



No. 42

Nº 42

ISSN 1180-2987

Legislative Assembly  
of Ontario  
First Session, 38<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario  
Première session, 38<sup>e</sup> législature

## **Official Report of Debates (Hansard)**

Tuesday 4 May 2004

## **Journal des débats (Hansard)**

Mardi 4 mai 2004

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

#### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

#### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

#### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

#### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 4 May 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 4 mai 2004

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### EVENTS IN PARRY SOUND

**Mr Norm Miller (Parry Sound-Muskoka):** I rise today to bring your attention to some of the great events taking place this summer in the beautiful town of Parry Sound. Parry Sound, located in Georgian Bay Country, is one of Ontario's prime tourist destinations, and for anyone in the area this summer there will be no lack of great things to do.

From July 16 to August 8, Parry Sound will be celebrating its 25th year as host of the Festival of the Sound. A world-class music festival, the Festival of the Sound celebrates the connection between the beauty of the music of some of the world's greatest composers and the beauty of Georgian Bay Country, and features performances by artists from all over the world. This year's festival will feature works performed by Anton Kuerti, Pinchas Zuckerman, the Emperor String Quartet and the Elmer Iseler Singers, among many others. The performances will take place in the Charles W. Stockey Festival Performance Hall, which has only been open since last year's festival and has already garnered the praises of performers and listeners alike.

Another event taking place in Parry Sound this summer is the RBC Dragon Boat Festival. It will take place on June 18 and 19 and will bring out people of all ages and all abilities to participate and raise money for the Rotary Club of Parry Sound and the West Parry Sound Health Centre. Last year's festival was a massive success, and this year is sure to build on those past successes.

These are just some of the great events taking place in Parry Sound, in Georgian Bay Country, over the summer. I would encourage everyone to visit Georgian Bay Country to participate in these events yourself.

#### VAISAKHI

**Mr Jeff Leal (Peterborough):** On April 24, I had the opportunity to participate in the Peterborough Sikh community's Vaisakhi celebration. Vaisakhi has a special significance for Sikhs. It celebrates the day in 1699 when Guru Gobind Singh gave the authority of the Sikhs to the

Guru Granth Sahib—the Sikh scripture—and created the order of Khalsa, the brotherhood of the pure.

To begin the celebration, participants entered the room with their heads covered and shoes removed. Everyone bowed in front of the holy book of Guru Granth Sahib before sitting down on the floor. At that point, Guru Granth Sahib was placed on a higher platform facing the congregation.

The celebration consisted of a religious service, which included hymns from Guru Granth Sahib, followed by Langar, the sharing of a vegetarian meal.

The members of Peterborough's Sikh community were wonderful, welcoming hosts. I thank them for the invitation to participate in this very important religious celebration.

In my role as MPP I'm grateful to have the opportunity to participate in a wide array of cultural events within my riding. I look forward to participating in next year's Vaisakhi celebration.

Ontario is a multicultural province. I'm proud to recognize May 5—tomorrow—as South Asian Arrival Day. We are fortunate to have such a diversification of peoples, all contributing to the great fabric which is our province, Ontario.

#### THALASSEMIA

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** It is with great pleasure that I speak today to recognize International Thalassemia Day. Saturday, May 8, 2004, is the 10th anniversary of this day. Thalassemia is a form of inherited anemia and affects about 300 children and adults in Ontario.

The Thalassemia Foundation of Canada was established in 1982 to raise awareness of thalassemia and to advocate for proper care and funding. Comprehensive care for patients under 18 years of age has been provided at the Hospital for Sick Children since 1986, and the Toronto General Hospital has provided care for adults. Unfortunately, although the number of children who have survived into adulthood has increased, the program at the TGH has not expanded to meet this need. The program has been restricted to 99 adult patients since the late 1990s.

Currently, there are 35 adult patients "stuck" at the Hospital for Sick Children, and this number will increase to 60 by the end of next year. They continue to receive blood transfusions but not emergency or in-patient care. This poses serious health risks. The devastating effects of

underfunding this program must be addressed. I urge the government to do so.

#### CONSUMER PROTECTION

**Mr Tony Ruprecht (Davenport):** Thousands of Canadians are adversely affected by unfair credit reporting practices which heavily favour the banking sector over consumers. Here are some examples:

First, did you know that as few as two or three applications for credit per month may lower your credit score by 10% or more? The likely consequence is that you may be penalized and unable to obtain favourable interest rates. We must make sure that applications for credit do not affect the creditworthiness of our citizens.

Second, as reported by the *Globe and Mail* in early March, there was a massive identity theft from the largest consumer reporting agency in the country, Equifax Canada. According to Equifax's own admission, the theft was committed by their own clients. This crime could be prevented by licensing consumer reporting agencies' clients. If we license hot dog vendors, we surely should license companies and persons receiving the most sensitive, private information from our citizens.

Third, consumer reporting agencies are in breach of the Consumer Reporting Act pertaining to full disclosure. Reports furnished to credit granters contain information that is not included in the reports furnished to consumers upon their requests, thereby leaving consumers in the dark by not furnishing narrative comments such as "inquiry alert," "too many inquiries" and other comments. Even though the act stipulates that a true copy of the report furnished to credit granters must be furnished to the consumer upon request, consumer reporting agencies are breaching the act by ignoring its provisions and furnishing consumers only with partial reports.

We must, as soon as possible, have a thorough look at our outdated Consumer Reporting Act in order to reduce the negative impact on our citizens.

#### *Interjections.*

**The Speaker (Hon Alvin Curling):** There is much loud discussion. Could I just ask that you be a little quieter on the floor.

#### PHYSIOTHERAPY SERVICES

**Mr Peter Kormos (Niagara Centre):** Schedule 5 physiotherapy clinics are the only safety net for people who medically need physiotherapy but can't afford it or don't have private insurance. They've been doing it successfully for 40 years in Ontario. There are six million treatments delivered to Ontarians each year, covering the majority of the province, and 70% of schedule 5 physiotherapy patients are senior citizens who need physiotherapy to stay mobile, active, in the community and out of costly hospitals. Most importantly, physiotherapy keeps them happy, alive and well.

Currently, and it's been this way for a long time, the cost to the health care system is only \$12.20 per treat-

ment when delivered by a schedule 5 clinic. A similar treatment delivered in a hospital or CCAC is at least four times more expensive.

#### 1340

A week ago I met with Mathews Kulanjipurakal, a health professional, a physiotherapist—in fact, the operator of a physiotherapy rehabilitation centre on Vaughan Road in Welland. He impressed upon me the important role that he and other physiotherapists in similar centres and clinics—schedule 5 physiotherapists—play in the health care of our community. He impressed on me the fact that they've been performing these procedures for \$12.20 per procedure for a number of years, without any pay increase, and that they are very concerned about the prospect of having the service being delisted by this government in the next budget. We call upon this government to ensure that these physiotherapists continue to treat our constituents.

#### EDUCATION WEEK

**Mr David Orazietti (Sault Ste Marie):** This week we are celebrating Education Week, and with it an opportunity for our government to reassert its commitment to public education and thank Ontario's teachers for their ongoing commitment to educating our children.

It is also important this week that we look back on how our education system was managed so that we ensure that future decisions chart a different course with our education partners and better serve the interests of the youth of this province.

Before having the privilege of serving here, I taught in a secondary school for the Algoma District School Board and worked for the Ontario Secondary School Teachers' Federation. I witnessed first-hand the consequences of the past government's neglect for our public education system. It is no surprise that the number of children attending private schools in Ontario has increased by 40%, and that 50% of grade 9 students will either not finish high school or choose not to pursue a post-secondary education.

We promised the people of Ontario that we would do our best to reverse this downward trend, and our government is standing by that commitment. On April 22, our Premier announced that action to ensure high literacy and numeracy skills by age 12 was our first priority. To ensure that we achieve our goals, we will begin this fall by reducing class sizes in junior kindergarten to grade 3, by placing lead teachers specially trained in literacy and numeracy in every elementary school and by establishing a provincial literacy and numeracy secretariat to coordinate our efforts.

We want the improvement of our public education system to be the centrepiece of this government's mandate. I would like to begin celebrating Education Week by reassuring Ontario's teachers, education workers, parents and children that improving this province's public education system is our top priority.

## WATER QUALITY

**Mr Robert W. Runciman (Leeds-Grenville):** Both the previous Conservative government and the current government pledged to implement all the recommendations contained in Justice O'Connor's report from the Walkerton inquiry. Creation of the Safe Drinking Water Act was a direct result of this commitment—as the Ottawa Citizen put it, the sledgehammer that kills the flea. The ultimate goal of the act is to ensure that all drinking water in Ontario is guaranteed safe and that the source water is fully protected.

Environment Minister Dombrowsky has stated the obvious: There are flaws in the legislation that need to be fixed. But to date, while campgrounds are closing and churches, restaurants, children's groups and many others are under threat, the minister seems paralyzed, unable or unwilling to address this looming crisis.

Justice O'Connor's recommendations seem to be based on the premise that all drinking water in the province is either unsafe or will be unsafe in the near future. The requirements contained in the new regulations follow from this premise. There is no doubt that a system of conscientious testing needed to be implemented. However, is it necessary that expensive water treatment systems be required when testing indicates water supplies meet every provincial standard? Shouldn't the requirement for treatment systems occur when tests indicate a deterioration of water quality? Fixing problems that don't exist does not earn public credibility, nor does forcing community facilities to close make sense when water quality problems do not exist.

Minister Dombrowsky, you've had almost seven months. Stop the blame game; get on with the job.

## SCHIZOPHRENIA

**Mr Shafiq Qaadri (Etobicoke North):** This week is Mental Health Awareness Week. Present in the gallery are representatives from the Schizophrenia Society of Ontario. The society provides support, education and advocacy on behalf of families and people affected by schizophrenia. Two weeks ago, His Honour the Lieutenant Governor hosted an event here at Queen's Park to celebrate the 25th anniversary of the society and to kick off a series of events.

Schizophrenia is a serious treatable brain disease affecting one in 100 people over their lifetime. It generally strikes young people in their late teens or early 20s. It is in fact referred to as youth's greatest disabler. Over the past few years, new hope has emerged, however, for these young individuals. With access to newer medications, which represent the cornerstone of treatment, and earlier intervention, people with schizophrenia do in fact recover.

A schizophrenia society scholarship is now available, providing financial assistance to people returning to school. In the gallery we have an individual, for example, who is pursuing a degree at the Ontario College of Art

and Design, all the while dealing with the diagnosis of schizophrenia. We've received 30 applications this year, a testimony to how well people can recover.

A number of dedicated volunteers and board members are here. I know, Speaker, that you, along with all members of this House, will salute the individuals who suffer with this disease and the noble individuals who help them cope.

## BRECHIN PUBLIC SCHOOL

**Mr Garfield Dunlop (Simcoe North):** I know this is the beginning of Education Week, and I'm very honoured today and very pleased that the grade 5 class of Ms McNeil and some parents are here. They're from Brechin Public School out in the eastern part of my riding. I really want to welcome them here, and I want the House to give them a warm round of applause.

Quite frankly, I wasn't to do this statement today, Mr Speaker; it was to be Mr Baird's. He missed coming in, so I wanted to take a moment and say that we asked a question yesterday to the Minister of Education on a very important issue that involves the lives of a lot of the young people here from Brechin Public School: the fact that there's a dispute between two school boards, the Trillium Lakelands District School Board and the Simcoe County District School Board, over where these young people may in fact attend school in the future. For many generations, the people from Carden and Dalton townships—Ms Laurie Scott is the member for that particular area, Victoria-Haliburton-Brock. For many generations, the parents and grandparents of these young people have actually attended Simcoe county schools, and now there's a dispute about moving them to Trillium Lakelands in the future.

Quite frankly, I was pleased that the minister responded yesterday. We're working very hard—the parents' groups, myself, Ms Scott and now the Minister of Education—to try to resolve this issue. I hope that for the sake of putting students first in the province of Ontario, we can find a resolution so that these young people can attend the school of their choice in the future.

## INTRODUCTION OF BILLS

### HIGHWAY TRAFFIC STATUTE LAW AMENDMENT ACT (CHILD AND YOUTH SAFETY), 2004

### LOI DE 2004 MODIFIANT DES LOIS EN CE QUI CONCERNE LE CODE DE LA ROUTE (SÉCURITÉ DES ENFANTS ET DES JEUNES)

Mr Takhar moved first reading of the following bill:

Bill 73, An Act to enhance the safety of children and youth on Ontario's roads / Projet de loi 73, Loi visant à

accroître la sécurité des enfants et des jeunes sur les routes de l'Ontario.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Mr Takhar?

**Hon Harinder S. Takhar (Minister of Transportation):** I will defer my statement until ministerial statements.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### ROAD SAFETY

**Hon Harinder S. Takhar (Minister of Transportation):** I consider it a great honour and a privilege to rise in the House today to introduce legislation and to give details of a number of proposed regulatory initiatives to protect our children and youth on Ontario's roads.

This package of safety measures, if passed, will save lives. It is another example of our government's commitment to build safe and strong communities.

The McGuinty government is committed to improving Ontario's road safety record and to remaining one of the three safest jurisdictions in North America. We are especially committed to the safety of our children and youth on our roads. Auto crashes are the leading cause of death and injury for children and youth. Nearly one in five deaths on our roads is a young person 19 or under. Our government wants to change that.

**1350**

This legislation I am introducing today provides a three-pronged approach to deal with the critical safety issues that affect our children and youth. If passed, these measures would deliver improved use of child car seats, greater school bus safety and a stronger graduated licensing system. I am very grateful to Pat Hoy, MPP for Chatham-Kent-Essex, who has campaigned tirelessly to improve school bus safety. This bill is a credit to his determination.

We have two families that lost a child in school bus collisions here with us today. I would like to thank them for taking time from work and travelling to be with us today. The legislation I am introducing today, if passed, would help prevent this tragedy from happening to more Ontario families.

Today our government intends to build on existing school bus safety. A recent transportation survey found that one third of the school bus drivers sampled observed at least one incident of illegal passing each day. We want to build on existing school bus safety by introducing legislation that would allow charges to be laid against the owner of a vehicle that is reported to have illegally passed a school bus. In addition, we would develop regulations to ensure that drivers are constantly reminded of the seriousness of the offence. Our plan is to place warning signs on the back of every school bus in the province.

We are also proposing to adopt improved standards for new school buses. In practice, this would include safety crossing arms to prevent children from walking into the bus driver's blind spot at the front of the bus, more emergency exit windows on the larger buses, and improved mirrors to reduce the bus driver's blind spots.

The second part of our proposal consists of measures to protect the youngest and most vulnerable people in our society: infants, toddlers and primary grade children. Let me outline the facts. Car crashes are the leading cause of death and injury for children and youth. An unrestrained child in a 50 kilometre per hour crash would suffer the same consequences as a child dropped from a third-storey window. We can help prevent this. A child car seat can reduce the likelihood of death or serious injury by as much as 75%. That is why I propose strengthening the authority in the Highway Traffic Act that governs the use of child car seats.

If this bill is passed, we intend to put regulations in place to better protect children in motor vehicles. This would include adding demerit points to the penalty facing drivers who fail to follow infant and toddler car seat requirements.

If this bill is passed, we would also extend the legal obligation for drivers to use forward-facing child car seats for toddlers. Under the current legislation, this only applies to parents and legal guardians. We would extend this obligation to other caregivers as well.

It is a sad fact that children using seat belts instead of booster seats are three and a half times more likely to suffer significant injury, and four times more likely to suffer head injury. That is why we also intend to make booster seats mandatory.

Finally, we plan to further protect our young teenaged drivers with this proposed legislation. Our graduated licensing system has been a great success in reducing death and injury among novice drivers.

But we can do more. Ontario research shows that new teenage drivers are almost three times more likely to be involved in a fatal or serious collision when they are carrying teenage passengers. In fact, research shows the more teenage passengers, the higher the risk. To date, 31 jurisdictions in Canada and the US have some form of teenage passenger restriction in effect.

Like these jurisdictions, we want to protect our young drivers. That's why we want to amend the Highway Traffic Act to improve the graduated licensing system. If passed, this measure would allow for regulations that would protect our youth by restricting the number of young passengers a driver aged 19 and under can carry during and after their first six months in the G2 level. These restrictions would not apply if the G2 driver, aged 19 and under, is with an experienced driver in the front seat. In addition, family members would be exempt from this restriction, regardless of age.

This is a measured and reasonable response that recognizes the mobility needs of all Ontarians. The proposed restriction is supported by sound research data and best practices in other jurisdictions. The measures I have proposed are about protecting our children and youth

from death and injury, and these measures are supported by health care professionals, police services, road safety groups and parents from across the province.

In conclusion, let me state that this bill, if passed, will save lives. It is one more step in this government's commitment to improve our already impressive road safety record. We owe it to our children to take this action. I want to take this opportunity to invite my legislative colleagues on both sides of the House to support these new initiatives to protect our children and youth on Ontario roads. This is the right thing to do.

**Mr Frank Klees (Oak Ridges):** I'm pleased to respond to the Minister of Transportation's remarks. I will say at the outset that no government has been more concerned and done more in Ontario for safety on our roads than the previous government. As you will know, over eight and a half years, it was our government that introduced some of the toughest regulations and legislation relating to such things as drunk driving.

We had the opportunity to implement some of the most important safety regulations relating to truck safety in the province, among a number of other issues. In fact, in 1995, Ontario ranked sixth in the world for road safety. In 2001, we had the opportunity and the great pride to be rated first in North America, as having the safest roads in North America.

#### 1400

With that as background, I want to speak to the legislation that's being introduced today. First let me say that Pat Hoy should have been the one given the opportunity to introduce this legislation. The reason I say that is I think it's fair for us to acknowledge the work of the honourable member on the important issue of bus safety.

I also want to extend condolences to the families represented here who lost a child as the result of a bus accident.

What we want to do today is be fair with regard to the legislation that is being proposed. There are some issues we can certainly support relative to some of the initiatives taken around improving standards within buses themselves, warning signals and so on that are incorporated in the legislation. We support that.

But let me be very clear that what we have significant concern about is the fact that we're once again into a cash grab of taxing, up to \$2,000, not the individual who is responsible for the behaviour of driving irresponsibly but the owner of the car, which could be totally unrelated to the actions within the vehicle. I suggest it's simply another cash grab on the part of this government.

Let me also speak to the issue of booster seats. This government wants to have children eight years of age—

*Interjections.*

**The Speaker (Hon Alvin Curling):** When the statement was made by the Minister of Transportation, the opposition listened very well, and I would like the same respect to be given to the member who is responding.

The member from Oak Ridges.

**Mr Klees:** Thank you. It's quite rude, actually, on the part of members of the government that is proposing the legislation. I expect they would want to listen.

I'm suggesting they're making a major mistake with regard to their legislation as it relates to booster seats. You have failed to recognize the practicality of our communities. What they have done with this legislation—they're making it absolutely impossible. First of all, they're imposing a cost of \$100 a booster seat on people in this province who can probably least afford it. What's that all about? What happens to being able to pick up children in a rainstorm or a snowstorm, and when you're picking up your own child, having three or four of the neighbours' kids come into the car, or taking them to a baseball game or a hockey game?

This minister has absolutely ignored the practical way people live in this province. Safety regulations, yes, but let's put some thought into the practicality of the legislation you bring forward. This will never wash. It's as bad as your fat tax, Minister. You haven't thought about it. It's all smoke and mirrors.

What we want to do is support you. I would want to support a piece of legislation that truly affects safety issues. Minister, wake up. This will never work. What you're doing here is that you're going to sell a lot of booster seats, and that's all you're going to do. You'll be getting a lot of calls from people in your riding and across the province saying, "Get reasonable."

Let's be serious about this: children eight years of age in a booster seat? Where are you? What are you dreaming of? This is not about safety; it's about irresponsible legislation.

**Mr Peter Kormos (Niagara Centre):** New Democrats are pleased to join in any effort to create safer highways and prevent highway deaths and highway injuries. Indeed, New Democrats are proud of the graduated licensing system introduced by the New Democrats here at Queen's Park over a decade ago. It surely has been one of the single most effective highway safety initiatives undertaken in this province in decades.

Having said that, I want to comment on a number of areas of this legislation.

It's ironic that the government addresses much-needed Highway Traffic Act amendments around the safety of children in school buses today in the context of the revelation earlier today that yet 40 more schools are going to be closed in Ontario. Closing 40 schools means more children on school buses, and it means more children who literally spend more time on their bus to and from their classroom than they do in the classroom itself. In Niagara region alone, as a result of school closures over the course of the last seven and eight years, we've seen a tremendous growth of the youngest of kids being bused to and from schools and literally, as I say, spending more time on their buses than they do in their classrooms.

I'm not doubting this government's commitment to the school bus safety issue. Quite frankly, New Democrats support the concept of vicarious liability. It's not novel; it's certainly precedented in the Highway Traffic Act. But I'm saying the irony in the context of today's revelation is obvious as well.

I have some concern about the minister's expression about being committed to tough, effective legislation when I take a look at particularly his amendment to subsection 7(12), where the government is restricting the penalties that can be imposed upon the convicted person who is in default of a fine to a non-renewal of permit only for that permit on the vehicle that was actually involved in the offence. In fact, the government is making it possible for scofflaws to commit offences, not pay fines, and continue to operate vehicles and renew any number of vehicle permits as long as it isn't the permit on the vehicle that the offence was committed in. That warrants more thorough consideration.

Minister, one of the real problems around highway safety is the paucity of police officers on our highways, especially our 400 series highways. Speed rates have increased well beyond the 100-kilometres-per-hour speed limit. There are members in this Legislature who have personal experience with that. The norm for speed rates on 400 series highways has become 120 kilometres an hour or 130 kilometres an hour. Those highways are more crowded than ever, and yet there is a scarcity of police cruisers on those highways. In fact, when there are police cruisers on the highways, the difficulty and the dangerousness for a police cruiser to pull a vehicle over prevents that police officer—OPP in these instances—from actually performing their duties. If the government is really concerned and serious about highway safety, the government is going to commit itself and ensure that it puts more OPP officers on our 400 series highways and on those highways that are policed by the OPP.

As well, communities like the ones I represent, like the ones represented by every member in this Legislature, are seeing fewer and fewer police cruisers out on the road because of the incredible demands on those communities and the incredible downloading that this government persists in engaging in that has resulted in real reductions in policing efforts and policing activity in those communities.

Do you want to really be tough on people who would attempt to pass stopped school buses? A decal on the back telling them it's against the law, I suggest to you, with all due respect, although the effort is admirable, is not really the most effective way of doing it. The most effective way of doing it is ensuring there is a likelihood of apprehension, that there's a likelihood of detection, and that means giving communities those resources, giving them the funding so they can adequately staff police forces so that the police officers and cruisers can be out there on our community roadways enforcing the act. The likelihood of detection, as you know, is the greatest single deterrent to offences under the Highway Traffic Act and other roadway and vehicle legislation.

I say to you that the legislation clearly has to go to committee. I put to you that the government should be calling upon the federal government to call upon automobile manufacturers to create safer vehicles, vehicles which have more flexibility in terms of seat design and seat belt design to actually accommodate younger

passengers so that we don't become involved in this very difficult process of a gradation of booster seats for the kids four, five, six, 10, 11, 12 through to adulthood.

## VISITORS

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** On a point of order, Mr Speaker: I just wanted to alert the House that students from Port Dover Composite School are in the gallery, including my niece Sandi Milner. So you've been warned.

## DEFERRED VOTES

### APPOINTMENT OF INFORMATION AND PRIVACY COMMISSIONER

**The Speaker (Hon Alvin Curling):** We have a deferred vote on government order number 3.

Call in the members; this will be a five-minute bell.

*The division bells rang from 1409 to 1414.*

**The Speaker:** Ms Di Cocco has moved government order number 3. All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Arnott, Ted	Flaherty, Jim	O'Toole, John
Arthurs, Wayne	Flynn, Kevin Daniel	Orazietti, David
Baird, John R.	Fonseca, Peter	Ouellette, Jerry J.
Bartolucci, Rick	Gerretsen, John	Parsons, Ernie
Bentley, Christopher	Gravelle, Michael	Patten, Richard
Berardinetti, Lorenzo	Hardeman, Ernie	Peters, Steve
Bountrogianni, Marie	Hoy, Pat	Phillips, Gerry
Bradley, James J.	Hudak, Tim	Pupatello, Sandra
Brotin, Laurel C.	Jackson, Cameron	Qaadri, Shafiq
Brownell, Jim	Jeffrey, Linda	Racco, Mario G.
Bryant, Michael	Kennedy, Gerard	Ramal, Khalil
Cansfield, Donna H.	Klees, Frank	Ramsay, David
Caplan, David	Kular, Kuldip	Rinaldi, Lou
Chambers, Mary Anne V.	Kwinter, Monte	Runciman, Robert W.
Chudleigh, Ted	Lalonde, Jean-Marc	Ruprecht, Tony
Colle, Mike	Leal, Jeff	Sandals, Liz
Cordiano, Joseph	Levac, Dave	Smitherman, George
Craitor, Kim	Marsales, Judy	Sorbara, Greg
Crozier, Bruce	Matthews, Deborah	Takhar, Harinder S.
Delaney, Bob	McGuinty, Dalton	Van Bommel, Maria
Dhillon, Vic	McMeekin, Ted	Watson, Jim
Di Cocco, Caroline	McNeely, Phil	Wilkinson, John
Dombrowsky, Leona	Meilleur, Madeleine	Witmer, Elizabeth
Duguid, Brad	Miller, Norm	Wong, Tony C.
Duncan, Dwight	Milloy, John	Wynne, Kathleen O.
Dunlop, Garfield	Mossop, Jennifer F.	Zimmer, David
Eves, Ernie	Murdoch, Bill	

**The Speaker:** All those opposed, please rise and be recognized by the Clerk.

#### Nays

Hampton, Howard	Marchese, Rosario	Prue, Michael
Kormos, Peter		

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 80; the nays are 4.

**The Speaker:** Let it therefore be resolved that an humble address be presented to the Lieutenant Governor in Council as follows:

To the Lieutenant Governor in Council:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the reappointment of Ann Cavoukian as Information and Privacy Commissioner for a term of five years, commencing on July 1, 2004, as provided in section 4 of the Freedom of Information and Protection of Privacy Act, RSO 1990, cF31.

And, that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.

Be it resolved that the motion do now pass.

## ORAL QUESTIONS

### SCHOOL CLOSURES

**Mr Ernie Eves (Leader of the Opposition):** I have a question for the Premier. This morning your Minister of Education said that he knew that 44 schools slated to close before he announced the moratorium last December would not be saved. He went on to say that he now admitted that some boards ignored his request to hold off on school closures and as many as 100 schools could be closed between now and next June.

How is it that your government, that made a very distinct campaign promise to have a moratorium on all school closures, doesn't have the commitment to implement legislation to make sure that, as you promised, not a single school closes in the province of Ontario?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** The minister would like to speak to this.

**Hon Gerard Kennedy (Minister of Education):** The Leader of the Opposition knows not of what he speaks. We have had a 97% compliance with the request.

We understand the problem they're having opposite. They have no idea how to work with school boards. They're used to throwing down lightning bolts, throwing boulders at the school boards that are out there. Under their watch, a record number of public schools were closed and a record number of private schools were opened.

**1420**

We asked for a moratorium on all closings going forward, and virtually all have; there are two school boards we are in discussions with. We don't mind doing business that way. We don't mind talking to school boards, showing them some respect. I can tell you that we're going to get the results where they count: Students in this province will be better off. The boards know that—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Could I have some quiet, please.

Supplementary?

**Mr Jim Flaherty (Whitby-Ajax):** This is a new low for integrity in government. You've broken election promises, but this commitment was made after the election, after you were the government. On December 12, 2003, you, as Minister of Education, announced a commitment to a moratorium on school closings in Ontario until after June 2004. Now, we have the announcement that 44 schools are to close by the end of June and another 66 by the end of June next year. That's 110 schools to close, despite your moratorium. Why has your government even failed to keep a commitment made to the people of Ontario after you were elected?

**Hon Mr Kennedy:** I can understand why the people on the other side of the House still want to think that maybe the election didn't happen. But do you know what? It did.

There are some numbers being published out there, but most of those are by boards—

*Interjections.*

**The Speaker:** Could you allow the minister to respond, please? I hear shouting from both sides as soon as another member gets up to speak.

The Minister of Education.

**Hon Mr Kennedy:** I can understand the member opposite having contributed greatly to the shutting down of schools prematurely and unnecessarily. He is dealing, in fact, with numbers published from guidelines that predate our new government. What he is talking about, I guess, is what would have happened if they had stayed in power. But boards across this province know there are new guidelines coming and new funding rules coming. Luckily for students around this province, the future he's talking about has been headed off by the people through the last election.

**Mr Flaherty:** I was fortunate, at our party's education round table, that my new best friend Annie Kidder was there, and she provided this information about school closings. It's good to have this accurate information.

We had the moratorium from the minister in December, but now in May, he says, "I knew they weren't going to keep all these schools open." That's what he says today. He says he knew schools slated to close before he announced the moratorium last December would not be saved. So he knew when he said it that it was not accurate. Even worse than that, he says he's going to work with school boards but then says today that school boards ignored his request to hold off on school closures.

Minister, this is the worst kind of promise-breaking. You made a commitment to the people of Ontario for a moratorium that you knew was not true when you said it. Apologize to the people of Ontario.

**Hon Mr Kennedy:** Here's what I knew when we made the commitment: Education in this province had suffered for eight long years from the simplistic approach that was just exhibited by the member opposite. In fact, some schools that are being closed are getting new schools built to replace them. There are cases in which communities have agreed to have these schools built. But I will tell you, Speaker, that if the member opposite was

reading accurately from his sheet, he would be including schools that were under review under the Tories. Those schools and those children have a better future under this McGuinty government.

#### GOVERNMENT'S RECORD

**Mr Ernie Eves (Leader of the Opposition):** I have a question for the Premier. On your way into caucus this morning, you refused to answer this question of the media, despite the fact that it was asked you several times: Was it a mistake for you to sign the taxpayer protection pledge? Yes or no?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** What I can convey, on behalf of the people of Ontario, is that they were sadly mistaken if they thought they could rely on the previous government when it came to the state of the government's finances—sadly mistaken in that regard. The real issue is, do we even intend to do something to address that predicament, where you can actually go into an election and hide a \$5.6-billion deficit from the people of Ontario? Yes, we intend to address that.

**The Speaker (Hon Alvin Curling):** Supplementary, the member for Nepean-Carleton.

**Mr John R. Baird (Nepean-Carleton):** Taxpayers have become so cynical about politicians and election promises that they have actually taken to getting politicians to personally sign election commitments so that there's no doubt, so that there's no manoeuvring. With great fanfare, during the last election, surrounded by your candidates seeking election, you signed the taxpayers' protection pledge. The media, cameramen, photographers were all there to record the moment.

I have a simple and straightforward question for you: Will you stand in your place and confirm, yes or no, whether you will keep your promise to the Ontario Taxpayers Federation and to working families in Ontario? Premier, would you do that?

**Hon Mr McGuinty:** Let me express my commitment to working families. Our commitment to health care and education is unequivocal and irrevocable. We will do what is necessary to improve the quality of public services in the province of Ontario. We'll start with smaller classes; we'll start with student achievement; we'll start with shorter waiting times; we'll start with more doctors and more nurses.

**Mr Baird:** Premier, what the people of Ontario want to know about your commitment is the commitment you have to your word and to the promises you made when you were trolling for votes during the last election campaign. You and your government are a breeding ground for cynicism for politicians and for politics. You say one thing to get elected, and then you change your mind after election day. We're going to see voting levels go down because of your personal promise-breaking. That's the honest-to-God truth. You have lost all credibility with taxpayers in Ontario. You've lost all

credibility with the people who are required to work with government. If you can't keep—

**The Speaker:** Premier.

**Mr Baird:** I have not finished my question.

**The Speaker:** You take a long time giving speeches.

**Hon Mr McGuinty:** I think the member is finished, Speaker. I think voters made that decision.

Will we bring the same style of fiscal management that was brought by the previous government? Will we hide a \$5.6-billion deficit? Will we borrow \$21 billion to give tax cuts that we couldn't afford? Will we compromise public services like health care and education? What we intend to do is to act on the mandate we've been given by the people of Ontario. We will fix their schools and improve their health care.

#### SCHOOL CLOSURES

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. As you'll know, this is Education Week. Just four and a half months ago, in December, your Minister of Education announced a moratorium on further school closures until September 2004. Reasonable people were led to believe that no schools would close this spring, yet People for Education revealed today that 44 schools are in fact going to close in a couple of weeks. What happened to your moratorium on school closures? Why are you breaking your promise to the thousands of children whose schools will now close?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** To the minister.

**Hon Gerard Kennedy (Minister of Education):** The member opposite may wish to improve on the record of both the Leader of the Opposition and some of his caucus. He may wish to read what he has in front of him, which says that a certain number of schools have been reviewed that may close, or have been under review for closure. What that means is that under those members' government there was a review done that had no regard for whether a school was a quality school for students, had no regard for whether it was useful for the community, and had no regard as to whether it had economic benefit to our rural areas. That, I can tell you, is going to change. That will render the numbers in front of the member opposite quite meaningless.

**Mr Hampton:** I checked the dictionary just a few minutes ago, and "moratorium" doesn't mean that some schools will close; it means that no schools will close. When you made that promise, we asked you, "Where is the money so that these schools will have budgets and can remain open?" Dr Rozanski gave you a blueprint of what needs to be done to maintain these schools, but you haven't followed it.

So again, the question for the Premier is: Why did you, on the one hand, promise that no schools would close, why did you lead reasonable people to believe that no schools would close, and then fail to provide the money so that those very schools would have a budget and could remain open?

**Hon Mr Kennedy:** We've had a demonstration as to why the member opposite is still leading the dinosaur party that has nothing to say about a future here.

We said clearly when we made the announcement that where there was consensus in the community, those school closures could still go ahead. If new schools are being built, if the community agrees, those would happen. But let's be clear. This member opposite voted to support private schools in this House, in this Legislature. Luckily for the children of this province, he's not the leader of a school board out there. They're waiting for the appropriate time to hear about the funding and the new guidelines that will make a considerable difference in keeping good schools open in this province so that children can do well, which is our priority.

1430

#### POLITICAL CONTRIBUTIONS

**Mr Howard Hampton (Kenora-Rainy River):** We now learn that "moratorium," under the Liberals, doesn't mean what it says in the dictionary.

Back to the Premier. Premier, my question is about your other case of amnesia. Ten short months ago, when the Cortellucci companies were contributing hundreds of thousands of dollars to the Conservative Party, you condemned and vilified their activities. You used to use words like "conflict of interest" and "special deal" to describe the financial and political relationship between the Cortellucci companies and the Conservatives.

Now we learn that the Cortellucci companies have given \$122,000 to the Liberal Party, and yet you have nothing to say. Isn't it a bit hypocritical of you to criticize the \$100,000 donations to the Conservative Party and say nothing when they give \$100,000 to you?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Speaker: The member used language that is clearly unparliamentary.

**The Speaker (Hon Alvin Curling):** Would the member withdraw the unparliamentary word.

**Mr Hampton:** If I said something unparliamentary, I withdraw.

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The member will know that when we criticized contributions to the previous government, we did so because we felt that there was undue influence being exercised by the donor. If the member—

*Interjections.*

**Mr Tim Hudak (Erie-Lincoln):** Terrible day.

**The Speaker:** Order. It is a terrible day, unless we settle down and have responses and questions.

**Mr John R. Baird (Nepean-Carleton):** I can hear the bulldozers at the Oak Ridges moraine now.

**The Speaker:** Order. I can hear you when you should not be speaking, at a time when the Premier should be speaking.

**Hon Mr McGuinty:** I can say that we received a fair amount of criticism from the developers in Ontario because of our greenbelt legislation, because of the

changes we made to the Planning Act, and in particular because of our cancellation of the Adams mine proposal. So I can say that it is true that we have received a fair amount of criticism from developers in Ontario.

**Mr Hampton:** Developers seem to be very happy with what happened at the Oak Ridges moraine. They got 95% of what they wanted and the people of Ontario were told, "Too bad, so sad."

Even the member for Windsor West accused Mr Cortellucci of cronyism, of preferential treatment. And you, Premier, accused the Conservatives of "looking after those that brought ya to the dance." When did you begin your dance with the Cortelluccis? Is that all it takes to change your principles—\$100,000?

**Hon Mr McGuinty:** I can say that I first learned of these contributions yesterday. If the member opposite is insinuating that somehow we put together a sweetheart deal with any developer in the province of Ontario, then I'd ask him to table that so that we might all consider it.

#### ROAD SAFETY

**Mr Frank Klees (Oak Ridges):** My question is to the Minister of Transportation. Minister, in your new Ontario I'd like to get a sense from you of how you would make this decision: You're driving along and there are three children on the side of the road who are your next-door neighbours. You know them well. It's a driving blizzard. You pick up one child because you've got one booster seat and you leave the others in the blizzard. Is that your vision of Ontario, or would you break your law that you've just passed because you can't take them into the car? Answer the question.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Could I ask the members—

*Interjections.*

**The Speaker:** Order. I would appreciate a bit more co-operation from both sides so we can get through question period and maybe the rest of the day. Minister of Transportation.

**Hon Harinder S. Takhar (Minister of Transportation):** I think the honourable member from Oak Ridges has too much time on his hands and is obviously looking for some media attention. I'm not really going to get into answering his question that way.

Let me tell you what the intent of the legislation is. This legislation is intended to save children's lives, and that's what we intend to do. That's why we are proposing that the Highway Traffic Act be amended and that booster seats be made mandatory for children who weigh between 18 kilograms and 36 kilograms.

**Mr Klees:** Actually it was a very serious question to the Minister of Transportation. He's creating a very practical problem for people across this province. He hasn't thought this through. Premier, your minister hasn't thought it through. I'm going to ask him one more question that I also don't think he'll have an answer for.

My constituent in Oak Ridges, a hard-working single mother who has three children of the age you're

discussing here requiring this new booster seat: How much will this cost her?

**Hon Mr Takhar:** Let me first say that this initiative is being supported by health care professionals and safety organizations. The average cost of this seat starts around \$40. It's a worthwhile investment in safety.

*Interjections.*

**The Speaker:** New question. Order. Could I ask the minister to come to order, please.

**Interjection:** Which minister?

**The Speaker:** The minister who is speaking continuously.

1440

#### TRAFFIC CONTROL

**Ms Judy Marsales (Hamilton West):** My question is for the Minister of Transportation. It is very timely to ask this question, as today the people of west Hamilton were again faced with a horrendous traffic jam. More and more people are enduring the frustration of commuting in and out of Hamilton to the GTA.

I have another minor frustration today. Because of this House, I missed the opportunity to introduce my son and his classmates from Hillfield-Strathallan College, who were occupying both the east and west galleries today. They were here at our request, so we'll say hello to them in their absence.

However, Minister, with the growth and prosperity in Hamilton and the GTA has come a growing population. What new measures has your ministry taken to combat congestion along our major corridors?

**Hon Harinder S. Takhar (Minister of Transportation):** Our government realizes, and our Premier has said this several times, that time spent on the roads is time that people are away from their families. We take this issue very seriously.

We are considering all the latest technologies on our highways. Currently we are testing, in a pilot program on the QEW and Royal Windsor Drive, a sign that will tell us how much time it will take from one destination to another destination. My colleague from Oakville has told me that it's working. We plan to take similar initiatives everywhere else so we can address some of these issues.

**Ms Marsales:** I have personally found those boards, particularly the one at Ford Drive, very helpful in commuting back and forth to Hamilton. The time-sensitive opportunity gauges the distance and allows people to settle down while they are commuting.

Are there any other strategies that the government may use to improve traffic flow along these busy highways?

**Hon Mr Takhar:** I already talked about one of the pilot projects we are carrying out, and it looks like it's going to be very successful.

Let me talk about a few other things, maybe about the high-tech system which we know as the Compass system. It improves safety, optimizes highway capacity and provides a better level of service to motorists without adding more traffic lanes. That's the kind of technology

that helps people go from one place to another and also helps us to manage the congestion on the highways. We will continue to look at the latest traffic technologies so that we can address some of these issues.

#### GOVERNMENT SPENDING

**Mr Jim Flaherty (Whitby-Ajax):** My question is for the Premier. Your government has proven adept at increasing taxes—the largest single increase in the history of Ontario, \$4.1 billion—adept at new spending, in excess of \$3 billion in six months or so in government. But you know that your government has to look at the spending side and has to control spending if you are going to keep your promise to the people of Ontario to balance the budget. You yourself, Premier, have said, "I'm asking our public sector partners to be reasonable and responsible at the bargaining table." Those are your words. And in your Minister of Finance's Economic Outlook, he says, "The second element of our work plan is restraint. There must be restraint in the broader public sector."

These are serious matters if you are going to keep your promise to balance the budget in Ontario. Yet in the first negotiations, which are with the community college teachers, we see a settlement of in excess of 8%; 4% per annum over two years.

My question is, what is your plan for the second element of your work plan, which is restraint?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** The Minister of Finance will speak to this.

**Hon Greg Sorbara (Minister of Finance):** My friend from Whitby-Ajax, who served admirably as a finance minister in this province, knows that in the preparation of a budget, restraint and management of expenses is always a key element and a very important theme.

I think we have taken steps that have gone well beyond what any previous government has in Ontario, and it's not just in the consultations that preceded the hard work but in examining every single expenditure in government, to review all the areas where we spend, on behalf of taxpayers, their money for their programs and, I think, when he attends this Legislature on May 18, the rewards of the work we have done over the course of the past six months.

**Mr Flaherty:** That's the problem: There is no plan. You know that roughly 75% of provincial operating expenditures go for human resources. I think the people of Ontario—the nurses of Ontario, the physiotherapists, the people who work in our hospitals as lab technicians and so on—ought to have some idea from you about how you intend to exercise restraint.

Four per cent for the community college teachers; we hear from some of the hospital CEOs now that they're being told 1% or 1.5%. Is that your plan for the public sector workers in Ontario, or do you intend to have wage increases that are at the 4% or 5% level, which you know will result in your not being able to balance the budget

and the need for the same process we saw from 1990 to 1993 with the NDP, leading to a social contract and wage controls?

**Hon Mr Sorbara:** I hope my free-market friend from Whitby-Ajax is not joining with Terence Corcoran in calling for wage and price controls in Ontario, but you never know with this gang.

I want to say to him that we will exercise a very high degree of restraint. We will, for example, get out of the business of partisan advertising. There will be no million-dollar expenditure to market the budget after it's presented. We are going to get out of the business of wasting money, millions and millions of dollars on outside consultants.

As far as the working women and men in the broader public sector, I simply say to you that all of them have the benefit of collective bargaining, all of them have the benefit of the labour laws that act as a context for wage negotiations and they will be able to take advantage of that context when it comes time to negotiate a new contract.

#### TENANTS

**Mr Peter Fonseca (Mississauga East):** I have a question for the Minister of Municipal Affairs and Housing. As you are aware, the city of Mississauga is one of the fastest-growing cities in both Ontario and Canada. According to StatsCan census results, the growth and expansion of Mississauga has created a city where approximately 30% of its dwellings are rental units. With a large number of the 55,000 rental dwellings located within my riding of Mississauga East, the so-called Tenant Protection Act has become one of the primary issues that my constituency office handles on a daily basis. Could the minister please explain to this Legislature what he is doing to change the current legislation, which does not protect tenants but instead allows landlords to increase rental rates astronomically?

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I would like to indicate to the member, as I indicated on April 20, that we will be introducing legislation in the House before the end of June whereby the automatic 2% rent increase that landlords are normally able to charge for a following year—in other words, that would start in January 2005—will not go into effect this year. That's so the consultation process we are currently involved in with both landlords and tenants can carry on without the underlying threat of an increase at the same time.

We will, however, allow landlords to use the rent control index so that any additional expenses they have incurred can be charged by way of additional rent in 2005, as they have in prior years.

**1450**

**Mr Fonseca:** Thank you, Minister, for your informative response. It's my understanding that your ministry will be organizing this ongoing consultation period until June 15 in order to incorporate the views and input of all

stakeholders into any decision that will be made. At this point, the town hall meeting for Mississauga will take place on June 15. Is there any other formal way my constituents can get involved, to voice their opinions directly to the ministry prior to this meeting?

**Hon Mr Gerretsen:** It is a very good question. Over the next month and a half there will be 10 consultation processes going on all across the province, in 10 different communities. We want to hear from both landlords and tenants, as we already have in Kitchener last week, and later on this week in Scarborough. These consultation processes will take place throughout the entire province. There are other ways as well for tenants and landlords to express their views, by getting on to the Web site of the ministry and there is a questionnaire they can answer there. They can also get involved at various stakeholder meetings that will take place across the province as well. We are interested in getting a viable rental housing market in Ontario that both landlords and tenants can benefit from by balanced tenant protection legislation.

#### AUTOMOBILE INSURANCE

**Mr Howard Hampton (Kenora-Rainy River):** A question for the Premier, and this is another question about McGuinty math: Premier, you promised Ontario drivers a 10% to 20% reduction in their car insurance premiums, but that is not happening. Your promise of a 10% to 20% reduction in car insurance rates is becoming virtually everywhere a 20% or greater increase. In the latest example, when Mr Milazzo of Hamilton received his insurance renewal form from Western Assurance, what did he see? A 30% increase in his car insurance rates. Premier, using your best McGuinty math, can you tell Mr Milazzo how your promise of a 20% reduction became a 30% increase for him?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** The Minister of Finance.

**Hon Greg Sorbara (Minister of Finance):** The leader of the third party has the luxury of picking examples out of the air to build a case that simply has no justification based on the merits of what has happened. I want to tell my friend from Kenora-Rainy River that, as of April 15, 55% of the industry have submitted new rates that represent a 10% reduction in the rates that were in existence when we were called upon to govern on October 21. It's the very first thing we moved on. The balance of the industry will report very soon. I want to tell my friend from Kenora-Rainy River that when our work on auto insurance is complete, we will have lower rates, a more competitive system and a system that delivers real benefits when individual drivers suffer automobile accidents.

**Mr Hampton:** Premier, that attempt at an explanation doesn't help Mr Milazzo at all. He believed your promise. He believed that when he got his insurance renewal, he was going to see a reduction. He hasn't had any accidents. He hasn't had any claims. He hasn't had any tickets. He's still driving the same car he drove last

year and the year before that and the year before that. You keep telling people, "You're going to get an insurance rate reduction." I still haven't heard the explanation. How did your promise of a 20% reduction turn into a 30% increase for Mr Milazzo and thousands of other drivers across the province?

**Hon Mr Sorbara:** I am sure that Mr Milazzo, when he is in a renewal cycle with a company that has filed its new rates, will, like the 8 million other drivers in this province, start to benefit from the first series of reductions in auto insurance rates over the course of the past eight and a half years. But we're not done yet. The second phase of our reforms is going to give drivers the opportunity to design an insurance package that relates directly to their needs. We will have a more competitive market. I assert that, by the time we're done, we'll see rates that are some 20% lower than those which we inherited when we were called upon to govern.

#### HIGHWAY 407

**Mr John O'Toole (Durham):** My question is to the Minister of Transportation. You know that thousands of citizens in Durham and surrounding area have signed a petition that will be presented in the House today, calling on you to extend the 407 east to 35/115. You'd also know that this has been an issue that has been in stop-and-go mode for over 20 years. Actually, Roger Anderson, the chair of Durham region, described 407 as the missing link in the regional road network. My question is to you, not just on behalf of Durham region but the surrounding communities. As you know, there's a broader benefit to the east extension of the 407. What do you propose to do about it?

**Hon Harinder S. Takhar (Minister of Transportation):** First of all, I would like to thank the member for the question. I had the opportunity to meet with the representatives from the Durham-Peterborough region this morning. I think they're in the House, and I want to welcome them here. I actually had made the announcement about this in the House before the comment. We are absolutely committed to moving ahead with this project.

Let me just give you a little bit of history about this project, so that everybody is clear. From 1989 to 1990, the route planning of this highway was done. The EA was done, but was never filed with the Ministry of the Environment. If that had been done, by now we would be in the design and construction phase of this project. From 1994 to 2001, there was absolutely nothing done on this project. The member is right, that this project has been in the—

**The Speaker (Hon Alvin Curling):** Thank you. Maybe in the supplementary you can get that in.

**Mr O'Toole:** I do want to acknowledge in the gallery today the people who put a face to how important this issue is in my riding: The chair of Durham region, Roger Anderson; the mayor of Clarington, John Mutton; councillor Jack Doris from the city of Peterborough; Dave Nelson, the warden of the county of Peterborough; and

Bob Malcolmson, the CEO and general manager of the chamber of commerce. They know how important it is. The issue here is, do you know?

It isn't a political question. It is, what is your commitment to the region of Durham, to making this issue go ahead? I have thousands of petitions here that are the voice of Durham. I'm presenting them to you, not for more excuses, but a commitment here today on what you're going to do for the east completion of the 407 highway. I'm finished listening to the constituents. What are you going to do?

**Hon Mr Takhar:** It's really interesting, because this is exactly the response I gave to him in the meeting. He was trying to make it a political issue. I said, "This is not a political issue. This is about the economic development of the community. It's about the prosperity of the community." We're going to move ahead with this project. We are in the middle of developing the terms of reference for the EA. That is going to—

**Mr Frank Klees (Oak Ridges):** We've already had that done.

**Hon Mr Takhar:** If you knew that, you would have done something. It's not done. You just make promises; you don't do anything.

1500

#### FAMILY FARMS

**Mr Lou Rinaldi (Northumberland):** My question is to the Minister of Agriculture. Minister, last Friday I was pleased to make an announcement on your behalf. I announced your ministry's program exempting family farms from land transfer tax at the farm of Dave and Joan Dorland in my riding of Northumberland.

There are over 1,100 farms in Northumberland county, providing over 2,200 jobs. In 2001, this brought in an estimated \$247 million to our local economy. We produce everything from beef and dairy to apples and oilseeds, and our products end up on grocery store shelves and dinner tables across Ontario.

Minister, as you know, 98% of farms in Ontario are family owned, and many families are worried about the sustainability of their farms for future generations. What impact will this announcement have on family farms in Ontario?

**Hon Steve Peters (Minister of Agriculture and Food):** I'm pleased to answer the question from the member for Northumberland. I think any member who represents a rural riding should be very pleased with this announcement of real, positive change for rural farms.

What this is going to do is encourage participation of a new generation of farmers in this province, and that's what we need to do. We need to ensure that we have a very smooth family-to-family succession of farmers. This rebate is going to apply to anywhere from 0.5% to 2% of the sale price of a farm. That can be substantial. These are dollars that a young farmer can use to reinvest into his or her operation. This is going to help farmers plan for the future. This is good news for rural Ontario, but I

think more importantly, this is good news for the future of agriculture in this province.

**Mr Rinaldi:** Minister, family farms are the heart and soul of rural communities like those in the city of Quinte West and in Northumberland county. Quite simply, family farming is a tradition in my riding.

Our farmers are also creative and have generated a significant agri-tourism industry. Visitors come each year to travel along the apple route, enjoy the scenery, and pick their own apples to take home. The Rural Ramble farm tour has also been a huge hit with tourists.

More than half of Northumberland county is classified as agricultural, and half of that is classified in the top category of land in Canada. This is a significant statistic when you realize that only one half of 1% of land in Canada is classified as class 1. But there are many pressures facing family farms. Minister, what else are you doing to ensure that Northumberland and Ontario family farms remain sustainable?

**Hon Mr Peters:** I thank the member for his interest in agriculture. Every one of us should take that interest on a daily basis. Be conscious when you go into that grocery store and buy an Ontario product, because that's the way that every one of us can reinvest in this province.

We are continuing to work. We've signed the agricultural policy framework with the federal government to bring some long-term stability to the industry. We're working with the Ministry of Finance right now to address assessment issues. We know there are a number of assessment issues that have arisen in the rural areas. We're dealing with that. We've developed the mature animal cull program to help develop new slaughter capacity for this province. We're working with the tender fruit industry in increasing our surveillance of the plum pox virus, as well as assisting the tender fruit growers in trying to put new investments in to replant those trees. We need the support of all members to continue to invest in agriculture, because this is the engine that feeds the rest of us in this province.

#### FISH HATCHERIES

**Mr Jerry J. Ouellette (Oshawa):** My question is for the Minister of Natural Resources. As I'm sure you're well aware, your ministry releases in excess of 10 million fish annually throughout 1,200 waterways in Ontario. Fishing provides millions of recreational hours annually, as well as millions of dollars as an economic stimulus to the province. Thousands of tourists regularly visit our great waters. Yesterday's article, as a matter of fact, spoke about the resurgence of Atlantic salmon throughout Ontario. As I'm sure you're well aware, my job now is to watch over the MNR on behalf of the public at large, and concerns are being brought to my attention that your ministry is currently reviewing the hatcheries and the hatchery program in Ontario and possibly getting out of hatcheries. Minister, what is your commitment to Ontario's hatcheries?

**Hon David Ramsay (Minister of Natural Resources):** I appreciate the question from my colleague and my critic.

You're right, that is your job. Like you, I really do support angling in Ontario. Not only is it one of the greatest recreational pursuits you can have in this province, but it's a tremendous contributor to our economy right across the province. We believe in a sustainable fishery, and hatcheries play a part in that. As you know, over the years the trend has been to make sure we protect and preserve our habitat so that we get natural reproduction of fish. That is the way to go. Obviously we are still in the hatchery business and will continue to be so.

**Mr Ouellette:** Minister, that's very good news for the people who are so dependent on the hatchery system. One of the other components within the ministry is its partners and partner hatcheries through the CFIP program. These individuals all work in conjunction with the ministry, making sure they follow the guidelines and releasing the number of fish they catch along with clippings etc. What is the ministry's commitment to CFIP hatcheries in the province?

**Hon David Ramsay:** We are looking at all the possibilities in the various programs we have in improving our fishery. We are reviewing all of that now. As you know, in your job when you were there, when I'm here now, we're looking to see how we can make this work better in the province. As I said to you before, the health of the fish stock in this province is extremely important, both for health reasons, to encourage that recreational activity, but also as a tremendous economic boost to this province. We will make sure from this government that our fish industry is sustainable in this province.

#### EDUCATION

**Mr Tony C. Wong (Markham):** My question is for the Minister of Education. I had the pleasure of attending the Premier's announcement on Thursday, April 22, in which he reaffirmed the Liberal government's commitment to excellence and quality education. As former vice-chair of York region's character council, I was pleased that the announcement took place at York region's character community council conference. York region's character community council and character community councils across the province engage community leaders to encourage youth to make them productive members of their respective communities. Minister, my question is, how will the Ministry of Education ensure that Ontario's students develop their intellectual, emotional and physical potential?

**Hon Gerard Kennedy (Minister of Education):** I want to commend the member opposite, not just for the interest expressed in the question but also for the work he did for the character council. York region's done a lot of work to bring out citizenship values and recognize that schools aren't just for the learning of academics.

To his question: We want to develop the intellectual, physical and emotional needs of children and youth. We do that by having very express goals for those things. We want to make sure there is phys ed on a regular basis. We want to make sure that music and the arts have a place in

our schools. We want to set a new line in terms of a 12-year-old in this province, to make sure that that's there, that we really focus our attention to make sure they have a high level of literacy, numeracy and comprehension, because it's only on that foundation that the rest of the opportunities can happen in their education experience and really be built for the rest of their lives.

**Mr Wong:** Minister, it is crucial that we give our children the best education we possibly can. You and I know that children are the future of Ontario. Parents, teachers and students in my riding of Markham want to know that we are taking the appropriate steps to improve literacy and numeracy standards. What is the government doing to improve literacy and numeracy so that Ontario can compete nationally and globally and so that our workforce is the best in the world?

**Hon Mr Kennedy:** We have in fact put together a made-in-Ontario strategy that draws on the best around the world. These changes will start to take place in Ontario schools almost immediately. We are putting together, for example, lead teachers—two for literacy and numeracy in each school. That means four lead teachers as of this fall in all 4,000 elementary schools.

We will also have, for the first time, support available for teachers to help them focus on literacy and numeracy by making the curriculum more accepting in terms of where they need to focus—a literacy hour every day and math time in each instructional day, because we understand that within our system is the chance for these individuals to have their own choices to go forward. As well, we're making sure they don't get lost in the crowd. The earliest years are how we're going to make sure we reach our goal by 12, and that means smaller class sizes, beginning this September.

1510

#### AMBULANCE SERVICE

**Mr Peter Kormos (Niagara Centre):** To the Minister of Health: On March 30, you told us that a decision around the Niagara ambulance dispatch was going to be forthcoming shortly—in fact, that it would be made within the timeline, your word, of the April 30 deadline that you set. We believed you. We did; we took you at your word. We counted on what you had to say, yet all we got was a request for another extension. Why couldn't you keep the promise you made on March 30?

**Hon George Smitherman (Minister of Health and Long-Term Care):** The Welland whirlwind is at it again. What's all this about? It's about 30 days. This government is taking responsibility for an issue that that party, when they were in government, talked about but couldn't get done. I'm working very hard to align all that's necessary to make this announcement that's important to the people of Niagara region.

I think it's incumbent upon all members to read all the signals that are available. The member for Welland and the member for Erie-Lincoln both know that this issue is in hand, that we're working toward a resolution that will

be satisfactory to the people of Niagara region. And when it's done, it will be as a result of the hard work and labour of this government fulfilling a commitment that's been made, rather than that party, when they were in government, just talking the talk.

**Mr Kormos:** It's not about 30 days; it's about the months and years that people in Niagara have waited for this to happen. It's about the lives that have been lost. It's about the lives of the people in Niagara, who continue to be at risk because of your failure to act on work that had already been completed.

It ain't rocket science, Minister. You told us that we could count on you to make an announcement before April 30. We took you at your word. It's clear we can't count on you when you say you're going to do something. When are you going to keep your commitment to announce Niagara's ambulance dispatch service and save some lives instead of putting them at risk?

**Hon Mr Smitherman:** As a result of the hard work of the members for Niagara Falls, St Catharines and Stoney Creek, we've been working very hard for the resolution that the people of Niagara region desire.

The member, in his question, talks about "years and years." The reality is that we have been a government for but six short months, and in that time we have made it a priority to deliver on this important commitment for the people of Niagara region. No sign of a lack of confidence has been shown by the member for St Catharines. No sign of a lack of confidence on the issue has been shown by the member for Niagara Falls. No sign of a lack of confidence on this issue has been shown by the member for Stoney Creek. But that member and that member, interested in playing politics and inflaming tensions in their region, have been stirring the pot.

It will be this government that delivers on the commitment for the Niagara land ambulance. When that day comes, the people of Niagara will know that this is a government that walks the talk, because we're going to deliver on this commitment.

#### TOBACCO GROWERS

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** To the Minister of Agriculture: This morning Canada's agriculture minister announced \$71 million for tobacco compensation. Our previous government committed to follow the federal lead on tobacco compensation. When will you cut your government's promised cheque to the tobacco community?

**Hon Steve Peters (Minister of Agriculture and Food):** As the member for Haldimand-Norfolk-Brant well knows, it's not for me to speculate on any issues that are of a budgetary nature.

But I would like to take the opportunity to congratulate the federal government on their announcement today. Let me be perfectly clear: We take the health care needs of Ontarians very seriously. We have made a commitment that we are going to have an aggressive smoking cessation strategy in this province. It's a commitment that

I know my colleague the Minister of Health and Long-Term Care is working on. I know it's a commitment that the Premier's extremely concerned about. That's a commitment that we're going to follow through on.

**Mr Barrett:** I also thank the federal government for finally committing dollars to tobacco transition funding. That's what I'm talking about. Our government knew how important it was to get money into the hands of farmers immediately. In the days of our administration, we quickly announced this money well before the federal dollars were released. Now things are reversed. Tobacco farmers have already had to wait too long, Minister. Can they not count on you to get your share of the transition money to them immediately?

**Hon Mr Peters:** The member can stand up and pat the previous government on the back all he wants, but I just wanted to demonstrate and let it be known that we are committed to the farmers of this province. We've been there for the farmers and we'll continue to be there for the farmers.

The Premier announced \$64 million in transition funding for the farmers of this province. The Premier announced a \$10-million plan to help develop new capacity in this province. We are working with the Ontario Agricultural Commodity Council right now on the development of dealing with the wedge transition dollars. We've worked with the Ontario Federation of Agriculture to ensure that we have a smooth succession of family-to-family farms. Again, I say to the member opposite, I'm not going to speculate on any issues and any initiatives that will be or may be contained down the road.

#### AUTOMOBILE INSURANCE

**Mr John Milloy (Kitchener Centre):** I think I speak for all members of the House when I say how concerned we are about the problems surrounding rising insurance costs. I must say I was quite troubled by the case raised by the leader of the New Democratic Party a few minutes ago. I realize that the Minister of Finance has had a few minutes to look into the case, and I was wondering if he had any more information about this case and how it reflects the issue of rising insurance costs.

**Hon Greg Sorbara (Minister of Finance):** We have looked into the matter, and I want to offer my friend from Kenora-Rainy River the opportunity to apologize to this House. He knows full well that the reforms we brought in are leading to rate reductions as of April 15. He raised the matter of a Hamilton resident, and he alleges that those rates went up by some 30%. Well, we've looked into the matter, and indeed that was the case, and the renewal notice was dated January 15 of this year.

The fact is that the member from Kenora-Rainy River has an obligation at least to do a minimum amount of research before he alleges in this House that we have not kept the promises that we made.

**Mr Milloy:** I know that the current efforts by the government are just the first phase of our plan to provide real relief in terms of auto insurance. I wonder if the

minister could outline to the House what efforts will be happening next in this fight to provide affordable auto rates to insurers in Ontario.

**Hon Mr Sorbara:** The first thing we're going to do is pay far less attention to the allegations brought to this House by the member from Kenora-Rainy River and the leader of the New Democratic Party.

Phase one is done and we anticipate the balance of the companies reporting, and when all of the companies have reported, we'll have, on average, rates that are 10% lower. The next phase of reforms involves redesigning and eliminating some of the administrative burdens that get in the way of the speedy resolution of claims. We are also designing a system where individual policyholders can custom-design their insurance policy so they're buying only the insurance they need. Finally, we're taking steps to create a much more competitive market because, in the end, vibrant competition among insurance companies is the single best way to ensure that we have the best possible product in the entire country.

1520

#### PETITIONS

##### HIGHWAY 407

**Mr John O'Toole (Durham):** It's a pleasure to present a huge petition that has been gathered by Bert Werry, who is from my riding of Durham. I'm presenting it on behalf of thousands of people, not just in Durham, but the city of Kawartha Lakes, Peterborough and Peterborough county. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the timely and efficient movement of people and products is critical to the success of the Ontario economy;

"Whereas the province of Ontario is meeting the challenge of traffic congestion in the greater Toronto area by improving our highway network and by improvements to public transportation;

"Whereas the construction of Highway 407 eastward into Durham region, across Clarington to Highways 35/115 would improve the flow of traffic in Durham region and throughout the GTA;

"Whereas citizens and municipalities of Durham region faced uncertainty over the final alignment of the proposed 407 highway for many years and are entitled to a timely resolution of this matter;

"Whereas the Clarington agricultural advisory committee, CAAC, has expressed concern and advocates for final construction completion of Highway 407 through Clarington, connecting to 35/115;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the province of Ontario take all necessary steps to fast-track the extension of Highway 407 eastward into the regional municipality of Durham and that this commitment include the extension of Highway 407 through

Clarington to connect with Highway 35/115, while ensuring that all the necessary environmental assessments and public consultations are followed."

With your pleasure, I present this petition to the Legislative Assembly of Ontario.

#### MINIMUM WAGE

**Mr Rosario Marchese (Trinity-Spadina):** Addressed to the Ontario Legislature:

"Because the minimum wage has been frozen at \$6.85 since 1995 despite increases in the cost of living; and

"Because a full-time worker earning the current minimum wage in a large city is \$5,904 below the poverty line, and to reach the poverty line would need an hourly wage of at least \$10; and

"Because the minimum wage should provide people with an adequate standard of living;

"We demand that the Ontario government immediately increase the minimum wage to at least the poverty line—that means \$10 an hour—and index it to the cost of living."

I affix my signature to that.

#### GOVERNMENT CONSULTANTS

**Mr Tony Ruprecht (Davenport):** I have another petition, which will cause another outburst by Conservative members. I think they should be warned ahead of time not to get excited. The petition reads as follows:

"Whereas former Premier Mike Harris has received \$18,000 in consulting fees from Ontario Hydro;

"Whereas he did this consulting work less than one year after he resigned his position as Premier of Ontario;

"Whereas this contract is just another example of the Conservative country club created by the previous government at Ontario Hydro and Ontario Power Generation;

"We, the undersigned, petition the Legislative Assembly of Ontario to order former Premier Mike Harris to pay back the taxpayers of Ontario by returning the consultation fee he received from Ontario Hydro."

Mr Speaker, I will present this to you.

#### TAXATION

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** As we've heard here today in the House of another promise broken, people are still concerned that other promises may be broken out there. I have a petition to the Legislative Assembly.

"Whereas every day, 1.5 million Ontarians, including seniors, health care workers and students, purchase a basic meal that costs less than \$4; and

"Whereas a new 8% tax on such meals will disadvantage low-income Ontarians; and

"Whereas adding a tax for the first time on a glass of milk, a salad, a bowl of soup or a cup of coffee will affect a total of 1.5 million Ontarians each and every day in restaurants and cafeterias across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not impose a new 8% tax on basic meals under \$4."

I've also signed it.

#### HIGHWAY 407

**Mr Jeff Leal (Peterborough):** "To the Legislative Assembly of Ontario:

"Whereas the timely and efficient movement of people and products are crucial to the success of the Ontario economy;

"Whereas the province of Ontario is meeting the challenge of traffic congestion in the greater Toronto area by improvements to our highway networks and by improving public transportation;

"Whereas the construction of Highway 407 eastward into the Durham region, across Clarington to Highways 35/115, would improve the flow of traffic in Durham region and throughout the GTA;

"Whereas citizens and municipalities of Durham region have faced uncertainty over the final alignment of the proposed 407 highway for many years and are entitled to a timely resolution to this matter;

"Whereas the Clarington agricultural advisory committee, CAAC, has expressed concerns and advocates for final construction completion of Highway 407 through Clarington connecting 35/115;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario take steps to fast-track the extension of Highway 407 eastward into the regional municipality of Durham, and that this commitment include the extension of Highway 407 through Clarington to connect with Highway 35/115, while ensuring that all the necessary environmental assessment and public consultations are followed."

I will sign this petition.

#### PHYSIOTHERAPY SERVICES

**Mr Cameron Jackson (Burlington):** This is a petition that brings it up to over 10,000 now.

"To the Legislative Assembly of Ontario:

"Whereas seniors and other qualified patients require the continued provision of physiotherapy services through schedule 5 clinics to promote recovery from medical conditions and continued mobility and good health;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The patients of schedule 5 physiotherapy clinics request the continued support of the Legislative Assembly of Ontario for provision of OHIP-covered physiotherapy treatment to qualified seniors and others in need of these vital health care procedures."

This has my signature in support as well.

## HOSPITALS

**Mr Bruce Crozier (Essex):** I have a petition from the citizens of Windsor and Essex county.

“To the Legislative Assembly of Ontario:

“Whereas the residents of our community must have adequate locally available health care services; and

“Whereas mounting threats to the overall health of our residents arise in the form of viral threats, environmental degradation, and from potentially as yet unknown sources; and

“Whereas local hospitals have been eliminating highly trained and experienced RPNs from their traditional jobs and replacing them with RNs, thereby upsetting long-standing work team relationships that have greatly benefited our community; and

“Whereas local hospitals have been operating short-staffed far too often, and thereby putting patient care at risk;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“Therefore, be it resolved that all local community hospitals cease all deficit-driven reductions in front-line worker hours and all deficit-driven experiments in workplace reorganization and that they restore and strengthen staff and work teams.

“Be it also resolved that local community hospitals set up consultative bodies with the hospital unions and the labour movement to restore health and morale to the hospital sector.”

## ONTARIO DRUG BENEFIT PROGRAM

**Mr Tim Hudak (Erie-Lincoln):** I’m pleased to present a petition on behalf of seniors from Stevensville, Ontario, like Margaret Riley and Beverley and Thomas Mounsey, that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas during the election campaign the Dalton McGuinty Liberals said they would improve the Ontario drug benefit program but now are considering delisting drugs and imposing higher user fees; and

“Whereas the Liberal government has increased costs to seniors by taking away the seniors’ property tax rebate and increased the price of hydro;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors’ drug fees.”

In support, my signature.

## ONTARIO DISABILITY SUPPORT PROGRAM

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** This is a petition to the Legislative Assembly of Ontario.

“Whereas the most vulnerable individuals in our society deserve to be treated with respect and dignity; and

“Whereas the previous government ignored the poor in order to pay for irresponsible tax cuts for the wealthy; and

“Whereas barriers need to be removed in order to ensure full participation for Ontarians;

“We, the undersigned, petition the Legislative Assembly of Ontario to introduce a cost-of-living increase to the ODSP program as soon as possible and to legislate changes that will ensure Ontarians with disabilities can participate fully in a stronger Ontario.”

I agree with the petition and I’m signing my name to it.

## SOCIAL ASSISTANCE

**Mr Michael Prue (Beaches-East York):** I have a petition that reads as follows, to the province of Ontario:

“That Ontario Works was slashed by 21.6% in 1995, and with the increases to the cost of living, that cut is worth nearly 40% today;

“That Ontario disability support program benefits have been frozen since 1993; and because current social assistance rates do not allow recipients to meet their cost of living;

“That the people of Ontario deserve an adequate standard of living and are guaranteed such by the International Covenant on Economic, Social and Cultural Rights;

“That the jury at the inquest into the death of Kimberly Rogers recommended that social assistance rates be reviewed so that they reflect the actual costs of living;

“Therefore, your petitioners respectfully request that the honourable House urge the Ontario government to immediately increase social assistance rates to reflect the true cost of living. This means shelter allowances that are based on the average local rents as calculated by the Canada Mortgage and Housing Corp, a basic needs allowance that is based on the nutritional food baskets prepared by local health units as well as the calculations for the costs of household operation, household furnishings and equipment, clothing, transportation and health care as reported in Statistics Canada’s Average Household Expenditures.”

This is signed by hundreds of people, and I affix my signature thereto as well.

1530

## HIGHWAY 407

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I have a petition to the Legislative Assembly of Ontario.

“Whereas the timely and efficient movement of people and products is critical to the success of the Ontario economy;

"Whereas the province of Ontario is meeting the challenge of traffic congestion in the greater Toronto area by improvements to our highway network and by improved public transportation;

"Whereas the construction of Highway 407 eastward into Durham region, across Clarington to highway 35/115, would improve the flow of traffic in Durham region and throughout the GTA;

"Whereas citizens and municipalities of Durham region have faced uncertainty over the final alignment of the proposed 407 highway for many years and are entitled to a timely resolution of this matter;

"Whereas the Clarington agricultural advisory committee, CCAC, has expressed concerns and advocates for final construction completion of Highway 407 through Clarington, connecting to 35/115;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario take steps to fast-track the extension of Highway 407 eastward into the regional municipality of Durham and that this commitment include the extension of Highway 407 through Clarington to connect with highway 35/115, while ensuring that all the necessary environmental assessments and public consultations are followed."

As I agree with the petition, I'll sign it accordingly.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Garfield Dunlop (Simcoe North):** To the Legislative Assembly of Ontario:

"Whereas the Liberal government has said in their election platform that they were committed to improving the Ontario drug benefit program for seniors and are now considering delisting drugs and imposing user fees on seniors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To halt the consideration of imposing an income test, delisting drugs for coverage under the Ontario drug benefit plan or putting in place user fees for seniors, and to maintain the present Ontario drug benefit plan for seniors to cover medication."

I've signed my name to that as well.

#### IMMIGRANTS' SKILLS

**Mr Bob Delaney (Mississauga West):** I have a petition to present to the Ontario Legislative Assembly on behalf of some members of the Peel Multicultural Council. It says:

"Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

"Whereas newcomers to Canada who choose to settle in Ontario find frequent and unnecessary obstacles that prevent skilled tradespeople, professional and managerial

talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

"Whereas Ontario, its businesses, its people and its institutions badly need the professional, managerial and technical skills that many newcomers to Canada have and want to use;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Training, Colleges and Universities and the other institutions and agencies of and within the government of Ontario, undertake specific and proactive measures to work with the bodies regulating access to Ontario's professions, trades and other occupations in order that newcomers to Canada gain fair, timely and cost-effective access to certification and other measures that facilitate the entry or re-entry of skilled workers and professionals trained outside Canada into the Canadian workforce."

I'm pleased to affix my signature to this petition.

#### TAXATION

**Mr Norm Miller (Parry Sound-Muskoka):** I'm pleased to present a petition from the constituents of Parry Sound-Muskoka, and it reads:

"To the Legislative Assembly of Ontario:

"Whereas every day, 1.5 million Ontarians, including seniors, health care workers and students, purchase a basic meal that costs less than \$4; and

"Whereas a new 8% tax on such meals will disadvantage low-income Ontarians; and

"Whereas adding a tax for the first time on a glass of milk, a salad, a bowl of soup or a cup of coffee will affect a total of 1.5 million Ontarians each and every day in restaurants and cafeterias across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not impose a new 8% tax on basic meals under \$4."

I affix my signature to this.

**The Speaker (Hon Alvin Curling):** The member for Beaches-East York.

#### SOCIAL ASSISTANCE

**Mr Michael Prue (Beaches-East York):** Thank you very much, Mr Speaker. That's only twice today.

This is to the Ontario Legislature and reads as follows:

"Because social assistance rates were slashed by 21.6% in 1995, and with the increase in the cost of living, that cut is worth about 34.4% today; and

"Because current social assistance rates do not allow recipients to meet their cost of living; and

"Because the people of Ontario deserve an adequate standard of living and are guaranteed such by the International Covenant on Economic, Social and Cultural Rights; and

"Because the jury at the inquest into the death of Kimberly Rogers recommended that social assistance rates be reviewed so that they reflect the actual costs of living;

"We demand that the Ontario government immediately increase the shelter portion of Ontario Works and Ontario disability support program benefits to the average Canada Mortgage and Housing Corp rent levels and index social assistance to the cost of living."

I'm in agreement and sign my name thereto.

## ORDERS OF THE DAY

**STRONG COMMUNITIES  
(PLANNING AMENDMENT) ACT, 2003**  
**LOI DE 2003 SUR LE RENFORCEMENT  
DES COLLECTIVITÉS (MODIFICATION  
DE LA LOI SUR L'AMÉNAGEMENT  
DU TERRITOIRE)**

Mr Gerretsen moved second reading of the following bill:

Bill 26, An Act to amend the Planning Act / Projet de loi 26, Loi modifiant la Loi sur l'aménagement du territoire.

**The Speaker (Hon Alvin Curling):** Mr Gerretsen.

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** Good afternoon, everyone, those of us who are assembled here in the House, and thank you, Speaker, for the opportunity to speak on Bill 26.

We all know that this is a time for real, positive change in Ontario and in Ontario's communities. Our proposed legislation sets the foundation for that change. The proposed Strong Communities (Planning Amendment) Act, 2003 aims to strengthen our municipalities and create healthy and prosperous communities by changing the Planning Act, revising the implementation standard for the provincial policy statement, which is the government's statement of its land use planning priorities, and reforming the appeal process to the Ontario Municipal Board.

Before going any further, I just want to indicate that I will be sharing my time with the members for Prince Edward-Hastings, Etobicoke North and Lambton-Kent-Middlesex.

**Mr Tim Hudak (Erie-Lincoln):** Very generous of you.

**Hon Mr Gerretsen:** Yes it is very generous.

As you're aware, the Planning Act establishes the rules for land use planning in the province and describes how land uses may be controlled and who may control them. On December 15 last year, this government took decisive action toward planning reform with the introduction of Bill 26, the proposed Strong Communities (Planning Amendment) Act.

Bill 26 includes measures that would, if passed, (1) give municipalities more time to review and approve development applications; (2) prevent appeals to the Ontario Municipal Board of urban expansions opposed by municipal governments; (3) require that planning decisions be consistent with the provincial policy statement, a much stronger test than the current "have regard to" standard put in place by the previous government; and (4) give the province the power to confirm, vary and rescind a decision made by the OMB where a matter of provincial interest may be adversely affected.

The bill proposes to make changes to the Planning Act that would improve the land use planning system by making rules more clear and consistent, ensuring the process is more accountable and transparent and giving the public more of a voice. The provincial policy statement is currently being reviewed as part of the required five-year review of the statement under the Planning Act. I might indicate that we're starting that process well ahead of its time and there will be full consultation with respect to the provincial policy statement some time this summer.

The purpose is to determine if the provincial policy statement policies need to be revised based on their ability to address emerging issues that are of provincial interest, including eliminating gridlock, preventing sprawl, preserving green space and protecting the environment. This is to ensure that provincial land use planning policies are promoting well-planned growth that supports a strong economy, strong communities and a healthy environment. It's all about a strong economy and strong communities.

### 1540

The Ontario Municipal Board is an independent adjudicative tribunal that makes decisions at arm's length from the government and has all the powers of a court of record. The procedures and makeup of the Ontario Municipal Board are governed by its own legislation, the Ontario Municipal Board Act, which is administered by the Ministry of the Attorney General. The majority of matters that come before the OMB relate to appeals of planning applications under the Planning Act.

Bill 26 is only the first part of a comprehensive overhaul of the OMB, one of our government's top priorities. This government, the McGuinty government, is committed to providing Ontarians with safe, clean, livable communities. The proposed changes to the land use planning system support this commitment. This would be a positive step for Ontario's communities.

A strong land use planning system would, first, support strong communities by giving people the opportunity to participate in deciding how their communities grow and prosper; second, enhance sustainable growth through a check on urban sprawl, gridlock and a loss of valuable agricultural lands; third, ensure sustainable development by changing the implementation standard to be consistent with provincial policies that the government and the public feel are critical for good planning; and fourth,

protect the environment by allowing development only in areas where it can be sustained.

Ontario's municipalities agree with this move. They have let us know that they are generally in support of the direction the government is proposing to take by Bill 26. We are hearing from the people who live in Ontario's communities, and they are letting us know their concerns. Ontarians have let us know their concerns for clean air and water, for communities that are safe and for cities and towns that work for the people who live in them.

There have been concerns raised by the municipal sector, the general public and the media that local planning autonomy and the integrity of the local planning process have been compromised where the OMB has issued decisions which overturn decisions of elected councils. Municipalities and other stakeholders have asked that the role of the OMB as an adjudicator of appeals under the Planning Act be reviewed.

Environmental groups have concerns about how the proposed planning reforms protect heritage resources and our environment. Development groups have concerns about how the proposed changes will affect the development sector and our economy as a whole. The resource sector has concerns about how the proposed "shall be consistent with" standard will affect the resource sector.

We are taking notice of all these concerns and we will continue discussions with our stakeholders and the public on how best to address them. This government is interested in hearing the many perspectives and ideas that will help guide us in developing a better land use planning system in Ontario.

Currently, our proposed changes to land use planning address high priority concerns, but we're not stopping here. There will be further reviews of the Planning Act, and there will be more fundamental reforms proposed to the planning system. These reforms, as contained in Bill 26, if passed, would bring in fundamental change to land use planning in Ontario. We're also working with our communities on providing them with additional tools to help deliver the services that Ontarians expect, and provide an environment that is safe, clean and healthy for the people who live, work and play in our communities.

This government has made real, positive change in the provincial-municipal working relationship, one that values input from each side and draws support from the people who are served by these two orders of government. Over the last eight years, Ontario's municipalities have faced many challenges: uncontrolled development, unwarranted gridlock, endangered heritage and water resources, loss of green space and unhealthy air. This has clearly had a negative effect on our environment and has also hurt our economy. If passed, the Strong Communities (Planning Amendment) Act, 2003, would give Ontarians a real voice in the way our communities grow and prosper, bring back local accountability and transparency to land use planning and ensure that important provincial land use policies are clearly spelled out, so that vital provincial interests are protected for the benefit of all Ontarians. This government recognizes that On-

tario's municipalities need a new deal that will restore to them the ability to plan, manage and invest in the future. We are committed to building safe and strong, livable communities and providing communities with the tools to develop and sustain them.

Recently, I met with the Association of Municipalities of Ontario. As a matter of fact, I've met with them on a number of occasions. AMO, as you know, is the voice of municipalities and has been key in keeping governments abreast of municipal concerns. AMO's recommendations have also proven valuable in the implementation of government initiatives.

I delivered to them the message that Premier McGuinty has asked to begin a dialogue that will lead to a new partnership between Ontario and its municipalities. Our government has committed to enshrining the memorandum of understanding with AMO in proposed legislation. This would, if passed, be an unprecedented step in provincial-municipal relationships. We will use this opportunity for closer co-operation on issues that affect Ontario's municipalities.

The AMO planning task force has met with the staff of the Ministry of Municipal Affairs and Housing to discuss ideas and perspectives on Bill 26 and the planning appeal process. AMO mentioned that it is encouraged by the direction of proposed Bill 26. It also made recommendations on a number of further positive changes, specifically as relates to complete applications and the Ontario Municipal Board, among others. The government values these recommendations. These views are welcome and can only benefit all of Ontario.

If passed, our reforms to the planning system would support, and be supported by, a number of initiatives being moved forward by this government. It also includes the proposed Greenbelt Protection Act, 2003, which was given second reading just last week; the growth management strategy, under the Ministry of Public Infrastructure Renewal; source water protection and waste management, under the Ministry of the Environment; and the Greater Toronto Transportation Authority and other transportation strategies, under the Ministry of Transportation. All these actions support our commitment for well-planned, managed growth leading to safe, clean, livable communities.

As mentioned, the proposed Strong Communities (Planning Amendment) Act, if passed, would be only the first step toward possibly more fundamental reforms to the planning system. From the feedback we're getting from our stakeholders, we will identify the need for other changes. We are also looking, as I mentioned before, at enhancing the provincial policy statement—the province's policies on land use planning. Through the review process, we will ensure there is clear direction for land use planning decision-makers, including the OMB. We will ensure that the policies address concerns that are important to the people of Ontario, such as eliminating gridlock, protecting the environment, preserving green space and heritage resources and containing urban sprawl.

The proposed Strong Communities (Planning Amendment) Act would, if passed, be the key to reforming land use planning in Ontario. We can simply no longer allow uncontrolled development in Ontario. We need reforms to land use planning that will give our municipalities the tools to grow smart and give our communities the ability to grow strong. Ultimately, the strength of Ontario will be measured by the strength of its communities.

**Mr Ernie Parsons (Prince Edward-Hastings):** It's my pleasure to speak to Bill 26, the Strong Communities (Planning Amendment) Act, 2003. I commend Mr Gerretsen for bringing this forward.

I feel I'm somewhat dating myself when I confess that I went to university during the 1960s, which was the flower child era. I will admit that I was never a flower child. But at that time, university students, by and large, were setting out to try to save the world. I was in engineering, and we were trying to pave the world. I now realize that we were wrong. I was trained, not educated; I'm now somewhat educated, I hope, and realize the importance of planning, because I have never seen a building, a house or a highway constructed, and then, at some stage, it being returned back to nature or to farmland. So whatever we do is going to have a permanent effect on our communities and our province. I think all of us can cite examples that distress us personally when we see some of the best farmland in Ontario that has gone underneath asphalt in previous years. It has a profound effect on our way of life.

**1550**

Some 30 or 40 years ago, we believed that the amount of safe, clean drinking water in Ontario was endless. There was no need to protect drinking water; we were always going to have it. We weren't concerned about traffic volumes. I think back to when I was in elementary school, and again, that dates me; I think Canada had a population of about 15 million at that time. People have been busy since then, and it has increased considerably.

We have to do some planning. I drive rural roads, and I see houses growing here and there. I know how expensive those houses are to service, and I know it's tempting for municipalities to sometimes grant every building permit because it brings in tax revenue, but it may not be good planning and it may have a very unfavourable effect to the municipality trying to service those houses. We're also increasingly seeing that there is a high level of discomfort between new rural houses and the traditional farms that operate in the area, and if we're going to do planning for farms as we are doing with the Nutrient Management Act, then we need to look at the entire picture. This particular bill goes a long way in doing that.

I look at the main objectives of Bill 26. Increasing timelines for reviewing specific planning applications: There was a gentleman, now gone, who was a hero to me, and the expression he used most often was, "We need to make haste slowly." Everyone who is going to be affected by a planning decision needs to have the opportunity for input, whether it is to support it, oppose it

or simply make changes. In the busy world we live in, it is not a simple matter to gather all of the information to make a sound decision. If I go back to what I said at the beginning, the decision, once made, is essentially irrevocable. Once a subdivision is built, it is there. I very strongly support this proposal that will allow additional time so that we make the right decision. Very seldom does a decision have to be made immediately. The proponent for a particular parcel, or the opponent, may believe that they need an answer tonight. But we don't need a fast answer, folks; we need the right answer, and this is a step in the right direction.

Eliminate an applicant's right of appeal to the Ontario Municipal Board for alterations to urban settlement areas not supported by municipal councils: One thing I really appreciate about the Dalton McGuinty government is that we don't have enemies in Ontario any more. We're working together. Municipal councils are not better or worse than us; they're partners. The federal government is a partner. Citizens are partners.

Municipalities consist of people who have stood for election, laid out their platform, and I guess we do the same. We bump into people in the grocery store or whatever on a regular basis, and they give us advice. But in many ways the best government is local government. We've got councillors who interact regularly with the community, and they have a strong sense. There's no councillor who wants to make the wrong decision. There's no councillor who enjoys doing something that is bad for the community. It's quite the opposite. This amendment will recognize the knowledge base that exists within municipal councils, and good for it. With the partnership arrangement that we're seeing, we benefit not just from the advice of the individual citizens; we now benefit from the advice of municipalities. The minister has talked about meeting with AMO. There's a great group that can effectively and collectively represent literally hundreds of municipalities' voices to the minister. I compliment him on that. That's a very good move.

Changing the implementation standards so that decisions on planning matters are consistent with provincial policy statements that are issued under the Planning Act: This one begs the question, why did this amendment have to come? Because previously it said that the OMB would have to have "regard to." What does "regard to" mean? "Regard to" says we have to look at it, but we don't have to act on it. This amendment says that what the OMB is doing has to conform to all of the rest of provincial government policy. That's a given. It is intriguing that this government had to make that change, that that was not in the act. Of course there has to be a consistency; otherwise it's just absolutely futile for people to devote energy to changes. Do people want to change in one area if it's countered or ignored by another area in planning? So that's an excellent move in that part.

Providing the province with the authority to confirm, vary or rescind a decision regarding official planning/zoning matters made by the Ontario Municipal Board in cases where a matter of provincial interest may

be adversely affected: I think this recognizes, in a very strong sense, that we believe the OMB will continue to have a role—not the same role as now, and the minister has referred to that—but it also recognizes that in contrast to MPPs, the OMB are appointed members. They've not had to stand for election. It would be difficult to ask anyone on the street in your community, "Who's the OMB member? Who's going to hear this case?" Yet people know their MPP and are very free to share with us their information and their advice. As we knock on doors—and each of us can testify to the number of e-mails and letters we get each day—the public is very comfortable sharing with us what their advice is on an issue, in contrast to the OMB. This returns an element of democracy to a process where the provincial government has the authority to make a decision that reflects what our province wants and what our community wants.

There's also a need for consistency across Ontario. The OMB may make a decision in one area, but we as a Legislature have the opportunity to say, "There's a precedent in this that could adversely affect this area or that area." So the provincial government has granted a role in there of ensuring consistency across the province. I think that's good for us, I think it's good for municipalities and I think it's good for developers.

Nowhere do I read in this any sense that we don't want development. Quite the contrary: Our government strongly supports development, but we want good development, and I believe that the businesses themselves, the developers, want good development. They want to maintain their reputation of providing quality planning in a community that's good to live in and sustainable, and that's not simple.

I talked earlier and joked about wanting to pave the world. One of the issues that faces us and the Minister of the Environment is safe drinking water. People think water comes out of a lake or out of the ground, but where we can have a profound influence as planners is that the water has to get into the ground. I can even recall when I was in engineering where we studied some of the Don Valley area, where well over half—I believe it's close to 60%—of the area that contributes to the Don River is paved. That means that when the water hits the asphalt, it goes bang, down into the Don River and down to the lake. That means it's never cleaned—in fact, quite the opposite of it not being cleaned; that means it picks up the dirt that's on the surface and the oil drippings and so forth from cars.

In Ontario, obviously we need to preserve farmland—that's a given and that's an issue to each of us—and we need to preserve the natural filters. We're seeing our government supporting the Oak Ridges moraine. The beauty of the Oak Ridges moraine is with the gravel deposits. We need to leave large green areas so that when the rain falls on it, it passes through the world's best filter—not the world's best natural filter, but the world's best filter. There is nothing that cleans water better than the gravel deposit for it to run through. Again I praise our government for affecting it there.

## 1600

Good planning says, "If we're going to have a major subdivision there, we need to have clean water to get to them, so we need to protect the ground source. I believe our government is the first one, actually, that has introduced legislation to protect the ground source. We saw in the past, "Here's how we clean up the water when it gets dirty," but for the first time, the Dalton McGuinty government has said, "Let's protect the water so it doesn't get contaminated." And that's relatively cheap. It is "dirt cheap" to protect the groundwater, to use that.

**Interjection:** Unlike Walkerton.

**Mr Parsons:** Yes. Unlike Walkerton, one of the members says. I think that maybe has been a major lesson to the people of Ontario, that you don't put a price on clean water. You simply don't put a price from a health viewpoint, from an insurance viewpoint. If a municipality wants to grow, they want good planning, because no one is going to locate to an area where there's a shortage of water or the water is not something that people dare to drink. I applaud that.

It provides the Minister of Municipal Affairs and Housing with the authority to deal with planning applications currently under review; that is, transition matters. We've changed the rules toward planning, and this will grant the minister the ability to ensure some consistency. I don't believe that just because someone submitted an application two months ago, it should go through even if it's a bad application. I endorse the minister having the right to go back and intervene in ones that are still before the board to ensure that it is in the best interests of the people of Ontario. This isn't what's in the best interests of the Ontario Liberal Party; this isn't what's in the best interests of individual members. This will be in the best interests of the people of Ontario. It is great to see a handle finally put on this matter so that it can be dealt with.

I can think of a number of cases where, quite frankly, the developer simply skipped the municipality and went straight to the OMB. That may sound surprising to some people watching this, that they could do that, but the rules that existed before this said the municipality's voice didn't count and the individual citizen's voice didn't count. I'm not sure what it costs for an application to the OMB, but it's less than \$200.

**Interjection:** It's \$125.

**Mr Parsons:** It's \$125, and they would end-run and allow these unelected officials to make a decision that could very adversely affect a municipality. It was also taking away the local voice of the citizen. It was an attack on democracy when the local councillors lost their opportunity to have input on it.

There was a sense in years past of development at any cost. We now know that bad development that may have saved on planning costs and design costs will cost the community forever into the future.

There are so many things we can do to deal with traffic. We look at communities now—you look at some old European cities with the beautiful winding streets that

go through. That was probably sufficient for horses or pedestrians. But we don't need to be planning for this year or next year; we need to be planning for the future.

As an engineer—and you may know the example—one of the most striking examples from an engineer's viewpoint is the Bloor Street viaduct. When the Bloor Street viaduct was built, no one ever in their wildest dreams imagined a subway existing in Ontario. But the person who designed the bridge said, "Some day there will be a need," and probably they were thinking of a railway at that time, but there would be a need for mass transit in this community. They built a bridge with an empty lower deck along what is now one of the main streets in Toronto, saving the public a considerable amount of money when they built the subway but, even more, telling me what people with vision can accomplish.

**Interjection:** It must have been a Liberal.

**Mr Parsons:** I believe it was a Liberal engineer, actually, who designed that bridge; I'm relatively certain. It's a beautiful design, one of the most—

**Interjection:** You're not that old to remember.

**Mr Parsons:** No. Just for the record, I wasn't born when that bridge was built, but had I been born, I'd certainly have endorsed it at that time. It is an example of what happens when people sit down collectively and look to the future, at what we can do. That's been a wonderful example of it.

My riding has a Mohawks of the Bay of Quinte reserve, and one of their philosophies is that we need to plan for the next seven generations. I think that's wonderful. I think that's an example for the rest of us to strive for, to think about our children and our grandchildren. The legacy we're going to leave to our grandchildren—we don't inherit the land from our parents; we borrow it from our children. We need to leave communities in which they will be allowed to prosper and their children will be allowed to prosper.

This bill allows that. This bill recognizes that the people of Ontario, collectively, are intelligent and want to do the right thing. They are basically good people. I am very pleased to speak to this bill. I think it has the ability for this Legislature to positively influence Ontario for the next hundreds of years.

**Mr Shafiq Qaadri (Etobicoke North):** It's a privilege to speak in support of Bill 26, our Strong Communities (Planning Amendment) Act. This bill encompasses a number of things which I think are very important for the future development of Ontario; as my honourable colleague from Prince Edward-Hastings has said, for preparing the use of our land and our environment with a view to the future, even extending, as he's just quite nobly mentioned, up to seven generations. It's an issue of planning, of using due diligence, accountability, and again with respect to my colleague the engineer from Prince Edward-Hastings, of really striking a balance between those of us who would save the world and those of us who would pave the world.

Ultimately, it's about strengthening communities, really having a big-picture analysis, clarifying rules and

bringing an added level of transparency, essentially offering a level of local control and really respecting municipalities.

How? By really exercising our due diligence for intelligent land and resource use and dealing with urban expansion and development with a view that all the different stakeholders, all the different interests, are safeguarded—not only the ones that are clear and present but the ones that extend on into the indefinite future. Only in this manner will we as a government—as the McGuinty-led government—lay the foundation for prosperity.

Part of this involves respecting the public voice. For example, the idea of increasing decision timelines is a very important one, respected all around by the various municipalities and local communities that are involved. In this manner we are able to maintain the public interest, whether it's the issue of fair adjudication, dealing with gridlock, a strong economy or maintaining our green space environment. Ultimately, for example, the ability to empower the minister to essentially declare a provincial interest, perhaps like an override clause, is something that I think really is a mark of vision in this particular bill.

I would also like to say that this is in great distinction to the previous regime, which was ousted in October 2003. The previous regime's philosophy was quite different. It was the philosophy of disembowelling, or gutting, the Ministry of Agriculture, the Ministry of Natural Resources, the Ministry of Municipal Affairs and the Ministry of the Environment.

It was a matter of shutting down democracy, "creating a crisis," in the noble words of John Snobelen, manufacturing discontent: the omnibus bill, calling out riot police, and selling—essentially putting a big "For Sale" sign on every public asset that you could name, whether it was hydro, hospitals, highways or, ultimately, the use of our environment, which is of course what we're attempting to address here.

Bill 26, our proposed Strong Communities (Planning Amendment) Act, is part of this government's agenda for delivering real and positive change. For example, in the throne speech of November 2003, we spoke about strengthening the foundation for change and laying the foundation for the prosperity of tomorrow. This legislation, if passed, would be one of the very first steps toward delivering on that change in this sector, land use planning, and one that would affect the entire province.

For example, there are a number of issues contained within this particular amendment act. It would open up the planning process. It would allow more time for public scrutiny—the timelines increase that I was referring to earlier. It would boost environmental protection and ultimately better protect the public interest.

Ultimately, what we're attempting to accomplish with this bill is a commitment to managed, intelligent, optimal growth, which ultimately leads to sustainable development and a healthy environment. This will deliver on our commitment that would require the reform of land use planning that has been currently in place.

For example, the Planning Act actually establishes rules for land use planning in this province. It will refer to who the decision-makers are, the avenues for dispute resolution, and more importantly, will also provide for public input.

**1610**

The reforms to the Planning Act, for example, would improve the land use planning system by making the rules clearer and more consistent, ensuring that the process is more accountable and that the public will have a meaningful voice that cannot be just overridden by the current rules that are in place. We intend to give the provincial policy statement in this area more teeth by setting up a new standard for land use planning that is consistent with and kind of overrides the previous phrase that was in place, which was "having regard to," which really seems to be less than lip service, not even word service, but this will hopefully bring the spirit of the law to bear here.

We intend to propose reforms to the Ontario Municipal Board that will be part of our government's commitment to a comprehensive review of the Ontario Municipal Board. One of the very first proposed changes to the Planning Act is being introduced today for our general consideration. One of the things that's important, of course, one of the underlying, I guess you could say, underpinnings of what we're attempting to achieve here, is to build a strong, safe and livable community for all the people who work and live in Ontario.

One of the things that inspires us to do so is that, even in my own riding of Etobicoke North, had various visionaries not been in play and not had their voices listened to, then the current gridlock that we experience, like many ridings, on a day-to-day basis would be even worse. Whether it's a matter of pollution or our slowly eroding green space or the constant encroachment of industry and the pollutants that brings, I can tell you, from my own riding, that this type of legislation and certainly the spirit it embodies is something we very much need to institute and institutionalize, broadcast across Ontario.

In particular, as my honourable colleague from Prince Edward-Hastings said, it's in order to prepare for the growth, not only that's clear and present and that we can measure and see today, but it's really the effects that will echo in perpetuity, really for generations. As he quite rightly pointed out, once these types of changes are made, whether it's to land use or gridlock or non-smart growth, those changes are irrevocable. That's why this government recognizes that the cost of doing nothing is too vast for this government, and frankly for the people of Ontario, to bear.

For this reason, I call attention to this bill and why we should all support it. Ultimately it's about planning, accountability, strengthening communities, local control, intelligent land use, intelligent resource use, optimal urban expansion and development, and maintaining the public interest whether it's regarding development, gridlock, the economy or maintaining our green spaces.

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** I want to thank the Speaker and this assembly for the

opportunity to speak on Bill 26, the proposed Strong Communities (Planning Amendment) Act, 2003. I may repeat some of the comments that have been made by Minister Gerretsen in his presentation, and I feel I will do so because they bear repeating.

This is a time for real and positive change in Ontario's communities and our proposed legislation will set the foundation for that change. The proposed Strong Communities (Planning Amendment) Act, 2003, aims to strengthen our municipalities and create healthy and prosperous communities. We are changing, revising and reforming. We are changing the Planning Act, we are revising the implementation standards of the provincial policy statement, which is the government's statement on land use planning priorities, and we are reforming the appeal process to the Ontario Municipal Board.

As you are aware, the Planning Act establishes the rules for land use planning in the province and describes how land uses may be controlled and who may control them. On December 15, 2003, this government took decisive action toward planning reform with the introduction of Bill 26.

Bill 26 includes measures that would give municipalities more time to review and approve development applications; prevent appeals to the OMB of urban expansions that are opposed by municipal governments; require that planning decisions be consistent with the provincial policy statement, a stronger test than the current "having regard to" standard that was in place before our government took over; and give the province the power to confirm, vary and rescind a decision made by the OMB where the matter is of provincial interest and may have an adverse effect on that interest.

There are questions about examples of provincial interest. Provincial interest includes things such as the protection of ecological systems, including natural areas, features and functions; the protection of agricultural resources, a subject that of course is very close to me; the supply, efficient use and conservation of energy and water; the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; the minimization of waste; the orderly development of safe and healthy communities; and the adequate provision of employment opportunities.

The bill proposes to make changes to the Planning Act that will improve the land use planning system by making rules more clear and consistent, ensuring the process is more accountable and transparent and giving the public more of a voice, a stronger voice. The public needs a stronger voice in land use planning. They speak out at public meetings and through the municipal councillors they have elected. They need assurance that when their council says no to urban boundary changes, that decision will be honoured as the will of the people and not simply be overturned by the OMB.

The provincial policy statement is currently being reviewed as part of the required five-year review of the statement under the Planning Act. The purpose is to

determine if the provincial policy statement policies need to be revised based on their ability to address emerging issues that are of provincial interest, including eliminating gridlock, preventing sprawl, preserving green space and agricultural land and protecting the environment. This is to ensure that provincial land use planning policies are promoting well-planned growth that supports a strong economy, strong communities and a healthy environment.

The Ontario Municipal Board is an independent adjudicative tribunal that makes decisions at arm's length from the government and has all the powers of a court of record. The procedures and makeup of the OMB are governed by its own legislation, the Ontario Municipal Board Act, which is administered by the Ministry of the Attorney General.

The majority of matters before the OMB relate to appeals of planning applications under the Planning Act. The OMB derives its jurisdiction from many statutes. In land use planning, its most significant source of jurisdiction is the Planning Act. The act gives the OMB authority to hear appeals and applications dealing with official plans, official plan amendments, zoning bylaws and amendments, plans of subdivision, consents, minor variances and site plans. It also sets the standards of compliance for the board, as it relates to land use planning policy from the provincial perspective. Currently, the OMB and all municipal councils need to "have regard to" the provincial policy statement. Bill 26 sets a higher standard, requiring that the OMB and councils "be consistent with." Bill 26 is only the first part of a comprehensive overhaul of the OMB, one of our government's top priorities.

#### 1620

The question has been asked of me, and I'm sure it will be asked of many, "Why not just get rid of the OMB?" I feel that the OMB is key to resolving planning disputes. I feel that the public have a right to an appeal mechanism, and therefore the OMB plays a critical role in planning in this province. But this government is also committed to providing Ontarians with safe, clean, livable communities, and the proposed changes to the land use planning system support that commitment. This would be a positive step for Ontario's communities.

A strong land use planning system would, first, support strong communities by giving people the opportunity to participate in the decision-making that involves their communities; second, enhance sustainable growth through a check on urban sprawl, gridlock and loss of agricultural lands; third, ensure sustainable development by changing the implementation standard to be consistent with provincial policies that the government and the public feel are critical to good planning; and fourth, protect the environment by allowing development only in those areas where it is sustainable.

Ontario's municipalities agree with this move, and they have let us know that they are generally in support of the direction the government is proposing to take. We are hearing from the people who live in Ontario's

communities and they are letting us know their concerns. Ontarians have let us know that they want clean air and water. They want communities that are safe, and cities and towns that work for the people who live in them.

There have been concerns raised by the municipal sector, the general public and the media that local planning autonomy and the integrity of the local planning process have been compromised, where the OMB has issued decisions which overturn decisions of elected councils. Municipalities and other stakeholders have asked that the role of the OMB, as an adjudicator of appeals under the Planning Act, be reviewed.

Environmental groups have concerns about how the proposed planning reforms protect heritage resources and the environment. Development groups have concerns about how the proposed changes will affect the development sector and the economy as a whole. The resource sector has concerns about the proposed "shall be consistent with" standard and how that will affect resource sectors such as agriculture.

We are taking notice of these concerns and we continue our discussions with our stakeholders and the public on how best to address them. The government is interested in hearing the many perspectives and ideas that will help guide us in developing a better land use planning system in Ontario.

Currently, our proposed changes to land use planning address high-priority concerns, but we are not stopping there. There will be further reviews of the Planning Act, and there will be more fundamental reforms proposed to the planning system. These reforms, if passed, will bring in fundamental change to land use planning in Ontario. We are also working on providing our communities with additional tools to help deliver the services that Ontarians expect and provide an environment that is safe, clean and healthy for the people who live and work in our communities.

This government has made real, positive change to the municipal-provincial working relationship, one that values input from all sides and draws support from the people who work at both levels of government. Over the last eight years, Ontario municipalities have faced many challenges: uncontrolled development, unwarranted gridlock, endangered heritage and water resources, loss of green space and unhealthy air. This has clearly had a negative impact on the environment, and it is hurting us economically.

If passed, the Strong Communities (Planning Amendment) Act, 2003, would give Ontarians a real voice in the way our communities grow and prosper and bring back local accountability and transparency to the land use planning process, and ensure that important provincial land use policies are clearly spelled out so that vital provincial interests are protected for the benefit of all Ontarians.

This government recognizes that Ontario's municipalities need a new deal that will restore to them the ability to plan, manage and invest for the future. We are committed to building strong, healthy, livable and safe

communities and providing communities with the tools to develop and sustain them.

Recently my colleague the Minister of Municipal Affairs and Housing met with AMO, the Association of Municipalities of Ontario. As the minister has stated, they are the voice of municipalities. That's who we turn to when we want to know what is happening at the municipal level. They have made recommendations that we feel are valuable to what we want to do. Minister Gerretsen has delivered the message that we will begin a dialogue that will lead to a new partnership between Ontario and AMO.

The memorandum of understanding that is currently being discussed with AMO will be put into legislation and hopefully passed by this assembly. This would, if passed, be an unprecedented step in the relationship we have with our municipal partners. We feel it is important to the common good to have a good working relationship with the municipalities. Gone are the days of adversarial working relationships and I say goodbye to them.

AMO has mentioned that they are encouraged by the direction we are taking with Bill 26. They have also made recommendations on a number of the issues they feel are very important to them. We will be looking at those issues, specifically as they relate to complete applications and the Ontario Municipal Board, among others. These views are welcome and we feel the province will benefit from that.

If passed, our reforms to the planning system would support and be supported by a number of other initiatives, as has been mentioned earlier. These include things such as the Greenbelt Protection Act, which we introduced for second reading on March 30; the growth management strategy under the Ministry of Public Infrastructure Renewal; source water protection and waste management under the Ministry of the Environment; and the Greater Toronto Transportation Authority and other transportation strategies under the Ministry of Transportation. All these actions support our commitment for well-planned, managed growth, leading to safe, clean and livable communities.

As mentioned, the proposed Strong Communities (Planning Amendment) Act, 2003, would be only the first step toward what we feel are fundamental reforms to the planning system. From the feedback we get from our stakeholders, we have identified the need for other changes. We recognize that municipalities and the public may have other concerns regarding the planning system, so as a government we will be consulting with all Ontarians.

We are also looking at enhancing the provincial policy statement, the province's policies on land use planning. This has always been of great concern in the agricultural community, because under the provincial policy statement, the province states that they feel agriculture and the preservation of agricultural lands is very important. Yet in the past municipalities and the OMB have been required just to "have regard to," which meant they gave it a quick glance and then simply proceeded with what

they had planned to do in the first place. By having to be consistent with that policy, we are now protected. When there is a change in the zoning from agriculture to another purpose, there will be legitimate reason for doing so, and it will leave us with sustainability in the agricultural community.

Through the review process, we will ensure there is clear direction for all land use planning decision-makers, including the OMB. We will ensure that policies address concerns that are important to the people of Ontario, such as eliminating gridlock, protection of the environment, protection of green space and agricultural lands, heritage resources, and containing urban sprawl, which is another issue when we speak of the greenbelt protection legislation.

### 1630

The proposed Strong Communities (Planning Amendment) Act of 2003, would, if passed, be key to reforming land use planning in Ontario. We can no longer allow uncontrolled development in Ontario. We need reforms to land use planning that will give our municipalities the tools they need to grow properly and in a smart way, and give our communities the ability to grow strong. The province is taking the first steps toward real change.

It is time for well-managed, planned growth. As mentioned, over the next 30 years, central Ontario is expecting to grow by more than 3.5 million people. If this population trend continues, much of that growth will consume the farmlands where the food that we eat is grown. The government recognizes the costs of doing nothing to prepare for the growth that is coming to central Ontario.

We have to manage this growth in a planned and intelligent way, and the time to act is now. Unchecked urban sprawl cannot be allowed to continue. The people of Ontario want well-planned, responsible, sustainable growth, and the tools to manage growth responsibly. If passed, our reforms to the planning system would support and be supported by a number of other areas. We feel that it is important to the long-term development of this province to enable municipalities and this province to plan properly.

As was said earlier by a colleague of mine, the European continent has long recognized the need to plan properly. We recognize the crowding and the situations that they experience in Europe. They have had to deal with issues such as encroachment on agricultural lands and the proximity of one community to another. That is a beautiful place to visit, yet I have come back. I have visited with my family over there, and my family comes from the Netherlands. I have to say that when I go there and I come back, I am pleased to be back here.

We are a young country. We have great things to offer. We have an opportunity to plan for the eventualities, which they didn't have. We can take our lesson from them.

I would like to share the remainder of my time with the member from Thornhill.

**Mr Mario G. Racco (Thornhill):** I want to just make a few comments on Bill 26. I want to stress how important it is to make sure that proper planning, smart planning, will take place. Bill 26 will certainly allow that to happen.

We know very well that in the past the Tories allowed development to take place all over, without any control whatsoever. What we have today, and I'm sure my Tory friends will agree, are housing developments all over—where there is no public transportation, where there are no proper roads, where there are no proper services—for a simple reason: It's too expensive for anybody to build.

In particular, that is because housing was allowed all over the place. Your administration and new government want to take leadership, giving direction as to where development should take place. This development should reflect the needs of Ontarians.

Ontarians are looking for any type of development, whether that be single homes, townhouses or high density. They want to have a choice, so we must provide a choice.

At the same time, we're able to understand that if we want public transportation, some type of housing must be built; otherwise, we cannot afford it. Otherwise, we cannot afford to clean the roads, we cannot afford to collect the garbage.

We have to make sure that this planning takes into consideration the future costs, and also the need for a community centre. If we tend to build a few hundred homes here and there, where are the community centres going to be built? Where are the homes going to be built? How can we fill a school for 1,200 or 1,300 kids if we don't have the housing close by, whereby our children, as we were speaking about earlier today, don't have to be bused for a long distance? If we build properly and we build from A to Z instead of jumping all over the place, that means the services can be provided sooner and, therefore, the community is better.

Communities are alive only when the planners make them alive. I have had the pleasure of visiting many places and I noted a significant difference between what I see in some parts of Ontario. The way you build a community makes a major difference to how the people in the community interact with each other.

In addition to that, let me make a point about the Ontario Municipal Board. The Ontario Municipal Board needs to be changed, and Bill 26 will do some of it at this point. We need to change because there are many tax-payers out there who are not pleased with how decisions are made at the OMB. Therefore, one of the things we should do is start educating the members so they can do a better job for the people.

**The Acting Speaker (Mr Ted Arnott):** Questions and comments?

**Mr John O'Toole (Durham):** I just wanted to respond to the members from Prince Edward-Hastings, Etobicoke North, Lambton-Kent-Middlesex and, more recently, the member from Thornhill.

I look at Bill 26 and, on the face of it, on the surface of it, it looks somewhat intrusive. The main principle here is

changing the policy statement strength from "have regard to" to "must be consistent with." That seems to me to be intruding on the elected local and regional councillors in getting on with making difficult decisions on land use. I think that's important.

But you know what's even more troubling is when I look at the overall framework of what the Minister of Municipal Affairs is doing. I really think, for the viewer, it's important for them to look at it in the context of Bill 26, which is the Planning Act we're talking about; Bill 27, which is the greenbelt amendment—and actually, the ministerial freezing development; and Bill 49, which is the Minister of the Environment freezing land rights issues. Actually, Bill 60 is another—overall, you can look at it almost like a conspiracy of trying to take over the right of land use: intruding into it and taking it out of the hands of not just the landowner but out of the hands of local government, which knows what's best for them.

I agree fully that there should be a provincial framework for guiding and stewarding the process along so that the public are well served, but you're usurping the power of elected people locally to deal with the issues they need to respond to. But at the end of the day, it is a property rights issue that I see in a broader context, where they're not listening to the people of Ontario who are duly elected to make local decisions. That disappoints me and, Minister, I'm surprised that you, being the former mayor of Kingston, would take that power away from them.

**Mr Peter Kormos (Niagara Centre):** Down where I come from in Niagara region, let me tell you what the problem is. The problem is that we have some of North America's most valuable farmland, most valuable agricultural land: tender fruit land, our vineyards, our peach orchards, our plum orchards, our cherry orchards. There is incredible pressure by developers to expand on to this very valuable and scarce agricultural land. I tell you, there's a strong movement advocating the preservation of agricultural land—indeed the well-known PALS, the Preservation of Agricultural Land Society.

The reality is that unless this government does something effective and meaningful for farmers, you can't expect the farmers—the second, third and fourth generation of owners of this valuable agricultural land—to subsidize out of their savings, out of their hard-earned incomes, its maintenance when, quite frankly, as you know, Ontarians and Canadians pay less for food than literally anybody anywhere else in the world. Our farmers need support if they are going to continue to play the role of stewards of this exceptional and scarce agricultural land. What we need from this government, and we need it rapidly—we certainly didn't see it from the Conservatives, and I'm not holding my breath from these guys.

#### 1640

We learned about the relationship between the Cortellucci family and the Liberals just a couple of hours ago. It looks like the Cortellucci corporations have two back pockets: Tories in one, Liberals in the other. There's

room in that bed. It's a king-size bed. There's room in that bed for a ménage à trois. The Cortelluccis are indifferent whether it's a Tory or a Liberal; they'll buy either one when it comes to developers' interests.

**Mr Lou Rinaldi (Northumberland):** It gives me pleasure to comment on this bill.

I'm still somewhat reluctant to remove my municipal hat, even after being here for seven months. Being in the municipal sector as a politician for some 12 years, I know the difficulties we had in dealing with municipal planning, especially, I believe, in rural Ontario, where there are a lot smaller municipalities with a lot less resources, and they fall under the hammer of heavy development with very little control. I think we've heard from previous speakers that developers, with very little effort, were able to overrule municipal decisions.

I can relate to you, having travelled the province for the last couple of months under the ministry I'm associated with—the Ministry of Public Infrastructure Renewal—that we have a lot of municipal leaders coming together to deal with infrastructure. I hear over and over that they expect the province to be a leader in whatever we do, to set out some type of framework they can work under that is brought across the province.

I believe this is only the beginning of the right thing to do. It's going to provide those municipalities with a framework they can work with, and I think the important thing this bill provides is a consultation that puts us, as my neighbour from Prince Edward-Hastings said to me, on an equal footing, where we will not be heavy-handed provincial politicians who put down the hammer, but we're their friends and cohorts and we're looking after the interests of the same people they are.

I have to congratulate the minister for coming forward with this bill. We need to move forward.

**Mr Garfield Dunlop (Simcoe North):** I really hope that when we do our leadoff, the same kind of courtesy will be afforded to us that we have just given to the lead-off speakers for the Liberals. There are a lot of important points that have to be brought out, and we don't need to be heckled and screamed at by the Liberal backbenchers and ministers. We understand that's coming up, and I can see we're going to get under your skin just by the fact that we're going to bring up some issues. You're already heckling me, and I'm in a bloody statement.

The fact of the matter is, this new minister must like punishment. You have basically removed the OMB with this piece of legislation. Every development question is either going to end up on his plate or in this House; there is no question about that. You will be answering questions, time and time again, that were normally answered by the OMB.

I know that for some reason everyone in this building, and everyone in the Liberal caucus, must hate the OMB. I don't know what you have against the OMB. Obviously, there are decisions they make that aren't happy ones, but I think the OMB has served the province very well over the last—I guess it has been in place for almost 100 years, if I'm not misinformed on that. I think they have

done an excellent job, and certainly there is always going to be controversy. But now we know the minister can overrule the OMB.

We'll get into pork-barrelling and all that sort of thing later in our comments, because there's no question that that will enter the discussion. Just when does the minister turn down the OMB or overrule the OMB? I think it's going to get very political at that point.

We look forward to our leadoff speaker, Mr Hudak, who has a lot of really good points, and we'll not be heckled by this House. We'll have complete silence here as he addresses the House.

**The Acting Speaker:** The Minister of Municipal Affairs and Housing, you have two minutes to reply.

**Hon Mr Gerretsen:** I appreciate the comments that were made on all sides of the House. Let me just say that I look forward to a strong debate. Hopefully, this bill will be passed and then it will go to committee, where amendments can be made and where suggestions can be made by all those people who have something to say about it, whether they're from the development industry, the environmental industry, the municipalities etc.

We need that kind of a debate, because there are some fundamental changes to the way we want to do planning in the province. What we're basically saying as far as planning is concerned is that it should be up to local councils to determine what the urban boundaries within their municipalities should be. That is the fundamental change that is being made in the Planning Act, because that isn't the way it is right now. Right now, a developer can in effect say, "We want your urban boundaries to be larger than they are," and take that matter to the Ontario Municipal Board. Then the OMB can decide how far those urban boundaries should stretch in that municipality. We believe that it should be the decision of the locally elected council.

Should there be OMB reform? No question about it. The Ontario Municipal Board should be reformed. We should be looking at a whole wide range of issues: how long they're appointed for, what kinds of decisions they should be making and on what basis. Should they be what we call *de novo* hearings—new hearings—or should the rulings be strictly based on the evidence that was presented before the councils? We can go on and on. There are a whole series of things that there should be a full and open discussion about in this province. I look forward to that debate.

It's passing strange that this Bill 26 talks about good planning and a strong economy. Do you remember the Bill 26 that government came up with, the infamous omnibus bill that basically took away the rights of municipalities? We're giving it back to the local councils in this bill.

**The Acting Speaker:** Further debate? Member for Erie-Lincoln.

*Applause.*

**Mr Hudak:** Wow. Well, this side. Thank you very much.

*Interjection.*

**Mr Hudak:** There's a new spirit of co-operation in the chamber—at least on Tuesday evening. We'll see how it goes for Wednesday.

I'm very pleased to respond today on behalf of the official opposition, the Conservative caucus. I may, depending on how things transpire, if you could give me flexibility here, be sharing my time with the member for Simcoe North, but I may not.

**Mr Rinaldi:** Don't you trust him?

**Mr Hudak:** I trust him. The member for Simcoe North brings so much to the table, given his experience here in the Legislature but also—maybe I broke a rule here—his experience there on county council. Limiting him in debate would be a real shame; in fact, I think we should give the member for Simcoe North the maximum time available, and at that appropriate time I would probably move unanimous consent to let him speak for as long as he wants to. We'll cross that bridge when we come to it.

**Mr O'Toole:** What about the member for Durham?

**Mr Hudak:** I think the member from Durham has already taken up a considerable amount of debate in the Legislature, let alone in caucus.

I'm also pleased to be here making comments on behalf of the member for York North. The member for York North, Julia Munro, our critic in this area, has done a tremendous amount of homework on this particular issue, as well as on Bill 27. She gave an outstanding response on behalf of the opposition on Bill 27. For good reason, due to health, she's unable to be here for the official response, but I know she'll look forward to the debate and hopefully the committee hearings around Bill 26. I think that will be very important.

They are a bit like companion bills. I think I'll speak a little bit about where Bills 26 and 27 came from, if we remember a few months back, the situation that caused them to be born into this Legislature. But I understand the House leaders are now negotiating to send Bill 27 out to committee.

I sincerely hope—I'll say this to the minister, because I know the minister is interested in this as well—that we will be able to work out a chance to have a public hearing on Bill 27 in the Niagara region. I know that there was talk about York region, but I think, very importantly, for the Niagara region, because it is impacted so dramatically. Probably on a proportional basis—

**Hon Mr Gerretsen:** —negotiated that three days ago.

1650

**Mr Hudak:** He has. There are other groups at that table that have had a difference of opinion. I'm saying to you, as a minister who wields such considerable influence on the government benches and at the cabinet table, that I think the people of Niagara would benefit greatly from an opportunity to provide direct input to Bill 27 as it goes out to public hearings, considering the dramatic impact this could have on farmers in the Niagara region, on municipalities like the towns of Lincoln, Grimsby and Niagara-on-the-Lake, to name but three, and Pelham—my friend from Niagara Centre represents the Pelham

area. All are impacted, and to presume for them to travel from Niagara, when they are so dramatically impacted, to another part of the province is a great presumption to make. I certainly hope that common sense will prevail and that we will have a considerable amount of committee time on Bill 27 dedicated to the folks from Niagara.

Back to Bill 26, the companion piece—it would be great to have Bill 26 hearings in the peninsula as well. It is certainly always very well received when committees travel outside the city of Toronto to get input on a piece of legislation. The member from Wellington has always been a strong proponent of getting committees out of Toronto to the communities.

Basically, I'm going to describe four specific areas in Bill 26 that I have great concern about and that I would expect my constituents and the municipalities that comprise the riding of Erie-Lincoln will have concern about. One that has been discussed already in the Legislature is the changing of the language to "be consistent with," as opposed to "have regard to." In some changes we brought in as Conservatives, I supported at that time and continue to support the use of the term "have regard to" with respect to the implementation of provincial policy statements in local planning decisions.

Second, I think I'm going to dedicate a considerable amount of time to what I see as the dangers of the declaration of provincial interest in pulling back hearings to cabinet, to the Lieutenant Governor in Council, the executive. I think that is extremely problematic for a series of reasons that I will explain a bit later, not only from my own experience but just as a matter of process, from taking local planning decisions and bringing them up to what is already a very packed cabinet agenda.

The third area I would like to speak about is the extended municipal review periods that are part of Bill 26 and the impacts they may have.

The fourth main point on Bill 26 is retroactivity: the powers that are given to the minister to retroactively administer zoning changes that are already in the stream. Combined with Bill 27, this has a very powerful and, I think, unintended consequence by the government to retroactively take away property rights, to retroactively change the rules that existed when councils, based on those rules, approved particular projects. I think that, combined with what has become an unfortunate habit, or maybe a tendency of this government, if you look at the Adams mine legislation as another piece, to impose retroactive changes to, I guess, abrogate the rule of law and change laws retroactively, is a very dangerous thing to do, and if you use it at all, to be used in very extenuating circumstances. Not to put a pun on it, I think it's being used too liberally in this Legislature.

I think you can't really talk about Bill 26 without also speaking about the impact of Bill 27. I think the two, in combination, are going to have a significant detrimental impact on growth in Ontario, in job creation, in building new homes and in helping people achieve what I always think of as the Canadian dream of owning their own

home, having their own backyard, their own garden, their own freedom, their own sense of peace and quiet to their affordability. I worry about the significant government planning that is coming down that I think is going to take away that opportunity for the Canadian dream among a considerable number of taxpayers in Ontario.

I know there are other things that are important to good planning as well: their transportation plan, their infrastructure plan and the PPS itself. These items, I guess, are in various stages of consultation or commitment to consultation, but there is an important issue about the cart being well ahead of the horse; in fact, it's out of eyesight of the horse in many of these areas. I do worry that we're being asked to place a great deal of faith in the minister's or cabinet's decision-making without these other important priorities already being in place.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** I trust the minister.

**Mr Hudak:** The member says, "I trust the minister," but the minister is not always going to be the minister, and I don't know if you would say that about every minister who has ever existed in the Ministry of Municipal Affairs or those who will be there down the road. You may trust the minister to make the right decision in every circumstance, but the minister's time is going to be pretty much in demand, and whether he has the opportunity to review every decision and make the right recommendation to cabinet is going to be a question.

**Hon Mr Caplan:** He's just and capable.

**Mr Hudak:** He may very well be, but this legislation not only changes the way we do things on planning in the province of Ontario today, but it does—

**Hon Mr Gerretsen:** We're putting it back the way it was before.

**Mr Hudak:** You're right. I should talk about back to the future. It's Peterson *déjà vu* all over again in many ways here in the Ontario Legislature. I agree with the Minister of Municipal Affairs that we are going back to sort of the Peterson-Rae days in many respects. I don't think that's a good thing. I do not have fond remembrances of progress in Ontario under the Peterson-Rae days. We have seen that already embodied in the significant attack on people's pocketbooks in the province. I was listening to my colleague from Whitby-Ajax who talked about the \$4.1-billion tax increase, which is the largest tax increase in the history of the province and made Bob Rae and David Peterson look like veritable amateurs.

*Interjection.*

**Mr Hudak:** But it did. You would acknowledge that made Peterson and Rae look like veritable amateurs in terms of taking money out of people's and businesses' pocketbooks.

Anyway, I think I'm getting slightly off topic with respect to the Peterson-Rae days. They are right in terms of we're going backwards in a number of areas. They may say that's progress, going backwards, but the pendulum definitely is swinging back to the way planning decisions were made in the Peterson-Rae era.

Members will probably recall that when the Mike Harris government was elected in 1995, development, housing growth and job creation in the province had pretty well dried up.

**Mr Dunlop:** Dead.

**Mr Hudak:** There wasn't much going on. It was, if not dead, well on the way to being there.

**Mr Dunlop:** There was a net loss of 50,000 jobs in the last year of the Rae government.

**Mr Hudak:** The net loss of jobs was one thing; the slowdown in housing construction, the lack of jobs in that industry. In response to that, our government campaigned on a program to spur job creation, to spur programs to encourage housing development, to allow people to own their own homes, to help achieve that Canadian dream. The land transfer tax rebate, I think up to a value of \$2,000, was just one of those initiatives, as well as changes in the Planning Act.

*Interjection.*

**Mr Hudak:** Sure, and this may be an interesting thing. This could be an issue of *déjà vu* all over again if you guys do bring that back, the old Peterson program, and maybe they'll expand it.

It's an important part of the debate and we'll see in the budget what kind of encouragement the McGuinty Liberal government is going to do for individual home ownership in the province. To date, I've seen it working quite the opposite. Maybe they'll bring back that old Peterson program, dust it off and maybe expand the dollar value for that program. Maybe they'll raise the limits to which benefits will apply.

I certainly hope the land transfer tax program, the rebate, continues, because I think that was a boon for young families trying to buy their own homes so that they had more space and liveability, so they could achieve that important status in our community.

We have gone backwards in a couple of areas. We'll have the debate on legislation in committee, whether that's a good thing or a bad thing, but I think we will all recognize that the Harris government was elected under a mandate to encourage greater home development in Ontario. We made a number of changes to do just that, one of which was to bring in the language "have regard to," over the existing Bill 163, the NDP legislation, which had brought in the same language, "be consistent with." We're actually, in this legislation, adopting the old NDP policy introduced in 1995, "be consistent with."

*Interjections.*

**Mr Hudak:** We'll have the debate whether that was the right way to do things. Certainly at that particular time when the pendulum was well over here, what it did was it helped to stifle growth, together with the guidelines for the PPS that were like a big Toronto phone book—remember the old ones when they had the white pages and the yellow pages together?—like this.

Municipalities were expected to be consistent not only with the PPS, but the guidelines: it was a nightmare wading through that kind of documentation to "be consistent with," which caused I think a lot of development

not to happen, not to occur. As the member from Simcoe North said, it was a dead industry in the early and mid 1990s. At least the NDP, when they brought forward “be consistent with” in Bill 163 had the provincial policy statement there for public view. Municipalities knew what they were. As well, the encyclopedic guidelines were at least there. If municipalities had to adapt to that language “be consistent with,” they knew what they were being consistent with.

**1700**

The problem we have today in Ontario, and a great concern that we as members of the official opposition have, is that we don’t know what the McGuinty provincial policy statement is going to look like. The previous government began a process in 2001 of consulting and updating the PPS. Granted, that has taken some time; it’s still not complete. I don’t know, but have you guys moved that rock up the mountain any more since? The minister nods yes. Well, good. I would ask then, in return—

**Interjection:** A little bit.

**Mr Hudak:** A little bit. OK, but I would ask, in return, before we vote on second reading preferably, or third reading, will the PPS be available for public comment, for the Legislature to comment on before we agree on or vote on the shift of language from “with regard to” to “be consistent with”? Are those things going to be here or are we on a wing and a prayer, acquiescing in something that’s not even before the Legislature or the general public? At least the NDP was a lot more transparent in bringing about that policy change under 163 because municipalities knew what they were dealing with.

Now we have the worst of both worlds. We’re proposing to go back to old Bob Rae language without having the guidelines, if there are going to be guidelines, or the PPS in place.

**Mr Dunlop:** Get your wallet out, buddy.

**Mr Hudak:** Whether it’s an issue of getting your wallet out and paying more in taxes and fees or higher home prices—I think you can make that argument. If you limit supply and if demand continues to grow in the province, you will see a price spike in homes. We’re already seeing that as a result of Bills 26 and 27 on vacant lots, and I would expect on housing prices as well. I think what it will do is contribute to the decline of housing starts in the GTA, if not in the province as a whole, but definitely in the GTA.

The pendulum was at a significant distance when the Mike Harris government, which I was very proud to be part of, came into office to swing it back toward encouraging more development and more home ownership. The McGuinty government was elected—I’ll grant them this—with a mandate to try to bring that pendulum back. They’ll argue they have now balanced it, but the point I brought up particularly is that in going to the old NDP language, they’ve swung it back to the era of Bob Rae and I think that is going to be very damaging.

If they wanted to find ways to control development, I think we would all support that. As part of our Smart

Growth initiative we had talked about that and moved that process along. But I have great concern that as a result of 26 and 27 combined, along with some other legislation and the themes in that legislation, we’re going to see the brakes slammed on development altogether, not that the government deems it a good area to have development or not, but I think altogether, as a result.

I have a good quote to read here. The Ontario Professional Planners Institute, the OPPI, said with respect to the PPS, “While the PPS may not garner as much attention as some of the other initiatives the government has unveiled lately, it is the tool that makes everything else work.” It is asking a lot to vote on and pass this legislation without knowing what the PPS is going to look like. I understand they’ve moved it along. I certainly hope it comes a lot farther along in a short period of time because the PPS is the instrument that instructs good local planning.

Another problem with the language “be consistent with” is that often there are going to be competing uses for land. There isn’t a single way to approve a planning approach; there are ways of doing so. The PPS will deal with things like economic variables, social variables and environmental variables, and on occasion they will be in competition. For example, if you’re looking at an aggregate project in Ontario, you may have a policy statement that would discourage that on the environmental side. You may have another on the resource development and job creation side that will encourage it. You will have two competing policy statements. How, if you want to respond to this, can you be consistent with two competing policy statements that may contradict themselves in, I think, several imaginable circumstances? Often, you will find that the development side would be in conflict with the environmental side on resource issues, for example. Municipal flexibility in responding to local priorities and responding to local circumstances, in perhaps finding a way to mesh environmental preservation with the development policy, is better encouraged by the language “have regard to” as opposed to “be consistent with.” I think that may be an impossible task, made even more impossible—if that’s possible—made even more difficult to complete, if these guidelines come along that are extremely thick and unworkable, like had existed in the previous area that had swung the pendulum against any kind of housing development whatsoever.

I do have great concern about that change in language, particularly without the PPS there. One option they may have, I would suggest, is that they maintain the existing language, “have regard to.” One option if they choose not to is, why don’t you prioritize the PPS? If they’re in competition between resource development, environmental, social benefits, then perhaps an indication from the province on prioritizing which of those, under whatever circumstances, takes priority could help municipalities and guide them through this process. Failing that, I think, inevitably you’ll have significant conflicts at a municipal level trying to be consistent with competing policy statements.

As part of that, while the theme of the bill and the minister's comments and the preamble had talked about empowering municipalities, I think a strong argument can be made that in many areas of the bill it does the opposite, one example of which is the change of language from "regard to" "consistent with." In fact, I think it binds any reports that come forward before council to be inconsistent with the PPS. Even comments that councillors made, I believe, if I read the legislation correctly, would be bound by this new policy development. Restricting the flexibility of municipalities under local circumstances to adhere to, to have regard to, the provincial policy statements, if you go with the "consistent with" language, is going to bind debate and limit municipalities' flexibility.

The second area I wanted to address is the ability of the minister to declare a provincial interest in an official plan or a zoning bylaw amendment that is going before the Ontario Municipal Board. I spoke just a few moments ago about a significant concern that, while this may be dressed up as being pro-municipality and restoring municipal autonomy, this is quite the opposite. It is not even close to hitting those themes expressed in the preamble of the minister's comments. I see this as being highly problematic. In fact, we got out of that business. This is the Peterson-Rae *déjà vu* all over again in terms of encouraging appeals on zoning and bylaw decisions to the provincial cabinet.

Under this legislation, if passed, if the minister declared a provincial interest, the decision by the OMB would have to be reviewed and the decision would have to be confirmed, varied or rescinded by the Lieutenant Governor in Council. So any time that there is a declaration of provincial interest, it would have to go before the provincial cabinet. That issue aside—I'll get to that momentarily—there are no restrictions, no definitions and no guidelines in the legislation, or that I have heard from the minister in the Legislature, that would indicate to municipalities or project proponents or taxpayers, citizens who may have an interest in a project—there is no description whatsoever of when it is appropriate or not appropriate for the minister to declare a provincial interest. It is not narrow; it is wide open, a chasm that works against municipal autonomy. I know that when it comes close to municipal elections or provincial elections, there is going to be huge pressure on individual politicians, be they municipal or provincial, by either side, if they feel like they are losing, for the province to declare a provincial interest so they can go to another court of appeal. I think that opening up the Legislature and the cabinet to that kind of local political pressure is dangerous. It is not good land use policy, and it's not going to be good politics either.

**1710**

A detail here that I think is important to speak a bit more about as well is that the minister can make this declaration of provincial interest up to within 30 days of the hearing before the OMB. So it may be working its way through the municipal process, they may have

reached a decision, it may be appealed to the OMB, but as it works its way up through the municipal process, the minister does not have to declare a provincial interest whatsoever. He doesn't even have to nod in that direction—a cautionary letter. It does not even mandate a meeting with the municipalities to discuss what may be the provincial interest in this area. In fact, I think AMO, in their submission on this document to date and other municipalities—I think York region as another—give a very strong suggestion that a meeting with municipalities must be mandated to occur before a provincial interest is declared so that, ideally, the minister and the municipality can sort out what the provincial interest may be before they have to go through all of the hearings and to the OMB with only a 30-day notice. There's very strong concern about that.

I think this section should be eliminated altogether with respect to the declaration of provincial interest in the official plan and zoning bylaw. I just think it's a very dangerous precedent. In fact, my understanding is this was removed from the Planning Act as far back as 1983. So we're actually going back before the Peterson days in these circumstances.

Let me describe a little bit what I fear is going to happen in these circumstances. I fear that you'll be removing the decision-making process from the level that it's actually occurring at, in favour of bringing it to cabinet. A municipality may be weighing the cost benefits of a particular proposal—the job creation, the burden it's going to place on infrastructure, the response of neighbours and others in the municipality, those that are seeking jobs. They'll put that into context. They'll weigh the revenue that would come in as a result and the weight of the impact on existing neighbourhoods. They'll go through that cost-benefit analysis, they'll look at the provincial policy statements, and they'll make a decision based on the cost benefit.

This then, if there's enough political pressure brought to bear, removes that local decision-making, removes that cost-benefit analysis, and brings it to another level altogether, where you don't have that degree of attachment to the local cost and the local benefits. In fact, it will then become part of the sphere of province-wide issues. The politics will be, if the government of the day is feeling like it has particularly offended the environmental movement, the green vote is trying to appeal to them—I would argue that, sad but true, the decision would tend to be prejudiced toward that direction. The local decision, which will have nothing to do with province-wide relationships between the government and the stakeholder group, nonetheless, I fear, will be prejudiced and won't be based on the local facts but will be based on larger, province-wide figures, particularly when you get close to an election time.

On the other hand, if a government feels like it is vulnerable on the development side, it has not done enough to encourage home ownership, for example, or the economy is slowing down, the cabinet or the minister of that day may be prejudiced to rule in favour of that

side, that larger picture, without taking into account the local benefits or costs of a decision.

There also may be tradeoffs. There might be an example, say, by way of argument, that happened in Simcoe county where the cabinet made their decision and ruled in favour of the development proponent. Then the next day or at the next cabinet meeting a project came forward from Leeds-Grenville. There may be a prejudice there that would influence a decision to say, "Well, last week we gave it to this team. This week, we've got to give it to the other side so we keep this in balance in terms of how we make decisions."

Now, that's not going to happen in every circumstance—obviously not—and we'd expect that fulsome reviews and good advice would be given to cabinet ministers at the time. That having been said, I do believe that on occasion this prejudicial result will occur, which I think is risky. It's damaging, it gets us away from the rule of law, and it creates a huge vulnerability for individual members, particularly as you get close to an election. That's the role that cabinet will have to work in that sort of framework.

The local member himself or herself will be under great pressure by whoever is on the losing end, or seemingly losing end, of an OMB decision to then put pressure on the cabinet ministers to declare a provincial interest and to try to have a sort of court of second chance. The local member, torn between both sides, will be under pressure nonetheless by the potentially losing side to have the minister declare a provincial interest and take it into the cabinet ambit.

A big problem with that too is the time frames. Cabinet has not always been known to be the most efficient decision-making mechanism that exists today. Government is, what, 25% about making decisions and 75% about process? A lot of process. You're in consultations or process and you're bragging about how much consultation you're doing. So cabinet is not exactly going to be making prompt decisions on these appeals based on provincial interest. In my reading of this legislation, and I'll be corrected by members opposite if I'm wrong, there are no time frames in this legislation that would prompt cabinet to make a decision at any particular time. There may be a valid project or there may be a valid objection to a project in a municipality across the province—Elmira, by example—but if the government were sensitive about a particular issue, if they were heading into an election campaign, they could delay inevitably that particular project by putting it on the cabinet agenda and just not making a decision. Nothing compels cabinet to make that decision at any particular time. So funds are tied up for the potential development, taxpayers are anxious to know what the decision is, municipalities will have to make the resulting investment in infrastructure and plan for that, but this decision still could be caught up in that limbo of cabinet for Lord knows how long.

The Niagara Escarpment Commission, I think, is an example, where appeals can be to cabinet or the minister

can bring recommendations to cabinet on the NEC. While we began a process of the five-year review plan for the Niagara Escarpment some time ago, we still did not get through that; that had not been completed by the previous government. I know ministers had tried to do so, but larger, big-P politics issues, I think, caused that to be delayed and we still have not updated the Niagara Escarpment plan. As a result, there are a number of projects along the escarpment—by way of example, some wineries that want to have perhaps a chance to sell some food along with their product; they want to have more hospitality at a site—that have not had any signal whatsoever from the Niagara Escarpment Commission on whether they can go ahead with their projects. Some have been waiting for several years because cabinet has yet to decide on the five-year review of the Niagara Escarpment plan.

If you basically reflect that process now with local zoning and bylaw changes, it would be a nightmare. It would be an absolute nightmare to try to get quick decisions, to try to get decisions based on local costs and benefits. It would all be borne out in political decision-making. I would ask the minister, I would implore the minister, to take out this section and have—

**Mr Kormos:** Exhort the minister.

**Mr Hudak:** Export the minister?

**Mr Kormos:** Exhort.

**Mr Hudak:** I would exhort the minister. I appreciate the member for Niagara Centre's—I would encourage, I would exhort, I would plead with the minister to get out of this local decision-making and recognize the great risks that this legislation will provide. It may not be this minister, it may be another one that's tempted more, maybe another caucus that would do so.

This is a section that is ripe for abuse, I think, that would be nightmarish. The Scream, as the member from Niagara Centre—was it Munch, the painter of The Scream, the portrait of the guy who's screaming like this?

*Interjection.*

**Mr Hudak:** See, that's why I should prepare my speeches with a bit more detail. But the guy in The Scream will look positively sanguine compared to a proponent that would have to go through this process, so it was worth the workup. It's true.

**Mr Kormos:** Somebody has been to the art gallery.

**Mr Hudak:** Well, as culture minister, you had a chance to do that in the good old days. In the good old days when I sat close to where the member from Don Valley East is sitting, I had the chance to serve as Minister of Culture, and sometimes it still comes back in the speeches.

But he'll look positively sanguine compared to people who have to go through this nightmarish process of having local decision-making when putting a granny flat on your house along the Niagara Escarpment, this inane enforcement of rules. But can you imagine cabinet having to take the time to decide about putting a granny flat on to a home or if a local farmer can have his retire-

ment lot? If a provincial interest is declared, cabinet would be making the decision about this poor farmer in Vineland, trying to decide if he gets a retirement lot, when I would argue it's best left at the local level to make that kind of decision on local circumstances. I don't think members from across the province of Ontario sitting around the cabinet table are going to have the time to make the right decision or are going to consistently make the right decision about issues like that.

1720

So I strongly encourage, exhort etc—I think I said it before—that this section be taken out of this legislation. I think members who are there at cabinet, and others as well, will see the ministers bring in these thick binders as they go to cabinet or cabinet committee. Even though cabinet may meet for three or four hours—on occasion, even longer because there may be a significant agenda of new legislation coming forward, new regulations or just general political discussions—I don't think that cabinet is going to have the time to thoroughly consider these types of local zoning or planning decisions, given the thickness of the cabinet binders that I used to wield around and I see across the way. Those binders look awfully familiar. I see how thick they are. You're telling me that cabinet is going to set aside decisions on legislation—on issues like Bill 8, for example, before the Legislature, with some controversy in that, or the Adams mine legislation, which I'm sure has consumed some debate at cabinet—to talk about a retirement lot on a farm in Vineland?

What is going to happen, if the big-P politics don't play a part in terms of balancing the green and the development interests, and getting away from the local decision-making, all you're going to see in the rest of the circumstances is a simple rubber-stamping by cabinet of whatever the bureaucrats at the Ministry of Municipal Affairs bring forward. It will be somewhere in the 500-page cabinet binder, one little page that is going to affect the livelihood of local taxpayers, written by a bureaucrat in the Ministry of Municipal Affairs. There will be little consideration on most occasions, and cabinet is going to be the one making these decisions? It makes Munch's The Scream look sane. It does. It is a wrong part of the legislation. It is misguided, it is dangerous, and it absolutely runs against the way the minister describes this legislation in the preamble, with a major expansion in provincial powers into the municipal realm.

**Mr Robert W. Runciman (Leeds-Grenville):** The minister has probably never read it.

**Mr Hudak:** The member says the minister has not read it. I'll give the minister the benefit of the doubt. But I do think, to that point, that Bills 26 and 27 were rushed into this Legislature, Mr Speaker. You remember the time frame. I think you weren't there—you were here—when Premier McGuinty did the double-gainer flip-flop on the Oak Ridges moraine. He had won the election and was feeling pretty good about himself, and he said, "We're not allowing a single house"—not a single house, not even a doghouse—"on the Oak Ridges moraine." He was asked repeatedly, and he drew a line in the sand:

"We will not cross that line." Well, within a couple of weeks, that line was moved way back here with, what, 5,900 homes, 5,900 individual broken promises with respect to the Oak Ridges moraine. So in a bit of a panic, I would expect—

**Mr Richard Patten (Ottawa Centre):** Bad advice. We got bad advice.

**Mr Hudak:** Well, if you got bad advice or what have you—whatever you think of the advice, I think in response to the breaking of that major campaign promise, which was colouring the Premier as a promise-breaker, the Premier's office huddled around and said, "We've got to get something out there right away to try to shore up that support"; hence Bills 26 and 27 ushered into the Legislature in a great hurry to try to turn the page.

So I will give the Minister of Municipal Affairs the doubt to the extent that now, I think, several months later, the consultations in a number of areas are happening. I'm happy Bill 27 is going to hearings. I hope they do a hearing, and they should do a hearing, in Niagara. Bill 26, I understand from the debate tonight, will be going to public hearings.

**Hon Mr Caplan:** We like to listen.

**Mr Hudak:** He says, "We like to listen," but I don't think you were listening on 26 and 27. I think a lot of the people in the industry were taken completely off guard.

**Hon Mr Caplan:** It was in our campaign platform. There's no way they'd find that off guard.

**Mr Hudak:** I don't know if I want to get into a debate on what was in your campaign platform and what you actually do.

**Hon Mr Caplan:** It was there, in black and white.

**Mr Hudak:** If people had some doubts about your campaign platform, I think it is with good cause.

I don't believe there was much consultation done or heads-up given before these two pieces of legislation were brought forward. I think Premier McGuinty's office got in a little cabal and said, "We've got to get these things out." They brought in 26 and 27, and now we're trying to consult. Hopefully, we'll climb down some of the egregious impacts on local decision-making that are contained in this legislation, the egregious impacts on individual property rights.

Granted, if they were elected on a platform to swing the pendulum back a bit on the growth side, they've overshot the mark and taken us back to the Peterson-Rae years. I would argue that in several years' time we're going to see a significant slowdown in the industry, we're going to see housing affordability decline and we're going to see fewer people have an opportunity to purchase their own home. They may choose to remedy that by getting into the business again—I think they've spoken already of building their own affordable housing. I think ideally you try to find ways to have that provided by the private sector. Certainly what I see in 26 and 27 does not give me much hope that will actually occur, and as a result I expect the McGuinty government to get into building government, or government-financed, housing in a major way.

Another piece of the legislation is prohibiting appeals to the OMB of official plan amendments—did I finish that off? I think I described that one pretty well. The notion of appeals does offend me.

*Interjection.*

**Mr Hudak:** No. I just want to know if I've discussed that in its entirety, because I do find that highly—

**Mr Qaadri:** It's binder envy.

**Mr Hudak:** I know. I'm reduced now to having to write things like this in blue pen rather than having people write speeches for me.

*Interjections.*

**Mr Hudak:** No. Some of those writers behind the speeches we hear opposite sound awfully the same as some writers who were there a year or so ago. They may have changed some language and the print from blue to red, but I suspect some of those writers whose speeches we now hear read in the Legislature by the government side have, in fact, not changed.

I think I have discussed enough the significant dangers I see with the declaration of provincial interest.

Prohibiting appeals to the OMB of official plan amendments or zoning applications with respect to expansions of urban boundaries: I'll give the government some due here; they have talked consistently in their legislation about drawing lines and keeping projects within urban planning boundaries. Bill 27, the companion bill to Bill 26, is problematic in some respects. For example, some of the definitions of "use" that could happen outside urban boundaries in rural areas are far too restrictive. A lot of businesses that currently exist in rural Ontario, at least as I see rural Ontario, in Smithville, for example, or in Wellandport, where I reside—if Bill 27 definitions don't change, a lot of those uses would be restricted to making, in many senses, a virtual dead zone in parts of rural Ontario affected by Bill 27, combined with Bill 26. So I certainly hope we see in Bill 27 some changes in the definition of what is appropriate rural use. Maybe they could describe what's not allowed in rural Ontario rather than in the very limited way they have done it to date. But that's a side issue I could return to in committee or in Bill 27 debate.

Basically, what they've said in the section of which I speak is that it's a bit of a one-way street. If a municipality says they're not going to approve a project outside the urban boundary, that's unappealable. However, if they decide they need more land and a project is approved outside the urban boundary, that is appealable. It doesn't work both ways, but I won't dwell on that, as that part of the legislation is not as dangerous as the others I've discussed: "consistent with" as opposed to "regard to" and the declaration of provincial interest in zoning bylaw amendments.

The extension of the review periods from 90 to 180 days for official plan amendment for subdivision applications and from 90 to 120 days for zoning bylaw applications: Again, we're going back to pre-Harris timeline. I know members opposite will say that's a good thing. They'll say we're going back to the rules that existed

under the Bob Rae government. I'm a bit skeptical that if you extend the time frame that's allowed by, what, 33%, projects that had been approved before within the 90-day timeframe will graduate toward a 120-day timeframe, that the work required will fill that vacuum.

**1730**

Municipalities will be split on it. Some will say that this is a natural thing; others will say, even if they do welcome it, that they are already hitting those timeframes. If you can cut the red tape and find a process that works, ideally you would maintain the same timeframe. So there are ways of improving the process without elongating the entire time for appeals.

By way of example, Hamilton city council's response mentioned that the mayor of Hamilton's Open for Opportunity Task Force already meets these tight timeframes, the tighter timeframes than the 90 days that currently exist, and therefore necessarily would not benefit from extended timeframes. York region, in their submission, says that on average they can complete this process within 74 days.

So I do have concern here; again, not to the same extent of the former two issues I had discussed, but I do believe that if you extend the timeframes you will find that the projects in fact do take the full time to approve. I bet that translates to an increase in prices on particular projects as well, because people who invest in housing development will want to make sure they get a rate of return on their investment. There are many people who are listening today who, for example, invest in OMERS. OMERS may invest in a housing project, and they'll have to give a rate of return to the pensioners in OMERS.

**Hon Mr Caplan:** Sid Ryan.

**Mr Hudak:** Whoever it is. But if you delay when projects will come to fruition and you increase the timeframe for appeal by 33%, I would argue that that will have an impact on price, on the attractiveness of these particular investments and, as a result, the return to the companies that invest in these areas.

The other one I want to mention—once again, a bit of a theme that we're seeing in the McGuinty government's legislation—is the retroactivity that this bill gives to the minister. Granted, if you wanted to change laws retroactively, I think everybody would agree to do so in only the most extreme circumstances. People will make decisions, municipalities will make decisions, and the councils, on projects based on the rule of law of that day. Retroactivity means that we're changing the laws that they had decided under in the past and we expect them to meet a standard that they could not have predicted. So projects that were given the green light under the rules of the day, that had met the test of fairness in due consideration, now will find themselves facing an entirely new set of rules. I do believe that the minister is given great discretion in this area in choosing which projects may get one set of rules applied to them and which projects may get another, which helps me revisit my discussion earlier about so much decision-making power in this legislation resting with the Minister of Municipal

Affairs and, by extension, his recommendations to cabinet.

Retroactivity, as has been discussed in debate here in this Legislature, has been a bit of a theme in the McGuinty government legislation. The Adams mine legislation, for example, goes back several years, many years, a project that had gone through the environmental approval process of the day, and now, several years later, is going back in time and changing those rules. Bill 27 has similar powers for the minister to pick and choose which particular projects could be taken out of the greenbelt, which particular projects would be given the new rules or the old rules, and cabinet will be given the opportunity to grant exemptions, which is going to lead to extreme, extensive lobbying of MPPs, of cabinet ministers, of the Premier on local projects.

In these circumstances, once again, these are decisions that I would argue would be best left to the democratically elected councils to make. Granted, based on the provincial planning statements, fine, those would be the rules of the day. But then a call goes up to the minister's office and the minister sits there at his desk with his staff around him and decides if one particular farmer in Vineland gets the same treatment as another particular farmer in Niagara-on-the-Lake. Which MPP has he heard from, which minister has he spoken with and at what fundraising dinner was his arm tugged in a certain direction?

I think this is a very dangerous piece of legislation. By and large, we should find retroactivity objectionable as a general circumstance, and I don't think this passes the test of when retroactivity is justifiable. Projects in the pipeline are currently stopped. It is very unclear, and subject to significant arbitrariness, as to how those projects would be approved or denied, subject to extensive politics at the cabinet table at the provincial level.

What else can I tell you? Here's another good point. I'm going back to the OPPI, the Ontario Professional Planners Institute submission; I don't know if it's a submission or just comments on Bill 26. It's not just me who's saying this. I may be the first one who has said this in the Legislature on this bill so far, but I expect other colleagues will.

What does the OPPI say about this? In particular they say, "... we are concerned with the wording of proposed sections 17(53) and (54) ... relating to cabinet's role in situations in which a development application adversely affects a matter of provincial interest. While the province may need to address provincial interests that override local perspectives, this section appears to express the exact opposite of municipal empowerment"—as I said earlier, the exact opposite of what this bill purports to be—"by giving decision-making power to a body removed from the local issue. In reality, especially if the province takes an expansive view as to what is of the provincial interest...."—and that's not surprising, considering the expansive view it has taken to date, overriding local decisions and the appropriate process for the

environmental assessment on the Adams mine, overriding decisions that had been taken in the local process on the Oak Ridges moraine, an activist approach on issues of health and smoking, the fat tax stuff, and the booster seats that every grandparent and hockey coach is going to have to buy in Ontario if the new bill brings that forward.

You can't argue with me, though, that in general there has been an expansive view by this government of what the provincial interest is in those areas, and I think they may be consistent—I fear they may be consistent—in an expansive definition of the provincial interest in local planning decisions.

Back to the OPPI: "... by giving decision-making power to a body removed from the local issue.... takes an expansive view as to what is of provincial interest, all of these decisions except the most controversial ones will be rubber-stamped by an overburdened cabinet committee entirely on the basis of provincial staff reports. The proposed wording"—in the legislation today—"suggests a process that is less than transparent, timely or efficient, and fails to give the community any reassurance that its concerns are being properly addressed."

It's not a political party; it's the Ontario Professional Planners Institute. They've studied in this area and they give a very balanced report. There are things they like about the legislation, but they—

**Hon Mr Caplan:** Are you going to tell us?

**Mr Hudak:** I have nine minutes left, so I might not have a chance.

**Hon Mr Caplan:** And then you'll never talk about how much they like the bill.

**Mr Hudak:** I will endeavour to comment more broadly about the OPPI's presentation, but for the sake of where I am with nine minutes left, I wanted to emphasize their concern with the declaration of provincial interest.

**Hon Mr Caplan:** You have to be constructive on this.

**Mr Hudak:** I have been constructive. I gave you marks for consistency on urban boundaries, for example. I did not give a strong criticism with respect to municipal review periods. I do have some concern, but not as much as I do with going back to the bad old days of appeals to cabinet on local zoning decisions, or the great potential for confusion on "consistent" versus "regard to."

They give good general advice as well that the province needs to take a big picture approach and create a vision that applies to the entire province. I think that's particularly relevant for Bill 27 where we may see, depending on how the legislation comes into play, a moat created around the GTA. We have not seen great activity on the transportation front in terms of improving road corridors, the blacktop. You may see a moat created and then you'll see development leapfrog over that moat, so areas like Simcoe, Guelph-Wellington and Niagara may be next in line. The emphasis, to date, has been strictly on the GTA area—and the tender fruit lands, granted. We would all probably agree that a greenbelt on its own, as the only tool, is not an effective growth management strategy and that you need supports on the agricultural, transportation and municipal sides.

So I wanted to make sure the OPPI's recommendations got into cabinet—sorry; got into the Hansard.

**1740**

**Mr Qaadri:** There's that cabinet binder again.

**Mr Hudak:** I know. It's probably true. I'm trying to maintain an active role.

This is also interesting. When Bill 163 was brought in under the NDP and they had gone to the language the McGuinty government is returning to, on "shall be consistent with" as opposed to "regard to," AMO at that time, in their presentation to the standing committee, objected quite strongly. They said, "AMO believes that the rigid operating clause 'shall be consistent with,' along with the comprehensive set of policy statements that are overly directive and prescriptive, limit municipal decision-making authority on the form and nature of development in their communities. AMO is very supportive of returning to the 'have regard to' operating clause." AMO has a slightly different position today than they did at that point in time.

**Hon Mr Caplan:** What is their position today?

**Mr Hudak:** I think they want to see the PPS come forward. I think they want consultations on—

**Hon Mr Caplan:** What's their position today?

**Mr Hudak:** I'm responding to—i's kind of fun. It's like question period, but it's the other way around.

I think AMO has expressed—

**Hon Mr Caplan:** They support it.

**Mr Hudak:** Did they give general support to Bill 26? They do give general support to Bill 26, subject to improvements in the bill, including consultations on declaration of provincial interest—right?—on the PPS.

**Hon Mr Caplan:** So that's your position too.

**Mr Hudak:** No, I strongly reject this shift back to the Bob Rae language on planning. My position is strong.

**Hon Mr Caplan:** So you disagree with AMO?

**Mr Hudak:** AMO has some concerns about the legislation.

What I'm saying too is that when Bill 163 was brought forward, with language that is the same as the legislation proposed today, AMO was strongly against it, in 1995, because the pendulum had gone so far in terms of anti-development and anti-housing in the province of Ontario and they wanted to see more municipal decision-making. I have great concern that local decision-making is taken away, in a number of substantive ways, under Bill 26 before the Legislature.

Let me give another couple of general comments about the bill, as I indicated I would as I wrap up. I think there are a couple of assumptions here in 26 and 27 that are actually not going to be borne out. Because I'm sceptical that they will not be borne out, I think there's going to be a significant ramification for cities, as well as suburbs and the rural areas outside of cities.

People like to drive their car. I think it's a good thing that people can afford cars in greater numbers than they could decades ago.

*Interjection.*

**Mr Hudak:** If they speed or not, the issue I was going to address is congestion. People like to drive. People like

to have cars. They like the freedom of that purchase. They can move greater distances as a result of the automobile.

**Interjection:** You're faking the freedom.

**Mr Hudak:** No, it's an important point.

So this notion that everybody's going to gladly hop on to mass transit or live in densely packed urban centres I have great scepticism over.

*Interjection.*

**Mr Hudak:** No, I think you need both, but this notion that public transit is going to be a cure-all I don't think will be borne out, because people like to drive. As a result, if you want any kind of growth management strategy to be successful, you need to invest in highways like the mid-peninsula corridor. All we've seen from this government to date has been that they have slammed on the brakes. No progress whatsoever; no sign of it. It's lost in the ether somewhere. It's like an Internet file that has had its address changed and you can't track it down. There's been no progress on the mid-peninsula corridor.

**Hon Mr Caplan:** The member from Burlington.

**Mr Hudak:** Not Burlington. He also supports mid-pen. He doesn't want it across the escarpment in the area of his riding. He's been clear about that, but he supports the concept of the mid-peninsula corridor.

The other thing is that this notion that citizens are going to happily support significant intensification in urban development I think is a fallacy. You see projects in the city of Toronto today, where groups of citizens who are increasingly sophisticated, who may have resources at hand and are greatly motivated, are going to fight intensification efforts at city council. It may be curious to see if provincial policy statements support intensification and will actually work against decisions made by local councils based on local input.

**Hon Mr Caplan:** It's in their official plan. It's a local decision.

**Mr Hudak:** Regardless if it's in their local plan or not, I think members fairly recognize that a number of intensification efforts in the city of Toronto or the suburbs find motivated, sophisticated and resourced—or even if not resourced—taxpayers who are going to lobby their municipal councillors to object to that.

I don't think everybody wants to live in a condo or an apartment building. I certainly don't want to spend my life living in an apartment. It's just not my choice. It's a valid choice for people who like to be within walking distance of places—no doubt about it—or live in the city. But I like to have a bit of space. I like a garden. I think a lot of my constituents like to have their own home, detached. You want to encourage that in the province. You want to encourage home ownership. I think that's a good value.

This notion that people are going to go against what is part of Canadian culture, by and large, that they're going to toss aside their homes because the government tells them to go live in large apartment buildings or condos in large cities, is a fallacy. People like to drive. People like their space.

What is likely going to happen, through the strong controls that you're putting into place in 26 and 27, is you're just going to see—the fact that you're trying to stop in the GTA—leapfrogging into the next area. You're going to see people driving longer distances because they value the freedom of the automobile. They value the opportunity to purchase affordable housing, with space, as they're raising a family, or they want to live in a small or medium-sized town, not unlike those in Waterloo-Wellington. They're going to drive longer distances. You're going to have greater congestion if you don't build the highways.

I think that many of the premises that underlie this legislation are questionable, I think the approach is questionable, and I hope the minister will make the changes that I recommend in this legislation. I look forward to the responses of my colleagues.

**The Acting Speaker:** Questions and comments?

**Mr Michael Prue (Beaches-East York):** As always, it is a pleasure to listen to the member from Erie-Lincoln. Although he did stray a little from time to time during the hour, he largely kept entirely on topic, which is refreshing for this place, and he is to be commended for that.

He set out his four objections clearly at the beginning, and just to deal with those, because two minutes isn't a lot of time, he talked about that he did not like the words "consistent with" and preferred the "have regard to" of the Tory legislation. He talked about the difficulties that are going to ensue to any cabinet that gets politically involved. He talked about the lengthening of the review periods and how they may or may not cause problems. He also talked about the problem related to retroactivity. In fact, I think he did a fairly good analysis of the bill. I do not agree, of course, with everything he had to say, but he did have some points to be made.

My only view is that the "consistent with" is a much better policy than "have regard to." What we have seen for the last eight years since the bill was changed, Bill 163, since the recommendations of the Sewell commission were thrown out, is that the "have regard to" has never been properly interpreted by the Ontario Municipal Board. In fact, the "have regard to" resulted in so many of our historical properties being demolished. The "have regard to" led to environmental concerns being brushed aside. The "have regard to" meant that municipalities were not able to enforce what they had in their own planning acts.

I welcome your comments, but I must say that the "to be consistent with," with all of its perils that you outlined, will be a much-needed improvement.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** It gives me pleasure to take just a couple of minutes. I always enjoy, in my few short months, hearing the member from Erie-Lincoln. I know more about the Niagara Peninsula and Vineland than I'd ever known up to this point.

The member from Simcoe North, in his comments in response to the opening hour in which he expressed some concern about the heckling from this side of the House—

all I heard were constructive interjections during that hour.

**1750**

I might just take a few seconds and reflect upon local decision-making, particularly with respect to urban boundary expansions, and maybe during the course of second reading debate I'll have a little more time. But the member for Whitby-Ajax would be particularly familiar, although not having been on a local council, with the Brooklin situation, in which the local council debated ad infinitum and consulted with their community about the future of the community of Brooklin, which is well outside the existing urban boundary along the 401 and the old four corners of Whitby. Lo and behold, the developer didn't like the local decision, which was not to proceed at that time with development in Brooklin, probably some five miles to the north along Highway 7.

The board heard from the developer and heard the plan that was being proposed for some 10,000 people. The board didn't only rule on the 10,000—and hopefully there will be the time to elaborate on this later; the board took it upon themselves to improve the developer's plans, as initially presented to the municipality, for 25,000. So that went from what the community didn't want at all at that stage to consideration of the actual submission and grew by two and a half times by the time the board was finished. I think that probably warrants some further elaboration at another point during this debate.

**Mr Dunlop:** I'm pleased to rise to make a few comments on the leadoff speech by the member for Erie-Lincoln, who, by the way, did a remarkable job, considering he's filling in for our critic, Mrs Munro, who we know is not feeling very well these days. He's had sort of a dual responsibility with this piece of legislation and this leadoff speech. So I thank you, Tim, for a job well done. Again, I was prepared to back you up.

I thank you for the comments, to the member for Pickering-Ajax-Uxbridge, because you did behave today. Most of the time you heckle us for no reason and you try to insult us, but today you did a good job and I appreciate that.

I just want to say, I've been around a few years in municipal politics and down here and I've watched a number of different Planning Act changes. Ministers come in with their new dreams and, of course, Minister Gerretsen is no different. He's got some ideas that he'd like to bring forth. However, something very important that the member for Erie-Lincoln brought up was the fact that we should have committee hearings.

If there was ever a bill that affected municipalities, and I'm talking about AMO, NOMA, ROMA and all the different rural organizations and urban organizations, it is this piece of legislation right here. If in fact we do have the opportunity to get to second reading and get this bill debated before the end of this session, I hope that there will be time set aside in the summer months to do very comprehensive committee hearings across our province, because I think it's important. And I'm not just talking about Hamilton and Sudbury and Windsor. I think we have to get to other parts of the province, which actually

do want committee hearings. We'll be supporting some parts of this bill, as long as there are some committee hearings. We need those committee hearings.

**Mr Kormos:** The expert on these matters is, of course, Michael Prue from the Beaches-East York riding. He's our critic—

*Interjection.*

**Mr Kormos:** No, the expert will be dealing with this issue, and I encourage folks to pay attention when this bill is called again for the second day of second reading debate.

I want to apologize to people who tried to watch this afternoon for the rather tepid pace of debate today. I appreciate that people were doing their best, and I salute folks who stuck with us throughout the afternoon. I applaud them and I thank them for their interest in what goes on here at Queen's Park.

One of the things that the expert on these matters, Michael Prue, the member for Beaches-East York, is going to say undoubtedly is that this bill has got to go to committee. One of the bad habits the Liberals picked up, amongst many, from the Tories—again, the member over there talks about identity theft a whole lot. The real identity theft in this province was Dalton McGuinty stealing Ernie Eves's identity along with a whole bunch of his policies, along with his passion for tax cuts for the wealthiest people in Ontario. So, Dalton, give Ernie back his identity. Well, the Liberal Party stole the identity of the Conservatives of Ontario. They haven't found a Tory policy that they aren't passionately enamoured with. You have to throw a bucket of water on them to separate them—the Liberals from Tory policy.

So, I say, this has got to go to committee. This is not what it appears to be. The bill, at first blush, sounds grand and so reformist, but I tell you, it's not what it appears to be, and that can only be exposed and revealed during a committee process.

**The Acting Speaker:** The member for Erie-Lincoln has two minutes to reply.

**Mr Hudak:** I'm pleased to reply and thank my colleagues for their comments and attention and a round of applause, which is pretty rare.

The member for Beaches-East York was kind enough about my speaking to the bill and then he highlighted my four points. So, in return, somebody actually listened for a full hour. So I thank you for that. Others may have as well, but he hit my four points on the head.

I say to the member for Pickering-Ajax-Uxbridge, I appreciate your interest. You do seem to avidly listen in the House. Vineland and Jordan and Beamsville are great areas. I'm sure Pickering-Ajax-Uxbridge are very nice as well, but if you or other members are down, I encourage you to come on by and visit some of the wineries, for example.

You do come down on a regular basis to Niagara, Mr Speaker.

Kacaba or Stoney Ridge or Malivoire are some smaller wineries that you might not get at your LCBO until VQA wine stores become a reality. I invite you to come by and stop at one of the fruit stands in Vineland on Victoria Avenue on your way back to the QEW.

The last point I wanted to make—and I ran out of time because I was so limited in terms of what I could address on this bill—was that the member for Prince Edward-Hastings had talked about the beauty of the European cities and why shouldn't we be more like the European cities. Well, we're Canada. I'm very fond of this country. We have a different culture and different development. European cities were constructed in times when transportation was tough. It was mostly on foot or on horseback; maybe the occasional trolley car or something like that, so, as a result, they were built quite densely. Most of our history has had the benefit of automobiles, and as a result, our communities can be a bit more spread out, because we value that car. But I bet if you look at Europe today compared to what it was 10 years, 15 years, 20 years ago and as the automobile became more affordable in Europe, more of them are driving and less of them are taking transit or living in small areas. I bet you're seeing the suburbs and the rural areas expanding there, as well as the phenomenon of our love for the automobile.

**The Acting Speaker:** It being 6 o'clock, this House stands adjourned until tomorrow at 1:30 in the afternoon.

*The House adjourned at 1758.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman  
 Speaker / Président: Hon / L'hon Alvin Curling  
 Clerk / Greffier: Claude L. DesRosiers  
 Deputy Clerk / Sous-greffière: Deborah Deller  
 Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman  
 Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton East / Hamilton-Est	Vacant
Ancaster-Dundas-	McMeekin, Ted (L)	Hamilton Mountain	
Flamborough-Aldershot			
Barrie-Simcoe-Brampton	<b>Tascona, Joseph N.</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative		<b>Bountrogianni, Hon / L'hon Marie</b> (L) Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiques et de l'Immigration
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon / L'hon Leona</b> (L) Minister of the Environment / ministre de l'Environnement
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Huron-Bruce	Mitchell, Carol (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Kenora-Rainy River	Hampton, Howard (ND)
Brant	Levac, Dave (L)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon / L'hon John</b> (L) Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)		Milloy, John (L)
Burlington	Jackson, Cameron (PC)	Kitchener Centre / Kitchener-Centre	Witmer, Elizabeth (PC)
Cambridge	Martiniuk, Gerry (PC)	Kitchener-Waterloo	Van Bommel, Maria (L)
Chatham-Kent Essex	Hoy, Pat (L)	Lambton-Kent-Middlesex	Sterling, Norman W. (PC)
Davenport	Ruprecht, Tony (L)	Lanark-Carleton	Runciman, Robert W. (PC)
Don Valley East / Don Valley-Est	<b>Caplan, Hon / L'hon David</b> (L) Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	Leeds-Grenville	Matthews, Deborah (L)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	London North Centre / London-Centre-Nord	
Dufferin-Peel-Wellington-Grey	Eves, Ernie (PC) Leader of the opposition / chef de l'opposition	London West / London-Ouest	<b>Bentley, Hon / L'hon Christopher</b> (L) Minister of Labour / ministre du Travail
Durham	O'Toole, John (PC)	London-Fanshawe	Ramal, Khalil (L)
Eglinton-Lawrence	Colle, Mike (L)	Markham	Wong, Tony C. (L)
Elgin-Middlesex-London	<b>Peters, Hon / L'hon Steve</b> (L) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon / L'hon Harinder S.</b> (L) Minister of Transportation / ministre des Transports
Erie-Lincoln	Hudak, Tim (PC)	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Essex	<b>Crozier, Bruce</b> (L) Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke Centre / Etobicoke-Centre	Cansfield, Donna H. (L)	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Nepean-Carleton	Baird, John R. (PC)
Etobicoke-Lakeshore	Broten, Laurel C. (L)	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Glenharry-Prescott-Russell	Lalonde, Jean-Marc (L)	Niagara Falls	Craitor, Kim (L)
Guelph-Wellington	Sandals, Liz (L)	Nickel Belt	Martel, Shelley (ND)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Nipissing	Smith, Monique M. (L)
Haliburton-Victoria-Brock	Scott, Laurie (PC)	Northumberland	Rinaldi, Lou (L)
Halton	Chudleigh, Ted (PC)	Oak Ridges	Klees, Frank (PC)
		Oakville	Flynn, Kevin Daniel (L)
		Oshawa	Ouellette, Jerry J. (PC)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Stormont-Dundas- Charlottenburgh	Brownell, Jim (L)
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon / L'hon Dalton (L)</b> Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Sudbury	<b>Bartolucci, Hon / L'hon Rick (L)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa West-Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon / L'hon Jim (L)</b> Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Thornhill	Racco, Mario G. (L)
Ottawa-Orléans	McNeely, Phil (L)	Thunder Bay-Atikokan	Mauro, Bill (L)
Ottawa-Vanier	<b>Meilleur, Hon / L'hon Madeleine (L)</b> Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Thunder Bay-Superior	Gravelle, Michael (L)
Oxford	Kennedy, Hon / L'hon Gerard (L)	North / Thunder Bay-Superior-Nord	
Parkdale-High Park	Minister of Education / ministre de l'Éducation	Timiskaming-Cochrane	<b>Ramsay, Hon / L'hon David (L)</b> Minister of Natural Resources / ministre des Richesses naturelles
Parry Sound-Muskoka	Miller, Norm (PC)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Perth-Middlesex	Wilkinson, John (L)	Toronto Centre-Rosedale / Toronto-Centre–Rosedale	<b>Smitherman, Hon / L'hon George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Peterborough	Leal, Jeff (L)	Toronto-Danforth	Churley, Marilyn (ND)
Pickering-Ajax-Uxbridge	Arthurs, Wayne (L)	Trinity-Spadina	Marchese, Rosario (ND)
Prince Edward-Hastings	Parsons, Ernie (L)	Vaughan-King-Aurora	<b>Sorbara, Hon / L'hon Greg (L)</b> Minister of Finance / ministre des Finances
Renfrew-Nipissing-Pembroke	Yakabuski, John (PC)	Waterloo-Wellington	<b>Arnott, Ted (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Sarnia-Lambton	Di Cocco, Caroline (L)	Whitby-Ajax	Flaherty, Jim (PC)
Sault Ste Marie	Orazietti, David (L)	Willowdale	Zimmer, David (L)
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon / L'hon Sandra (L)</b> Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre délégué à la Condition féminine
Scarborough East / Scarborough-Est	<b>Chambers, Hon / L'hon Mary Anne V. (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	Windsor-St Clair	<b>Duncan, Hon / L'hon Dwight (L)</b> Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)	York Centre / York-Centre	<b>Kwinter, Hon / L'hon Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Scarborough-Agincourt	<b>Phillips, Hon / L'hon Gerry (L)</b> Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement	York North / York-Nord	Munro, Julia (PC)
Scarborough-Rouge River	<b>Curling, Hon / L'hon Alvin (L)</b> Speaker / Président	York South-Weston / York-Sud-Weston	<b>Cordiano, Hon / L'hon Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)	York West / York-Ouest	Sergio, Mario (L)
Simcoe-Grey	Wilson, Jim (PC)		
St Catharines	<b>Bradley, Hon / L'hon James J. (L)</b> Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St Paul's	<b>Bryant, Hon / L'hon Michael (L)</b> Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		
Stoney Creek	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

## CONTENTS

**Tuesday 4 May 2004**

<b>MEMBERS' STATEMENTS</b>	
<b>Events in Parry Sound</b>	
Mr Miller .....	1949
<b>Vaisakhi</b>	
Mr Leal .....	1949
<b>Thalassemia</b>	
Mrs Witmer.....	1949
<b>Consumer protection</b>	
Mr Ruprecht.....	1950
<b>Physiotherapy services</b>	
Mr Kormos .....	1950
<b>Education Week</b>	
Mr Orazietti .....	1950
<b>Water quality</b>	
Mr Runciman.....	1951
<b>Schizophrenia</b>	
Mr Qaadri .....	1951
<b>Brechin Public School</b>	
Mr Dunlop .....	1951
<b>FIRST READINGS</b>	
<b>Highway Traffic Statute Law Amendment Act (Child and Youth Safety), 2004, Bill 73, Mr Takhar</b>	
Agreed to .....	1952
Mr Takhar .....	1952
<b>STATEMENTS BY THE MINISTRY AND RESPONSES</b>	
<b>Road safety</b>	
Mr Takhar .....	1952
Mr Klees .....	1953
Mr Kormos .....	1953
<b>GOVERNMENT MOTIONS</b>	
<b>Appointment of Information and Privacy Commissioner, government notice of motion number 55, Mr Duncan</b>	
Agreed to .....	1955
<b>ORAL QUESTIONS</b>	
<b>School closures</b>	
Mr Eves .....	1955
Mr Kennedy.....	1955, 1956
Mr Flaherty .....	1955
Mr Hampton .....	1956
<b>Government's record</b>	
Mr Eves .....	1956
Mr McGuinty .....	1956
Mr Baird .....	1956
<b>Political contributions</b>	
Mr Hampton .....	1957
Mr McGuinty .....	1957
<b>Road safety</b>	
Mr Klees.....	1957
Mr Takhar .....	1957
<b>Traffic control</b>	
Ms Marsales .....	1958
Mr Takhar .....	1958
<b>Government spending</b>	
Mr Flaherty .....	1958
Mr Sorbara .....	1958
<b>Tenants</b>	
Mr Fonseca.....	1959
Mr Gerretsen .....	1959
<b>Automobile insurance</b>	
Mr Hampton .....	1959
Mr Sorbara .....	1959, 1963
Mr Milloy .....	1963
<b>Highway 407</b>	
Mr O'Toole .....	1960
Mr Takhar .....	1960
<b>Family farms</b>	
Mr Rinaldi .....	1960
Mr Peters .....	1960
<b>Fish hatcheries</b>	
Mr Ouellette .....	1961
Mr Ramsay .....	1961
<b>Education</b>	
Mr Wong .....	1961
Mr Kennedy .....	1961
<b>Ambulance service</b>	
Mr Kormos.....	1962
Mr Smitherman .....	1962
<b>Tobacco growers</b>	
Mr Barrett.....	1962
Mr Peters .....	1962
<b>PETITIONS</b>	
<b>Highway 407</b>	
Mr O'Toole .....	1963
Mr Leal.....	1964
Mr Arthurs.....	1965
<b>Minimum wage</b>	
Mr Marchese .....	1964
<b>Government consultants</b>	
Mr Ruprecht .....	1964
<b>Taxation</b>	
Mr Murdoch .....	1964
Mr Miller .....	1966
<b>Physiotherapy services</b>	
Mr Jackson .....	1964
<b>Hospitals</b>	
Mr Crozier.....	1965
<b>Ontario drug benefit program</b>	
Mr Hudak .....	1965
Mr Dunlop .....	1966
<b>Ontario disability support program</b>	
Ms Broten .....	1965
<b>Social assistance</b>	
Mr Prue .....	1965, 1966
<b>Immigrants' skills</b>	
Mr Delaney .....	1966
<b>SECOND READINGS</b>	
<b>Strong Communities (Planning Amendment) Act, 2003, Bill 26, Mr Gerretsen</b>	
Mr Gerretsen.....	1967, 1976
Mr Parsons .....	1969
Mr Qaadri .....	1971
Mrs Van Bommel .....	1972
Mr Racco .....	1975
Mr O'Toole.....	1975
Mr Kormos .....	1975
Mr Rinaldi.....	1976
Mr Dunlop .....	1976, 1986
Mr Hudak.....	1977, 1987
Mr Prue .....	1986
Mr Arthurs .....	1986
Mr Kormos .....	1987
Debate deemed adjourned.....	1987
<b>OTHER BUSINESS</b>	
<b>Visitors</b>	
Mr Barrett .....	1954
<b>TABLE DES MATIÈRES</b>	
<b>Mardi 4 mai 2004</b>	
<b>PREMIÈRE LECTURE</b>	
<b>Loi de 2004 modifiant des lois en ce qui concerne le Code de la route (sécurité des enfants et des jeunes), projet de loi 73, M. Takhar</b>	
Adoptée .....	1952
<b>DEUXIÈME LECTURE</b>	
<b>Loi de 2003 sur le renforcement des collectivités (modification de la Loi sur l'aménagement du territoire), projet de loi 26, M. Gerretsen</b>	
Débat présumé ajourné .....	1987