

**Ministry of
Government Services**

Registration Division
Title and Survey
Services Office

393 University Avenue, 3rd floor
Toronto ON M5G 1E6
Telephone: 416 314-4882
Facsimile: 416 314-4878

**Ministère des
Services gouvernementaux**

Division de l'enregistrement
Bureau de l'arpentage et des
droits immobiliers

393, av. University, 3^e étage
Toronto (Ontario) M5G 1E6
Téléphone : 416 314-4882
Télécopieur : 416 314-4878



October 12, 2005

MEMORANDUM: EM 2005- 02

TO: All Land Registrars

FROM: Kate Murray
Director of Titles

RE: Public Infrastructure Renewal - Order-In-Council 1487/2005

Effective September 21, 2005, all of the powers and duties held by the Chair of the Management Board of Cabinet and the Management Board Secretariat in respect of dealing with real property owned by the Government of Ontario were assigned to the Minister of Public Infrastructure Renewal and the Ministry of Public Infrastructure Renewal by Order-in-Council 1487/2005. In addition, this Order-in-Council assigned and transferred all of the powers and duties of the Chair of the Management Board of Cabinet listed in Part IX.1, Ownership and Use of Corridor Land, *Electricity Act, 1998* S.O. 1998, c.15, Schedule A.

Following discussions with the Ministry of Public Infrastructure Renewal, it was agreed that recognition of this assignment would be accomplished under the Registry and Land Titles Systems as follows:

1. Corridor Land

Land Titles: Recognition of the new ownership of any Corridor Land assets still registered in the name of a Hydro entity will require an Application to Amend the Register under section 69 of the *Land Titles Act*. Appendix 'A' to this memo sets out the recitals that must be included in Statement 61 of an electronic Application General or on a Schedule page of a paper land titles document.

Registry – Order-In-Council 1487/2005 should be registered as a General Registration prior to the registration of any documents purporting to deal with Corridor Lands. Recitals regarding the transfer of Corridor Land to the Minister of Public Infrastructure Renewal can then be included in an attached schedule on the next registration document involving Corridor Lands.

Suggested recitals regarding the transfer of Corridor Lands can be found on Appendix 'A' to this memo.

2. Land Registered in the Name of Her Majesty the Queen in Right of Ontario as Represented by a Ministry or Minister

Land Titles – Prior to any dealings with the land now under the jurisdiction of the Minister of Public Infrastructure Renewal, an Application to Change Name should be registered on the respective parcel or parcels. In support of the Application, statements setting out the chain of ownership starting with the current registered owner through to the Minister of the Public Infrastructure Renewal must be provided. These statements should reference the applicable statutes, and registration numbers of supporting documentation. Alternatively, supporting documentation, such as a certified copy of Order-in-Council 1487/2005 may be attached to the Application.

Upon registration of the Application to Change Name, the owners name will be amended for the affected parcel or parcels. Subsequent documents may then be registered as authorized by the Minister of Public Infrastructure Renewal.

Registry – Order-In-Council 1487/2005 should be registered as a General Registration prior to the registration of documents dealing with land now under the jurisdiction of the Ministry of Public Infrastructure Renewal.

Recitals setting out the assignment of the power and duties, along with the registration number of the General Registration of the Order-in-Council, can be included in a schedule attached to documents registered to deal with the interest held by the Ministry of Public Infrastructure Renewal.

In the statements as to the chain of ownership from the current registered owner to the Minister of the Public Infrastructure Renewal, reference should be made to the applicable statutes and registration numbers of supporting documentation as required.

A copy of Order-in-Council 1487/2005 is attached.

Any questions in this matter may be directed to a Legal and Technical Officer at the Title and Survey Services Office.

Cc John Dalgliesh, Director - Real Property Registration Branch
Regional Managers
Business Improvement Team
TSSO Staff

Appendix 'A'

Schedule:

Her Majesty The Queen in right of Ontario as represented by The Minister of Public Infrastructure Renewal, the owner of the lands herein described, by virtue of *the Electricity Act, 1998*, as amended, hereby applies under Section 69(1) of the *Land Titles Act* to have the register for the aforesaid lands amended by changing the name of the registered owner on the parcel register to Her Majesty The Queen in right of Ontario as represented by The Minister of Public Infrastructure Renewal.

The evidence in support is as follows:

The name of The Hydro-Electric Power Commission of Ontario was changed to Ontario Hydro by virtue of the *Power Commission Amendment Act, 1973*, proclaimed in force March 4, 1974.

Ontario Hydro Networks Company Inc., now Hydro One Networks Inc. is a person referred to in Section 124 of the *Electricity Act, 1998* and is a person from which no consent was required in respect of the transfer in the transfer order, as amended, pursuant to subsection 116(5) of the *Electricity Act, 1998*.

A fee interest in the lands described herein was transferred unconditionally to Ontario Hydro Networks Company Inc. from Ontario Hydro by or pursuant to a transfer order, as amended, made under the *Electricity Act, 1998*, which transfer has taken effect.

There were no conditions or other provisions in the transfer order, as amended, that restrict the power or right of any person to make the within Application to Amend the Register with respect to the lands described herein.

The foregoing statements are statements made pursuant to Section 124 of the *Electricity Act, 1998*.

The name of Ontario Hydro Networks Company Inc. was changed to Hydro One Networks Inc. as evidenced by the Articles of Amendment registered as Instrument No.....on, 2000 [OR attached to Instrument No. _____ (Land Titles Division only)].

The following statement is made by the Applicant herein pursuant to Section 114.2(5) of the *Electricity Act, 1998*, as amended.

The fee simple interest in the lands described herein was transferred unconditionally as of December 31, 2002, from Hydro One Networks Inc. to Her Majesty The Queen in right of Ontario pursuant to Section 114.2(1) of the *Electricity Act, 1998*, as amended.

Pursuant to subsection 9(2) of the *Ministry of Government Services Act*, R.S.O. 1990, c.M.25, as amended, all real property belonging to the Government of Ontario, unless otherwise provided in any other Act or by the Lieutenant Governor in Council, is under the control of the Minister of Government Services.

By Order in Council No. 356/93, a true copy of which is attached [OR registered under General Registration number _____ on _____ 1993; OR attached to Instrument No. _____ (land titles only)] all of the powers and duties assigned by law to the Minister of Government Services were transferred and assigned to the Chair of the Management Board of Cabinet.

By Order in Council No. 1487/2005, a true copy of which is attached, [OR registered under General Registration number _____ on _____ 2005 (Registry Division only) OR a true copy of which is attached to Instrument No. _____(Land Titles Division only)] all of the powers and duties assigned by law to the Chair of the Management Board of Cabinet were transferred and assigned to the Minister of Public Infrastructure Renewal.

The above statements are made for no improper purpose.



Ontario
Executive Council
Conseil exécutif

Order in Council
Décret

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and concurrence of the Executive Council, orders that:

Sur la recommandation de la personne soussignée, le lieutenant-gouverneur, sur l'avis et avec le consentement du Conseil exécutif, décrète ce qui suit :

WHEREAS pursuant to subsection 2(1) of the *Executive Council Act*, R.S.O. 1990, c. E.25, a member of the Executive Council has been appointed under the Great Seal to hold office as the Minister of Public Infrastructure Renewal;

THEREFORE, PURSUANT TO subsections 2(2) and 5(1) of the *Executive Council Act*:

Minister to preside over Ministry

1. The Minister of Public Infrastructure Renewal ("the Minister") shall preside over a Ministry known as the Ministry of Public Infrastructure Renewal ("the Ministry").

Powers and Duties of the Minister and the Ministry

2. The Minister and the Ministry shall exercise all powers and duties and preside over all programs and activities under the *Liquor Control Act*, R.S.O. 1990, c. L. 18, formerly assigned by Order in Council numbered O.C.1689/2003 to the Minister of Economic Development and Trade and the Ministry of Economic Development and Trade.

3. The Minister and the Ministry shall exercise all powers and duties and preside over all programs and activities under the *Ontario Lottery and Gaming Corporation Act, 1999*, S.O. 1999, c. 12, Schedule L, formerly assigned by Order in Council numbered O.C.1689/2003 to the Minister of Economic Development and Trade and the Ministry of Economic Development and Trade and the powers and duties of the Chair of the Management Board of Cabinet, as described in section 6 of Ontario Regulation 347/00,

under the *Ontario Lottery and Gaming Corporation Act, 1999*, are assigned and transferred to the Minister.

4. The Minister and the Ministry shall exercise all powers and duties and preside over all programs and activities formerly assigned to the Chair of the Management Board of Cabinet and the Management Board Secretariat in respect of the acquisition and disposition of real property, or interests therein, by any means and the holding and management of real property, or interests therein, including, but not limited to, the following powers and duties:

- a. The responsibilities and powers in sections 6 and 8 of the *Ministry of Government Services Act*, R.S.O. 1990, c. M. 25, to acquire, lease and dispose of real property and to hold, manage, administer and expropriate real property, including any interest therein, including such responsibilities and powers in subsection 6(2) of the *Ministry of Government Services Act* relating to real property;
- b. The power in section 7 of the *Ministry of Government Services Act* to charge for services in relation to real property;
- c. The control of any real property, or interest therein, belonging to the Government as described in subsection 9(2) of the *Ministry of Government Services Act*;
- d. The powers and duties in respect of government public utilities, as described in section 11 of the *Ministry of Government Services Act*;
- e. The power to enter into contracts or agreements, described in section 12 of the *Ministry of Government Services Act*, as related to real property;

- f. The power and duty to invite tenders, described in section 16 of the *Ministry of Government Services Act*;
- g. The power and duty to take security, described in section 17 of the *Ministry of Government Services Act*, as related to real property;
- h. The power in section 19 of the *Ministry of Government Services Act* to delegate or assign responsibilities or powers to the Ontario Realty Corporation;
- i. The powers and duties of the Chair of the Management Board of Cabinet under Part IX.1, Ownership and Use of Corridor Land, *Electricity Act, 1998*, S.O. 1998, c. 15, Schedule A;
- j. The powers and duties of the Chair of the Management Board of Cabinet, described in subsection 4(2) of the *Ontario Lottery and Gaming Corporation Act, 1999* in respect of the approval of the acquisition, holding or disposition of any interest in real property by the Ontario Lottery and Gaming Corporation;
- k. The powers and duties of the Minister of Government Services described in section 32 of the *Conservation Authorities Act*, R.S.O. 1990, c. C. 27;
- l. The powers of the Minister of Government Services described in subsection 46(2) of the *Public Lands Act*, R.S.O. 1990, c. P. 43;
- m. The powers of the Minister of Government Services described in section 61 of the *Surveys Act*, R.S.O. 1990, c. S. 30 in respect of the installation of survey monuments on lands;

- n. The powers of the Chair of the Management Board of Cabinet, described in section 81 of the *Fish and Wildlife Conservation Act, 1997*, S.O. 1997, c. 41, in respect of agreements for the acquisition of land;
- o. The powers and duties of the Ministry of Government Services described in subsection 18(k) of Regulation 296, R.R.O. 1990, under the *Education Act*, R.S.O. 1990, c. E. 2;
- p. The power of the Chair of the Management Board of Cabinet to carry out an undertaking referred to in section 7 of Regulation 334, R.R.O. 1990, under the *Environmental Assessment Act*, R.S.O. 1990, c. E. 18;
- q. The powers and duties of the Minister of Government Services described in section 114 of the *Registry Act*, R.S.O. 1990, c. R. 20;

5. The Minister and the Ministry shall exercise all powers and duties and preside over all programs and activities formerly assigned to the Chair of the Management Board of Cabinet and the Management Board Secretariat in respect of the Ontario Realty Corporation and the responsibilities of the Chair of the Management Board of Cabinet for the administration of the *Capital Investment Plan Act, 1993*, S.O. 1993, c. 23, in respect of the Ontario Realty Corporation, as conferred by subsection 3(4) of that Act, are transferred and assigned to the Minister.

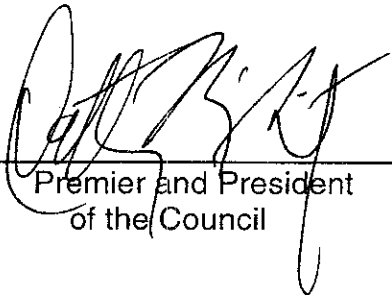
6. Pursuant to subsection 6(3) of the *Ministry of Government Services Act*, the responsibilities and powers of the Ministry of Government Services and the employees of that Ministry described in subsection 6(2) of that Act in relation to real property are assigned to the Minister.

Administration of Statutes

7. Despite the provisions in any statute or Order in Council, the administration of the statutes set out in the appendix to this order is assigned to the Minister, except for the powers and duties of the Minister in subsections 4 (3) and (4) and sections 13, 16, 17 and 18 of the *Ontario Strategic Infrastructure Financing Authority Act, 2002*, S.O. 2002, c. 22, Schedule A, assigned to the Minister of Finance.

Revocation of Orders in Council

8. Order in Council numbered O.C. 845/2005, dated May 18, 2005 and Order in Council numbered O.C. 1345/2005, dated August 18, 2005, are revoked.

Recommended  Premier and President
of the Council

Concurred  Chair of Cabinet

Approved
and Ordered SEP 21 2005
Date


Lieutenant Governor

**APPENDIX
STATUTES ADMINISTERED BY THE
MINISTER OF PUBLIC INFRASTRUCTURE RENEWAL**

Capital Investment Plan Act, 1993, S.O. 1993, c. 23, in respect of the Ontario Realty Corporation;

Liquor Control Act, R.S.O. 1990, c. L.18;

Ministry of Government Services Act, R.S.O. 1990, c. M. 25, in respect of the Ontario Realty Corporation and all real property matters;

Ontario Lottery and Gaming Corporation Act, 1999, S.O. 1999, c. 12, Schedule L;

Ontario Strategic Infrastructure Financing Authority Act, 2002, S.O. 2002, c. 22, Schedule A, except for subsections 4 (3) and (4) and sections 13, 16, 17 and 18, assigned to the Minister of Finance

Places to Grow Act, 2005, S.O. 2005, c. 13

Toronto Waterfront Revitalization Corporation Act, 2002, S.O. 2002, c.28.