equity of redemption of DAVID HENRY VANGENSEN, Defendant, in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at, Superior Court of Justice, 44 Union Street, Picton, Ontario, on November 8th, 2002 at 10:00 a.m.

CONDITIONS:

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matters relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

TERMS: Deposit 10% of bid price or \$1,000.00, whichever is greater

- Payable at the time of sale by successful bidder
- To be applied to purchase price
- Non-refundable

Ten business days from date of sale to arrange financing and pay balance in full at Enforcement office, 235 Pinnacle Street, Belleville, Ontario.

All payments in cash or by certified cheque made payable to the Minister of Finance

Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price

Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

NOTE: No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 12th day of September, 2002.

JAN SQUIRE
Sheriff of the Counties of
Hastings and Prince Edward
235 Pinnacle Street
Belleville, ON K8N 3A9
(613) 962-9106

(4073) 40

Sales of Lands for Tax Arrears by Public Tender Ventes de terrains par appel d'offres pour arriéré d'impôt

Municipal Tax Sales Act

The Corporation of the Township of Shuniah

ERRATUM

Vide Ontario Gazette, Vol. 135-38, Page 1177, Dated September 28, 2002.

Notice Is Hereby Given that the contact phone number was printed incorrectly.

The correct contact phone number is (807) 683-3611.

(4075) 40

CARLITA R. HAWKE
The Ontario Gazette

MUNICIPAL TAX SALES ACT

R.S.O. 1990, c. M.60, s. 9 (2) (d), R.R.O. 1990, Reg. 824

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

TAKE NOTICE that tenders are invited for the purchase of the land(s) described below and will be received until 3:00 p.m. local time on November 8, 2002, at Municipal Office in Lloyd Watson Centre, County Road 648, Wilberforce, Ont. K0L 3C0.

The tenders will then be opened in public on the same day at Municipal Office in Lloyd Watson Centre, County Road 648, Wilberforce, Ontario.

Description of Land(s)	Minimum Tender Amount (set out the cancellation price as of the first day of advertising)
1. Concession 2, part lot 15, Geographic Township of Monmouth, County of Haliburton, Roll #4601601000017000000	\$2,557.06
2. Concession 12, part lot 25, Geographic Township of Monmouth, County of Haliburton, Roll #4601601000688000000	\$5,901.73
3. Concession 10, part lot 35, Geographic Township of Glamorgan, County of Haliburton, Roll #4601902000656000000	\$2,787.81
4. Concession 4, pt lots 1 & 2. RP19R5096, parts 9 to 11, Geographic Township of Glamorgan, County of Haliburton, Roll #4601901000399450000	\$4,325.82
5. Concession 4, pt lot 2, RP19R37, Part 24, Geographic Township of Glamorgan, County of Haliburton, Roll #4601901000434000000	\$3,333.62
6. Concession 12, part lot 12, Geographic Township of Bicroft, County of Haliburton, Roll #4601401000417000000	\$2,707.42
7. Concession 12, part lot 12, Geographic Township of Bicroft, County of Haliburton, Roll #4601401000416000000	\$4,264.14

Tenders must be submitted in the prescribed form and must be accompanied by a deposit in the form of a money order or of a bank draft or cheque certified by a bank, trust corporation or Province of Ontario Savings Office payable to the municipality or board and representing at least 20 per cent of the tender amount.

The municipality makes no representation regarding the title to or any other matters relating to the land to be sold. Responsibility for ascertaining these matters rests with the potential purchasers.

This sale is governed by the *Municipal Tax Sales Act* and the Municipal Tax Sales Rules made under that Act. The successful purchaser will be required to pay the amount tendered plus accumulated taxes and the relevant land transfer tax.

Note: G.S.T. will be payable by the successful purchaser.

For further information regarding this sale and a copy of the prescribed form of tender, contact:

LINDA SAUNDERS,
Treasurer-Tax Collector
The Corporation of the Municipality of
Magnetawan
P.O. Box 70, 4303 Highway 520
Magnetawan, Ontario
P0A 1P0

(4074) 40

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

2002—10—05

ONTARIO REGULATION 264/02

made under the

FARM PRODUCTS MARKETING ACT

Made: September 11, 2002

Filed: September 16, 2002

Amending Reg. 402 of R.R.O. 1990

(Chickens — Marketing)

Note: Regulation 402 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 19, 2002.

1. Clauses 5 (b), (c) and (d) of Regulation 402 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

- (b) prescribing or providing for classes of licences and the imposition of terms and conditions of any class of licence;
- (c) prohibiting persons from engaging in the producing, marketing or processing of chickens except under the authority of a licence and except in compliance with the terms and conditions of the licence;
- (d) providing for the refusal to grant or renew, or the suspension or revocation of, a licence,
 - (i) where the applicant or licensee is not qualified by experience, financial responsibility or equipment to properly engage in the business for which the application was made or the licence granted, or
 - (ii) where the applicant or licensee has failed to comply with or has contravened the Act, the regulations, the plan or any order or direction of the Commission or local board or of a marketing agency of Canada;
- (d.1) providing for the imposition, amount, disposition, and use of penalties, where, after a hearing, the local board is of the opinion that the applicant or licensee has failed to comply with or has contravened any term or condition of the licence or any provision of the Act, the regulations, any plan or any order or direction of the local board;

2. Sections 17, 18 and 19 of the Regulation are revoked and the following substituted:

NEGOTIATING AGENCY

17. (1) There shall be a negotiating agency consisting of two parties, one of which represents the local board and one of which represents the licensed Ontario chicken processors.

(2) The local board shall appoint five members to the negotiating agency.

(3) The licensed Ontario chicken processors shall appoint five members to the negotiating agency.

(4) The members appointed under subsections (2) and (3) shall be appointed for every two quota periods fixed by the local board.

(5) The local board and the licensed processors shall notify each other and the Commission in writing of the names and addresses of

their appointees at least 23 weeks before the beginning of the first of the quota periods for which they are negotiating the price.

(6) If the Commission is not notified by the time set out in subsection (5), it shall appoint the members necessary to complete the negotiating agency.

(7) If a member of the negotiating agency dies, resigns, or is unable or unwilling to act, the local board, the licensed processors or the Commission, as the case may be, shall appoint a replacement and advise the other parties of his or her name and address.

18. (1) Subject to subsections (6) and (7), the negotiating agency may settle by agreement minimum live prices for chickens or for any class, variety, grade or size of chickens in accordance with this section.

(2) Subject to subsection (3), the minimum live price for chickens shall be negotiated every two quota periods fixed by the local board and in accordance with the formula in the Schedule.

(3) The producer margin component of the minimum live price for chickens as described in the Schedule may be negotiated once every six quota periods fixed by the local board.

(4) Despite subsection (3), the producer margin component of the minimum live price for chickens as described in the Schedule may be renegotiated more often than once every six quota periods if exceptional and unforeseen circumstances exist.

(5) If the producer margin is renegotiated in accordance with subsection (4), any renegotiated producer margins shall remain in effect for the balance of the six quota period set out in subsection (3).

(6) Subject to subsection (8), whenever the negotiating agency negotiates to determine the category pricing grid, it shall give notice to interested organizations who have requested to receive such notice, including the Canadian Restaurant and Foodservices Association, and those organizations shall be entitled to participate in the negotiations.

(7) Subject to subsection (8), if an interested organization, including the Canadian Restaurant and Foodservices Association, wishes the negotiating agency to negotiate the category pricing grid, the organization may, upon request to the negotiating agency, initiate and participate in the negotiations.

(8) The participation by interested organizations under subsections (6) and (7) is limited to participation in the negotiations to determine the category pricing grid, but does not include the right to proceed under section 19 to arbitration and to file a statement with the Commission under clause 19 (1) (b).

ARBITRATION

19. (1) If the negotiating agency does not arrive at an agreement by 4 p.m. on the day which is 22 weeks before the beginning of the first of the two quota periods on all matters that it may settle by agreement or decides before that date that an agreement cannot be reached, it shall submit in writing to the Commission,

(a) a signed agreement concerning any matters agreed to; and

(b) a statement of the final position of each of the parties on each matter in dispute.

(2) The Commission shall refer the matters in dispute to an arbitration board.

(3) The arbitration board shall be composed of one member, who shall be appointed by the members of the negotiating agency.

(4) If the member of the arbitration board has not been appointed at least 21 weeks before the beginning of the first of the two quota periods, the Commission shall make the appointment.

(5) If the member of the arbitration board dies, resigns or is unable or unwilling to act before he or she has made an award, the negotiating agency or the Commission, as the case may be, shall appoint a new member and the new member shall continue and complete the arbitration.

(6) The arbitration board shall make its award by 4 p.m. on the day which is 19 weeks before the beginning of the first of the two quota periods by selecting without modification one of the final positions on each matter submitted by the parties, and shall provide written reasons for the selection at least 18 weeks before the beginning of the first of the two quota periods.

(7) The arbitration board shall not make an award if the parties reach an agreement on all matters in dispute and inform the board of that fact before an award is made.

(8) The arbitration shall be conducted in accordance with the formula for minimum live prices for chickens in the Schedule.

3. The Regulation is amended by adding the following Schedule:

Schedule

1. In this Schedule,

“chick” means a chicken that is less than seven days of age;

“chick price” means,

- (a) for the purposes of paragraph 2, the regulated live chick price established by the Ontario Broiler Hatching Egg and Chick Commission for sexed mixed chicks expressed in cents per kilogram of live chicken,
- (b) for the purposes of paragraph 5, the regulated live chick price established by the Ontario Broiler Hatching Egg and Chick Commission for sexed mixed chicks expressed in cents per chick;

“feed” means broiler chicken feed;

“feed price” means,

- (a) for the purposes of paragraph 2, the weighted average stated price derived from a minimum of three independent feed mills located in Ontario, with the largest volume of sales of chicken broiler feed, expressed in cents per kilogram of live chicken,
- (b) for the purposes of paragraph 4, the weighted average stated price derived from a minimum of three independent feed mills, located in Ontario, with the largest volume of sales of chicken broiler feed, expressed in dollars per tonne;

“producer margin” is \$0.379 per kilogram from the date that this Schedule comes into force until the end of Quota Period A50, and thereafter means the producer margin that is renegotiated in accordance with this Regulation.

2. The formula to determine the minimum live price for chicken is as follows:

minimum live price = producer margin + chick price + feed price

3. In each case the producer margin component, as determined by negotiation and if necessary arbitration, will take into account the impact of the costs incurred by producers in the producing and marketing of chickens.

4. For every \$5/tonne change in the feed price, the minimum live price will be adjusted by one cent in the corresponding direction.

5. For every one-cent change in the chick price, the minimum live price will be adjusted by one-half cent in the corresponding direction.

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

ROD STORK
Chair

GLORIA MARCO BORYS
Secretary

Dated on September 11, 2002.

40/02

ONTARIO REGULATION 265/02

made under the

MUNICIPAL ACT

Made: September 18, 2002

Filed: September 20, 2002

Amending O. Reg. 438/97
(Eligible Investments)

Note: Ontario Regulation 438/97 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 19, 2002.

1. (1) Subparagraph 3 iii of section 2 of Ontario Regulation 438/97 is amended by striking out “Credit Union and Caisses Populaires Act” and substituting “Credit Unions and Caisses Populaires Act, 1994”.

(2) Section 2 of the Regulation is amended by adding the following paragraphs:

- 7. Asset-backed securities, as defined in subsection 50 (1) of Regulation 733 of the Revised Regulations of Ontario, 1990 made under the *Loan and Trust Corporations Act*.
- 8. Negotiable promissory notes or commercial paper, other than asset-backed securities, maturing one year or less from the date of issue, if that note or commercial paper has been issued by a corporation that is incorporated under the laws of Canada or a province of Canada.
- 9. Bonds, debentures, promissory notes and other evidences of indebtedness of a corporation incorporated under section 142 of the *Electricity Act, 1998*.

2. (1) Clause 3 (1) (a) of the Regulation is revoked.

(2) Section 3 of the Regulation is amended by adding the following subsections:

(3) A municipality shall not invest in an asset-backed security under paragraph 7 of section 2 that matures more than one year from the date of issue unless the security is rated,

(a) by Dominion Bond Rating Service Limited as “AAA”;

(b) by Moody’s Investors Services Inc. as “Aaa”; or

(c) by Standard and Poor’s Inc. as “AAA”.

(4) A municipality shall not invest in an asset-backed security under paragraph 7 of section 2 that matures one year or less from the date of issue unless the security is rated,

- (a) by Dominion Bond Rating Service Limited as “R-1(high)”;
- (b) by Moody’s Investors Services Inc. as “Prime-1”; or
- (c) by Standard and Poor’s Inc. as “A-1+”.

(5) A municipality shall not invest in a security under paragraph 8 of section 2 unless the promissory note or commercial paper is rated,

- (a) by Dominion Bond Rating Service Limited as “R-1(mid)” or higher;
- (b) by Moody’s Investors Services Inc. as “Prime-1”; or
- (c) by Standard and Poor’s Inc. as “A-1+”.

(6) If an investment made under paragraph 7 or 8 of section 2 falls below the standard required under subsection (3), (4) or (5), as the case may be, the municipality shall sell the investment within 30 days after the day the investment falls below the standard.

(7) A municipality shall not invest in a security under paragraph 9 of section 2 unless, at the time the investment is made and as long as it continues, the investment ranks, at a minimum, concurrently and equally in respect of payment of principal and interest with all unsecured debt of the corporation.

(8) A municipality shall not invest in a security under paragraph 9 of section 2 unless, at the time the investment is made, the total amount of the municipality’s investment in debt of any corporation incorporated under section 142 of the *Electricity Act, 1998* that would result after the proposed investment is made does not exceed the total amount of investment in debt, including any interest accrued on such debt, of the municipality in such a corporation that existed on the day before the day the proposed investment is to be made.

(9) Any investment made under paragraph 9 of section 2, including any refinancing, renewal or replacement thereof, may not be held for longer than a total of 10 years from the date such investment is made.

3. The Regulation is amended by adding following section:

4.1 (1) A municipality shall not invest in a security under paragraph 7 of section 2 or in a promissory note or commercial paper under paragraph 8 of section 2 unless, on the date that the investment is made,

- (a) all of the municipality’s long-term debt obligations are rated,
 - (i) by Dominion Bond Rating Service Limited as “AA(low)” or higher,
 - (ii) by Moody’s Investors Services Inc. as “Aa3” or higher, or
 - (iii) by Standard and Poor’s Inc. as “AA-” or higher; or
- (b) the municipality has entered into an agreement with the Local Authority Services Limited and the CHUMS Financing Corporation to act together as the municipality’s agent for the investment in that security, promissory note or commercial paper.

(2) The investment under clause (b) must be made in the public sector group of funds of the Local Authority Services Limited and the CHUMS Financing Corporation with,

- (a) another municipality;
- (b) a public hospital;
- (c) a university in Ontario that is authorized to operate under section 3 of the *Post-secondary Education Choice and Excellence Act, 2000*;
- (d) a college established under section 5 of the *Ministry of Training, Colleges and Universities Act*;

- (e) a school board; or
- (f) any agent of an institution listed in clauses (a) to (d).

4. Section 7 of the Regulation is amended by adding the following subsections:

(2) In preparing the statement of the municipality’s investment policies and goals under subsection (1), the council of the municipality shall consider,

- (a) the municipality’s risk tolerance and the preservation of its capital;
- (b) the municipality’s need for a diversified portfolio of investments; and
- (c) obtaining legal advice and financial advice with respect to the proposed investments.

(3) Before a municipality makes an investment under clause 4.1 (1) (b), the municipality shall require a statement from the treasurer as to whether, in his or her opinion, the investment guidelines of the Local Authority Services Limited and the CHUMS Financing Corporation comply with the statement of the municipality’s investment policies and goals under this section.

(4) In preparing the statement of the municipality’s investment policies and goals under subsection (1) for investments made under paragraph 9 of section 2, the council of the municipality shall consider its plans for the investment and how the proposed investment would affect the interest of municipal taxpayers.

5. Section 8 of the Regulation is amended by adding the following subsection:

(3) Upon disposition of any investment made under paragraph 9 of section 2, the council of the municipality shall require the treasurer of the municipality to prepare and provide to the council a report detailing the proposed use of funds realized in the disposition.

6. Clause 9 (1) (a) of the Regulation is revoked.

40/02

ONTARIO REGULATION 266/02

made under the

MUNICIPAL ACT

Made: September 18, 2002
Filed: September 20, 2002

Amending O. Reg. 46/94
(Municipal and School Capital Facilities —
Agreements and Tax Exemptions)

Note: Ontario Regulation 46/94 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 19, 2002.

1. Section 1 of Ontario Regulation 46/94 is amended by adding the following definitions:

“financing lease” means a lease allowing for the provision of municipal capital facilities if the lease may or will require payment by the municipality beyond the term for which the council was elected;

“lower-tier municipality” means a municipality that forms part of a regional municipality for municipal purposes;

“material impact” means costs or risks that significantly affect, or would reasonably be expected to have a significant effect on, the

debt and financial obligation limit prescribed under Ontario Regulation 799/94;

“regional municipality” means a municipality that was a regional or district municipality or the County of Oxford on December 31, 2001.

2. Section 3 of the Regulation is amended by striking out “under subsection 201.1 (7) of the Act” and substituting “under subsection 210.1 (7) of the Act”.

3. (1) Paragraph 3 of subsection 6 (2) of the Regulation is amended by striking out “Ministry of Colleges and Universities Act” and substituting “Ministry of Training, Colleges and Universities Act”.

(2) Paragraph 4 of subsection 6 (2) of the Regulation is revoked and the following substituted:

4. A person authorized to grant degrees by an Act of the Assembly or by the Minister of Training, Colleges and Universities under the *Post-secondary Education Choice and Excellence Act, 2000*.

4. Clause 6.1 (1) (c) of the Regulation is amended by striking out “operate and manage housing” and substituting “operate and manage housing projects”.

5. Section 7 of the Regulation is revoked and the following substituted:

7. Under subsection 210.1 (12) of the Act, a school board may exempt from taxation as a school capital facility anything that the school board is authorized to provide under the *Education Act*, the *Day Nurseries Act*, the *Public Libraries Act*, the *Community Recreation Centres Act* or the *Essex County French-language Secondary School Act, 1977*.

8. (1) The council of a municipality may enter into a financing lease only if,

- (a) before the by-law authorizing the financing lease is enacted, the municipality has adopted a statement of the municipality’s lease financing policies and goals; and
- (b) the financing lease includes a schedule of all fixed amounts of payment, if any, required under the lease and that may be required under any possible extensions or renewals of the lease.

(2) The statement mentioned in clause (1) (a),

- (a) shall include, at a minimum, a discussion of the financial and other risks for the municipality of financing leases; and
- (b) may provide for a special category of financing leases, to be composed of financing leases which, in the opinion of both the treasurer and the council, would not result in a material impact for the municipality.

9. (1) Before entering into a financing lease, the council of a municipality shall,

- (a) have its treasurer prepare a report with a recommendation, assessing, in the opinion of the treasurer, the costs and financial and other risks associated with the proposed financing lease, including,
 - (i) a comparison between the fixed and estimated costs and the risks associated with the proposed lease and those associated with other methods of financing,
 - (ii) a statement summarizing, as may be applicable, the effective rate or rates of financing for the lease, the ability for lease payment amounts to vary, and the methods or calcu-

lations, including possible financing rate changes, that may be used to establish that variance under the lease,

- (iii) a statement summarizing any contingent payment obligations under the lease that in the opinion of the treasurer would result in a material impact for the municipality, including lease termination provisions, equipment loss, equipment replacement options and guarantees and indemnities,

- (iv) a summary of the assumptions applicable to any possible variations in the lease payment and contingent payment obligations, and

- (v) any other matters the treasurer or council considers advisable;

- (b) obtain legal advice and financial advice with respect to the proposed financing lease;

- (c) consider if the scope of the proposed transaction warrants obtaining legal advice or financial advice with respect to the proposed financing lease that is from a source independent of the source of the advice mentioned in clause (b);

- (d) advise in writing the regional municipality of which it forms a part of the proposed financing lease before the lease is entered into, in the case of a lower-tier municipality; and

- (e) consider and give its assessment of the report prepared under clause (a), including whether, in its opinion, the costs of financing for the proposed financing lease are lower than other methods of financing available to the municipality, and whether the risks associated with the financing lease are reasonable.

(2) The costs and risks associated with a proposed financing lease in a report made under subsection (1) shall be assessed as of the date the report is made.

(3) At any time after a report under subsection (1) is made, but before the financing lease is entered into, if the treasurer becomes of the opinion that a changed circumstance with respect to the proposed lease may result in a material impact for the municipality, the treasurer shall as soon as is reasonably possible update the report and present the updated report to the council.

(4) A report made under subsection (1) shall summarize the information required by that subsection for the entire term of the financing lease, including any possible extensions or renewals.

(5) Despite this section, a municipality may enter into a financing lease without complying with the requirements of subsection (1) if,

- (a) the statement of lease financing policies and goals includes the category referred to in clause 8 (2) (b); and

- (b) in the opinion of the treasurer and the council, the proposed lease is within that category, and its costs and risks, in combination with all the others leases of that category entered into or proposed to be entered into in that year by the municipality, would not result in a material impact for the community.

(6) In this section,

“costs” includes the costs of any advice obtained under clause (1) (b) or (c).

10. (1) If a municipality has one or more financing leases subsisting in a fiscal year, the treasurer of the municipality shall prepare and present to council of the municipality once in that fiscal year, or more often if the council so desires, a detailed report containing the information described in subsection (2).

(2) The detailed report mentioned in subsection (1) shall contain,

- (a) a description of the estimated proportion of the total financing arrangements of the municipality that is undertaken through financing leases to the total long-term debt of the municipality and a description of the change, if any, in that estimated proportion since the previous year's report;
- (b) a statement by the treasurer as to whether, in his or her opinion, all financing leases were made in accordance with the statement of leasing policies and goals adopted by the municipality; and
- (c) any other information that the council may require or that, in the opinion of the treasurer, should be recorded.

40/02

ONTARIO REGULATION 267/02

made under the

MUNICIPAL ACT

Made: September 18, 2002

Filed: September 20, 2002

Amending O. Reg. 799/94

(Debt and Financial Obligation Limits)

Note: Ontario Regulation 799/94 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 19, 2002.

1. Paragraph 2 of section 2 of Ontario Regulation 799/94 is revoked and the following substituted:

- 2. Other financial commitments, liabilities and contractual obligations, for which payment may or will be required beyond the term for which the council was elected, including, without being limited to,

- i. lease agreements,
- ii. financial commitments to hospitals and universities.

2. Paragraph 1 of subsection 4 (5) of the Regulation is revoked.

40/02

ONTARIO REGULATION 268/02

made under the

TENANT PROTECTION ACT, 1997

Made: September 18, 2002

Filed: September 20, 2002

Amending O. Reg. 194/98

(General)

Note: Ontario Regulation 194/98 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 19, 2002.

1. Ontario Regulation 194/98 is amended by adding the following section:

30.1 (1) This section applies for the purposes of section 26, paragraph 6 of subsection 32 (1) and subsection 35 (1) of the Act,

- (a) in determining whether a landlord, in carrying out work in a rental unit or a residential complex, substantially interfered with the reasonable enjoyment of the unit or complex for all usual purposes by the tenant of the unit; and
- (b) in determining whether it is appropriate for the Tribunal to order an abatement of rent and the amount of any abatement.

(2) In this section,

“eligible work” means work,

- (a) that is necessary to protect or restore the physical integrity of the residential complex or part of it,
- (b) that is necessary to maintain maintenance, health, safety or other housing related standards required by law,
- (c) that is necessary to maintain the provision of a plumbing, heating, mechanical, electrical, ventilation or air conditioning system,
- (d) that provides access for persons with disabilities,
- (e) that promotes energy or water conservation, or
- (f) that maintains or improves the security of the residential complex; (“travaux admissibles”)

“landlord” includes a superintendent and an agent of the landlord; (“locateur”)

“tenant” means, in respect of a rental unit, the tenant or a former tenant of the unit or a member of the household of the tenant or former tenant; (“locataire”)

“work” means, in respect of a rental unit or a residential complex, maintenance, repairs or capital improvements carried out in the unit or complex; (“travaux”)

(3) In determining for the purposes of subsection 35 (1) of the Act whether there was substantial interference with the reasonable enjoyment of a rental unit or residential complex,

- (a) the Tribunal shall consider the effect of the carrying out of the work on the tenant's use of the rental unit or residential complex; and
- (b) the Tribunal shall not find that the carrying out of the work constituted a substantial interference with the tenant's reasonable enjoyment of the unit or complex unless the Tribunal finds that the carrying out of the work constituted an interference with the tenant's use and enjoyment of the unit or complex that was unreasonable in the circumstances.

(4) If the Tribunal finds that there was substantial interference with the tenant's reasonable enjoyment of the rental unit or residential complex, the Tribunal shall not order an abatement of rent if all of the following conditions are satisfied:

- 1. The landlord gave notice in advance to the tenant, concerning the work to be carried out.
- 2. The notice mentioned in paragraph 1 was reasonably accurate and comprehensive in the circumstances and at the time it was given and was given in a reasonably timely manner.
- 3. The work is eligible work.
- 4. If required under the *Building Code Act, 1992*, a permit was issued in respect of the work.

5. The work was carried out at reasonable times, or if a municipal noise control by-law was in effect, during the times permitted under the noise control by-law.
6. The duration of the work was reasonable in the circumstances.
7. The landlord took reasonable steps to minimize any interference resulting from noise associated with the work.

(5) If the Tribunal finds there was substantial interference with the tenant's reasonable enjoyment of the rental unit or residential complex and an abatement of rent is not prohibited under subsection (4), the Tribunal shall consider the following in determining whether it is appropriate to order an abatement of rent and the amount of the abatement:

1. The nature, duration and degree of interference with the tenant's reasonable enjoyment caused by the carrying out of the work.
2. Whether the tenant is responsible for any undue delay in the carrying out of the work.
3. The steps taken by the landlord during the work to minimize interference with the tenant's reasonable enjoyment.
4. Whether the tenant has taken advantage of any service provided by the landlord or arrangement made by the landlord that would minimize interference with the tenant's reasonable enjoyment.
5. Whether a failure to carry out the work could reasonably be expected to result in any of the following within a reasonable period of time:
 - i. Interference with the tenant's reasonable enjoyment of the rental unit or the residential complex.
 - ii. A reduction or discontinuation of a service or facility.
 - iii. Damage or additional damage to the rental unit, the residential complex or anything in the unit or complex.
 - iv. Risk to any person's health or personal safety.
 - v. A breach of subsection 24 (1) of the Act by the landlord.

(6) Except as permitted under subsection (7), no abatement of rent shall exceed 10 per cent of the monthly rent for each month or part of a month during which there was substantial interference with a tenant's reasonable enjoyment of the rental unit or residential complex.

(7) The Tribunal shall not order an abatement of rent that exceeds 10 per cent of the monthly rent for a rental unit unless,

- (a) the Tribunal considers a larger abatement to be warranted in the circumstances because the substantial interference with the tenant's reasonable enjoyment far exceeded the level that would normally be expected, taking into consideration all of the relevant circumstances; and
- (b) the Tribunal is satisfied that,
 - (i) the work is not eligible work,
 - (ii) the work was carried out at unreasonable times or at a time that is not permitted under any applicable noise control by-law,
 - (iii) the work was carried out in a manner that contravened a condition or requirement of a building permit issued under the *Building Code Act, 1992*,
 - (iv) the work was carried out over a period of time far in excess of the amount of time that normally would be required, after taking into consideration any exceptional

circumstances beyond the control of the landlord, including weather-related delays, delays in obtaining necessary government approvals or permits and delays caused by market shortages of suitable goods or services or qualified labour at reasonable costs, or

- (v) the landlord refused to take reasonable steps during the work to minimize interference with the tenant's reasonable enjoyment of the rental unit or residential complex.

(8) The Tribunal shall not order an abatement of rent that exceeds 100 per cent of the monthly rent for each month or part of a month during which the Tribunal determines that the work substantially interfered with the tenant's reasonable enjoyment of the rental unit or residential complex.

2. This Regulation comes into force on the day subsection 4 (13) of Schedule J to the *Government Efficiency Act, 2001* is proclaimed in force.

40/02

RÈGLEMENT DE L'ONTARIO 268/02

pris en application de la

LOI DE 1997 SUR LA PROTECTION DES LOCATAIRES

pris le 18 septembre 2002
déposé le 20 septembre 2002

modifiant le Règl. de l'Ont. 194/98

(Dispositions générales)

Remarque : Le Règlement de l'Ontario 194/98 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements publiée dans la *Gazette de l'Ontario* du 19 janvier 2002.

1. Le Règlement de l'Ontario 194/98 est modifié par adjonction de l'article suivant :

30.1 (1) Pour l'application de l'article 26, de la disposition 6 du paragraphe 32 (1) et du paragraphe 35 (1) de la Loi, le présent article s'applique :

- a) d'une part, lorsque le Tribunal détermine si un locataire a entravé de façon importante la jouissance raisonnable d'un logement locatif ou d'un ensemble d'habitation aux fins habituelles par le locataire du logement en y effectuant des travaux;
- b) d'autre part, lorsque le Tribunal détermine s'il y a lieu d'ordonner une diminution de loyer et son montant.

(2) Les définitions qui suivent s'appliquent au présent article.

«locataire» À l'égard d'un logement locatif, s'entend du locataire ou d'un ancien locataire du logement ou d'un membre du ménage de l'un d'eux. («tenant»)

«locateur» S'entend en outre d'un concierge et d'un représentant du locateur. («landlord»)

«travaux» À l'égard d'un logement locatif ou d'un ensemble d'habitation, s'entend des travaux d'entretien, de réparation ou d'amélioration des immobilisations effectués dans l'un d'eux. («work»)

«travaux admissibles» Travaux qui, selon le cas :

- a) sont nécessaires pour protéger ou rétablir l'intégrité matérielle de tout ou partie de l'ensemble d'habitation;
- b) sont nécessaires pour maintenir les normes légales relatives à l'habitation, notamment en matière d'entretien, de salubrité ou de sécurité;
- c) sont nécessaires pour maintenir des installations de plomberie sanitaire, de chauffage, de ventilation ou de conditionnement de l'air ou des installations mécaniques ou électriques;
- d) offrent des moyens d'accès aux personnes atteintes d'une invalidité;
- e) favorisent l'économie d'énergie ou la conservation de l'eau;
- f) maintiennent ou améliorent la sécurité de l'ensemble d'habitation. («eligible work»)

(3) Lorsqu'il détermine, pour l'application du paragraphe 35 (1) de la Loi, s'il y a eu entrave importante à la jouissance raisonnable d'un logement locatif ou d'un ensemble d'habitation, le Tribunal :

- a) d'une part, tient compte de l'effet de l'exécution des travaux sur l'utilisation du logement locatif ou de l'ensemble d'habitation par le locataire;
- b) d'autre part, ne doit conclure que l'exécution des travaux constituait une entrave importante à la jouissance raisonnable du logement ou de l'ensemble par le locataire que s'il conclut qu'elle constituait une entrave déraisonnable dans les circonstances à l'utilisation et à la jouissance du logement ou de l'ensemble par le locataire.

(4) S'il conclut qu'il y a eu entrave importante à la jouissance raisonnable du logement locatif ou de l'ensemble d'habitation par le locataire, le Tribunal ne doit pas ordonner une diminution de loyer si toutes les conditions suivantes sont réunies :

- 1. Le locateur a avisé à l'avance le locataire des travaux à effectuer.
- 2. L'avis prévu à la disposition 1 était raisonnablement exact et complet dans les circonstances et au moment où il a été donné et a été donné en temps raisonnablement opportun.
- 3. Les travaux sont des travaux admissibles.
- 4. Si la *Loi de 1992 sur le code du bâtiment* l'exigeait, un permis a été délivré à l'égard des travaux.
- 5. Les travaux ont été effectués à des heures raisonnables ou, si des règlements municipaux anti-bruit étaient en vigueur, aux heures permises en application de ceux-ci.
- 6. La durée des travaux était raisonnable dans les circonstances.
- 7. Le locateur a pris des mesures raisonnables pour minimiser toute entrave découlant du bruit associé aux travaux.

(5) S'il conclut qu'il y a eu entrave importante à la jouissance raisonnable du logement locatif ou de l'ensemble d'habitation par le locataire et qu'une diminution de loyer n'est pas interdite en application du paragraphe (4), le Tribunal tient compte de ce qui suit pour déterminer s'il y a lieu d'ordonner une diminution de loyer et son montant :

- 1. La nature, la durée et le degré de l'entrave à la jouissance raisonnable par le locataire causée par l'exécution des travaux.
- 2. La question de savoir si le locataire est responsable de délais injustifiés dans l'exécution des travaux.
- 3. Les mesures prises par le locateur durant les travaux pour minimiser l'entrave à la jouissance raisonnable par le locataire.

4. La question de savoir si le locataire a profité de tout service fourni ou arrangement pris par le locateur qui minimiserait l'entrave à la jouissance raisonnable par le locataire.

5. La question de savoir s'il serait raisonnable de s'attendre à ce que la non-exécution des travaux ait un des résultats suivants dans une période raisonnable :

- i. L'entrave à la jouissance raisonnable du logement locatif ou de l'ensemble d'habitation par le locataire.
- ii. La réduction ou l'interruption d'un service ou d'une installation.
- iii. Des dommages ou des dommages supplémentaires au logement locatif, à l'ensemble d'habitation ou à toute chose située dans l'un d'eux.
- iv. Un risque pour la santé ou la sécurité personnelle de quiconque.
- v. Une violation du paragraphe 24 (1) de la Loi par le locateur.

(6) Sauf si le paragraphe (7) l'autorise, aucune diminution de loyer ne doit dépasser 10 pour cent du loyer mensuel pour tout ou partie d'un mois pendant lequel il y a eu entrave importante à la jouissance raisonnable du logement locatif ou de l'ensemble d'habitation par un locataire.

(7) Le Tribunal ne doit ordonner une diminution de loyer supérieure à 10 pour cent du loyer mensuel pour un logement locatif que si :

- a) il estime une diminution supérieure justifiée dans les circonstances parce que l'entrave importante à la jouissance raisonnable par le locataire a dépassé de beaucoup le niveau normalement prévisible, compte tenu de toutes les circonstances pertinentes;
- b) il est convaincu que, selon le cas :
 - (i) les travaux ne sont pas des travaux admissibles,
 - (ii) les travaux ont été effectués à des heures déraisonnables ou à des heures que n'autorisent pas les règlements municipaux anti-bruit applicables,
 - (iii) les travaux ont été effectués d'une façon qui contrevenait aux conditions ou exigences d'un permis de construire délivré en vertu de la *Loi de 1992 sur le code du bâtiment*,
 - (iv) les travaux ont duré beaucoup plus longtemps qu'il serait normalement nécessaire, compte tenu de toute circonstance exceptionnelle indépendante de la volonté du locateur, y compris les retards dus aux intempéries, à l'obtention d'approbations ou de permis gouvernementaux nécessaires et aux pénuries de biens ou de services convenables ou de main-d'oeuvre à coût raisonnable,
 - (v) le locateur a refusé de prendre des mesures raisonnables durant les travaux pour minimiser l'entrave à la jouissance raisonnable du logement locatif ou de l'ensemble d'habitation par le locataire.

(8) Le Tribunal ne doit pas ordonner une diminution de loyer supérieure à 100 pour cent du loyer mensuel pour tout ou partie d'un mois pendant lequel, selon ce qu'il détermine, les travaux ont entravé de façon importante la jouissance raisonnable du logement locatif ou de l'ensemble d'habitation par le locataire.

2. Le présent règlement entre en vigueur le jour où le paragraphe 4 (13) de l'annexe J de la Loi de 2001 sur l'efficiencia du gouvernement est proclamé en vigueur.

ONTARIO REGULATION 269/02

made under the

CHARITABLE INSTITUTIONS ACT

Made: September 18, 2002

Filed: September 20, 2002

Amending Reg. 69 of R.R.O. 1990

(General)

Note: Since the end of 2001, Regulation 69 has been amended by Ontario Regulations 119/02, 174/02, 231/02 and 235/02. Previous amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 19, 2002.

1. (1) The definitions of “private room”, “semi-private room” and “standard room” in subsection 1 (1) of Regulation 69 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

“private room” means,

- (a) in the case of an approved charitable home for the aged to which the design manual or the part of the retrofit manual concerning resident bedrooms and headed “Option A” applies, a room with one bed that has a private ensuite washroom, other than a room that is designated by an approved corporation as a standard room,
- (b) in the case of an approved charitable home for the aged to which the part of the retrofit manual concerning resident bedrooms and headed “Option B” applies, a room with one bed that has an ensuite washroom, other than a room that is designated by an approved corporation as a standard room, or
- (c) in the case of all other approved charitable homes for the aged, a room with one bed, other than a room that is designated by an approved corporation as a standard room;

“semi-private room” means,

- (a) in the case of an approved charitable home for the aged to which the design manual or the part of the retrofit manual concerning resident bedrooms and headed “Option A” applies, a room with one bed that has an ensuite washroom, other than a room that is designated as a standard room by an approved corporation,
- (b) in the case of an approved charitable home for the aged to which the part of the retrofit manual concerning resident bedrooms and headed “Option B” applies, a room with two beds that affords privacy to each resident, and that has an ensuite washroom, other than a room that is designated as a standard room by an approved corporation, or
- (c) in the case of all other approved charitable homes for the aged, a room with two beds, other than a room that is designated as a standard room by an approved corporation;

“standard room” means,

- (a) in the case of an approved charitable home for the aged to which the design manual or the retrofit manual applies, a room with one or two beds that affords privacy to each resident, that has an ensuite washroom, and that is designated as a standard room by an approved corporation, or
- (b) in the case of all other approved charitable homes for the aged,
 - (i) a room with three or more beds, or
 - (ii) a room with less than three beds that is designated by an approved corporation as a standard room;

(2) Subsection 1 (1) of the Regulation is amended by adding the following definitions:

“design manual” means the document entitled “Long-Term Care Facility Design Manual”, published by the Ministry of Health and Long-Term Care and dated May, 1999, and which is available from the Ministry of Health and Long-Term Care;

“retrofit manual” means the document entitled “Long-Term Care ‘D’ Facility Retrofit Design Manual”, published by the Ministry of Health and Long-Term Care and dated January, 2002, and which is available from the Ministry of Health and Long-Term Care;

2. This Regulation shall be deemed to have come into force on May 1, 2002.

40/02

ONTARIO REGULATION 270/02

made under the

NURSING HOMES ACT

Made: September 18, 2002

Filed: September 20, 2002

Amending Reg. 832 of R.R.O. 1990

(General)

Note: Since the end of 2001, Regulation 832 has been amended by Ontario Regulations 121/02, 173/02, 233/02 and 237/02. Previous amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 19, 2002.

1. (1) The definitions of “private room”, “semi-private room” and “standard room” in subsection 1 (1) of Regulation 832 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

“private room” means,

- (a) in the case of a nursing home to which the design manual or the part of the retrofit manual concerning resident bedrooms and headed “Option A” applies, a room with one bed that has a private ensuite washroom, other than a room that is designated by a licensee as a standard room,
- (b) in the case of a nursing home to which the part of the retrofit manual concerning resident bedrooms and headed “Option B” applies, a room with one bed that has an ensuite washroom, other than a room that is designated by a licensee as a standard room, or
- (c) in the case of all other nursing homes, a room with one bed, other than a room that is designated by a licensee as a standard room;

“semi-private room” means,

- (a) in the case of a nursing home to which the design manual or the part of the retrofit manual concerning resident bedrooms and headed “Option A” applies, a room with one bed that has an ensuite washroom, other than a room that is designated as a standard room by a licensee,
- (b) in the case of a nursing home to which the part of the retrofit manual concerning resident bedrooms and headed “Option B” applies, a room with two beds that affords privacy to each resident, and that has an ensuite washroom, other than a room that is designated as a standard room by a licensee, or

- (c) in the case of all other nursing homes, a room with two beds, other than a room that is designated as a standard room by a licensee;

“standard room” means,

- (a) in the case of a nursing home to which the design manual or the retrofit manual applies, a room with one or two beds that affords privacy to each resident, that has an ensuite washroom, and that is designated as a standard room by a licensee, or
- (b) in the case of all other nursing homes,
- (i) a room with three or more beds, or
- (ii) a room with less than three beds that is designated by a licensee as a standard room;

(2) Subsection 1 (1) of the Regulation is amended by adding the following definitions:

“design manual” means the document entitled “Long-Term Care Facility Design Manual”, published by the Ministry of Health and Long-Term Care and dated May, 1999, and which is available from the Ministry of Health and Long-Term Care;

“retrofit manual” means the document entitled “Long-Term Care ‘D’ Facility Retrofit Design Manual”, published by the Ministry of Health and Long-Term Care and dated January, 2002, and which is available from the Ministry of Health and Long-Term Care;

2. This Regulation shall be deemed to have come into force on May 1, 2002.

40/02

ONTARIO REGULATION 271/02

made under the

HOMES FOR THE AGED AND REST HOMES ACT

Made: September 18, 2002
Filed: September 20, 2002

Amending Reg. 637 of R.R.O. 1990
(General)

Note: Since the end of 2001, Regulation 637 has been amended by Ontario Regulations 120/02, 175/02, 232/02 and 236/02. Previous amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 19, 2002.

1. (1) The definitions of “private room”, “semi-private room” and “standard room” in subsection 1 (1) of Regulation 637 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

“private room” means,

- (a) in the case of a home to which the design manual or the part of the retrofit manual concerning resident bedrooms and headed “Option A” applies, a room with one bed that has a private ensuite washroom, other than a room that is designated by the municipality, municipalities or board maintaining and operating the home as a standard room,

- (b) in the case of a home to which the part of the retrofit manual concerning resident bedrooms and headed “Option B” applies, a room with one bed that has an ensuite washroom, other than a room that is designated by the municipality, municipalities or board maintaining and operating the home as a standard room, or

- (c) in the case of all other homes, a room with one bed, other than a room that is designated by the municipality, municipalities or board maintaining and operating the home as a standard room;

“semi-private room” means,

- (a) in the case of a home to which the design manual or the part of the retrofit manual concerning resident bedrooms and headed “Option A” applies, a room with one bed has an ensuite washroom, other than a room that is designated as a standard room by the municipality, municipalities or board maintaining and operating the home,

- (b) in the case of a home to which the part of the retrofit manual concerning resident bedrooms and headed “Option B” applies, a room with two beds that affords privacy to each resident, and that has an ensuite washroom other than a room that is designated as a standard room by the municipality, municipalities or board maintaining and operating the home, or

- (c) in the case of all other homes, a room with two beds, other than a room that is designated as a standard room by the municipality, municipalities or board maintaining and operating the home;

“standard room” means,

- (a) in the case of a home to which the design manual or the retrofit manual applies, a room with one or two beds that affords privacy to each resident, that has an ensuite washroom, and that is designated as a standard room by the municipality, municipalities or board maintaining and operating the home, or

- (b) in the case of all other homes,

- (i) a room with three or more beds, or
- (ii) a room with less than three beds that is designated by the municipality, municipalities or board maintaining and operating the home as a standard room;

(2) Subsection 1 (1) of the Regulation is amended by adding the following definitions:

“design manual” means the document entitled “Long-Term Care Facility Design Manual”, published by the Ministry of Health and Long-Term Care and dated May, 1999, and which is available from the Ministry of Health and Long-Term Care;

“retrofit manual” means the document entitled “Long-Term Care ‘D’ Facility Retrofit Design Manual”, published by the Ministry of Health and Long-Term Care and dated January, 2002, and which is available from the Ministry of Health and Long-Term Care;

2. This Regulation shall be deemed to have come into force on May 1, 2002.

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