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CATHOLIC COMMUNITY SERVICES OF YORK REGION NAME REQUEST

The Community Services and Housing Committee recommends the adoption of the recommendations contained in the following report, April 28, 2004, from the Commissioner of Community Services and Housing:

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council consent to the use by the Catholic Community Services of York Region (CCSYR) of the proposed name of “Coalition of Affordable Housing in York Region” for a not-for-profit corporation to be incorporated by CCSYR.
2. The Regional Clerk be authorized to execute any documentation to give effect thereto.

2. PURPOSE

This report is for the purpose of securing Regional Council’s consent to the request by CCSYR to use the proposed name of “Coalition of Affordable Housing in York Region” for a not-for-profit corporation to be incorporated by CCSYR.

3. BACKGROUND

CCSYR is a member agency of Catholic Charities. It has two offices in York Region. CCSYR is seeking to incorporate a not-for-profit low cost housing corporation, whose focus will be in the Regional Municipality of York. An entity that seeks to include the name of a municipality in its corporate name must have the consent of the municipality to do so.

The proposed not-for-profit corporation will be a coalition of a number of faith communities, including both Christian and non-Christian faiths. Also involved in the coalition will be non-governmental, non-profit organizations concerned with the provision of affordable housing.

4. ANALYSIS AND OPTIONS

The *Business Names Act* (Ontario) requires that any person wishing to register a business using a word or expression that could be connected with a municipality obtain the written consent of the municipality to the use thereof. All requests to use the Region’s name are

to be brought forward to Regional Council for approval as per the requirements of the Regional Policy “Use of the Regional Municipality of York’s Name”.

Under this Policy, Regional Council can deny the use of the Region’s name if it believes using it would cause confusion on the part of the public about a service provided by the Region. This is consistent with the common law test of whether an informed person would be reasonably likely to conclude it is a government agency. There are numerous other corporations which have an ending “in York Region”, which reference, in itself, would be unlikely to cause the public to confuse it with a governmental agency.

5. FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

6. LOCAL MUNICIPAL IMPACT

There is no municipal impact associated with this report.

7. CONCLUSION

The use of the proposed name “Coalition for Affordable Housing in York Region” by CCSYR is unlikely to be confused by the public as a governmental agency and therefore Regional Council should grant its consent to the use of this name by CCSYR.

The Senior Management Group has reviewed this report