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Jeudi 28 octobre 2004

Speaker
Honourable Alvin Curling

Président
L'honorable Alvin Curling

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 28 October 2004

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 28 octobre 2004

The House met at 1000.

Prayers.

PRIVATE MEMBERS'
PUBLIC BUSINESS

LAND ACQUISITION

Mr Ted Chudleigh (Halton): I move that in the opinion of this House, the government of Ontario should establish a permanent land acquisition program with long-term funding in order to ensure the continued acquisition of environmentally sensitive areas.

The Deputy Speaker (Mr Bruce Crozier): Pursuant to standing order 96, Mr Chudleigh, you have 10 minutes for your remarks.

Mr Chudleigh: Today I have tabled a motion calling on this Legislature to support a government initiative to create a program to extend permanent funding for environmentally sensitive land and land purchases in Ontario. I'm calling on MPPs of every political stripe to support this motion, to reach out to the future and help assure that environmentally sensitive and significant lands are purchased for public use by generations of Ontarians yet unborn. Our service to Ontarians will be judged by the legacy we leave them. Let us leave them a commitment to environmental protection. Let us leave them public access to Ontario's finest and most beautiful open spaces.

Jean Williams, chair of Conservation Halton, one of seven conservation authorities that manage 70% of the parks along the Niagara Escarpment, agrees. She says, "It will be difficult, if not impossible, to acquire new properties without the help of the province. Conservation Halton strongly supports Mr Chudleigh's motion that a land acquisition program be introduced to ensure that these sensitive lands can be purchased to fulfill the objectives of the Niagara Escarpment plan."

In the last several years, there has been a patchwork of programs used to finance purchases of environmentally significant lands. These programs include the natural areas protection program, the Ontario parks legacy program, the community conservancy program and the eastern habitat joint venture program.

The natural areas protection program focused on acquiring significant natural areas on the Niagara Escarpment, the Rouge Valley and the Lynde Marsh. The Ontario parks legacy and the community conservation programs focused on the acquisition of key properties to

help fill gaps in parks and the protected areas system. The eastern habitat joint venture program focused on the acquisition and stewardship of important wetlands required to maintain wildlife habitat.

The current ecological land acquisition program was conceived as an enhancement to existing land acquisition programs in keeping with the goals of Ontario's Living Legacy, a comprehensive natural heritage program announced in November 2000. Ontario's Living Legacy was announced by then-Premier Mike Harris in November 2000. It is the most comprehensive natural heritage program in Ontario's history. It was the largest expansion of Ontario's parklands in Ontario's history. It added 378 new parks and protected areas, with a total of five million acres, or 12% of the planning area.

In 1991, the Ministers of Natural Resources and parks and protected areas in Canada met and agreed that by the year 2000 they would try to preserve 12% of the natural areas of Canada in order to preserve those lands for future generations. By November 2000, Ontario was the only province in Canada which attained the goal of preserving 12% of the planning area for future generations.

The Ontario Living Legacy includes enhancement, protection, conservation and recovery efforts for species at risk in Ontario. It includes more funding for youth programs and resource stewardship jobs for young people. There were enhancements to fish and wildlife protection and there was a huge increase in provincial park acreage, sites and plans, such as the ecological land acquisition program, to acquire more natural areas that are currently under private ownership. The Ontario Living Legacy had a price tag of over \$100 million. The ecological land acquisition program obtained another 17,000 acres in order to fill in gaps in the conservation areas and provincial parks. Over its two-year mandate, it spent \$10 million in order to do that.

We should have a great concern that without any formal announcements, ELAP has been extended from its expected end date of March 31, 2004, only to cover current projects underway in the Rouge River Valley and the Lynde Marsh. ELAP allowed the province to address the acquisition of privately held lands in areas of Ontario not covered by the Ministry of Natural Resources land acquisition program. With that program coming to an end, it is time to address the issue and have the Legislature express its desire to have a permanent program in place.

1010

After all, 100 years from now, or maybe 10 or 20 years from now, I don't believe we as a Legislature will

be judged by the issues that are before this House today. Indeed, we won't be judged by the issues that were before the House during our government or during the NDP government as well. This isn't a political issue. I believe we will be judged on how we treated and protected the environment for future generations. As we look at the world biosphere areas, our stewardship will be judged by future generations. Many of the world biosphere areas, such as the Everglades, the California coast, the Adirondacks in New York state and even the Serengeti, are biosphere reserves, as are the Niagara Escarpment and Turkey Point, under the UN biosphere conservancy program. Almost all of those areas are involved in a recovery project. They are trying to recover what was once there.

We in Ontario have an opportunity. We have an opportunity to skip the degradation phase and put in place protection of our natural areas today that will preserve those areas for future generations in their natural state. We won't have to come up with a recovery program 10, 15, 30 or 100 years from today; those areas that are most special to Ontarians will be preserved as they are today, in their most special conditions.

The only way to do this is to purchase these lands and put them in public ownership. It can't be done in one year, it can't be done in five years; it has to be done over a long period of time, when you slowly purchase these lands as they become available. In so doing, we will hold them in public hands and they will be protected forever under public ownership.

Zoning public lands, although it's a good first step, has a habit of eroding away. As time goes by, zoning can change. Zoning is in the hands of too many people who may not have the big picture in mind. So zoning land for public protection does not always accomplish those goals. Most of a large belt through Halton was zoned at one time to protect that area. It was zoned back in the late 1960s and early 1970s, and most of that zoning area today has been eroded away. It's under development. It's being held by speculators. Most zoning of those lands has changed, and it has been eroded away so it no longer has the protection that it would have if it was under public ownership.

It's very important that if we're going to be serious about protecting our environment, protecting our most precious natural lands, it has to be done only under public ownership. Zoning is a stop-gap, but it's not the end of the story. You can't expect to protect those lands for future generations if zoning is the only protection you're applying.

The goal of ELAP was to enhance public ownership and stewardship of natural areas across Ontario where acquisition priorities had been previously established. They can be established within the context of approved provincial lands, such as the Niagara Escarpment, or within approved acquisition strategies such as the Lynde Marsh or under an acquisition agreement such as the Nature Conservancy of Canada's eastern habitat venture in order to protect wildlife and sensitive lands.

The government of Ontario needs to demonstrate a commitment to public ownership of these lands by making these purchases through partner organizations. We can ensure the land is managed properly, acquisition plans are in place for future purchases and the roles and responsibilities of those involved are clearly spelled out. While this program needs to be made permanent, I fully expect it should be reviewed at various intervals on several levels, including funding, partnership arrangements and property acquisition plans and priorities.

This motion is not binding on the government. However, if it is passed by us today in this Ontario Legislature, it is a powerful suggestion that legislation should be forthcoming to deal with the expressed wishes of the people of Ontario. It begins here today with all of us. It is time to vocally support environmental protection in Ontario. Please lend your support to this motion. Your commitment to keep this issue in front of the government will be appreciated by generations to come.

The Deputy Speaker: Further debate?

Ms Andrea Horwath (Hamilton East): It's truly my pleasure to speak to this motion on behalf of the NDP caucus here at Queen's Park. As you would imagine, we have a great deal of sympathy for this particular motion. We believe that now, although there are some tools in place, they certainly are not enough to achieve the kind of goal that Mr Chudleigh has set out.

Quite frankly, we do have expropriation powers, as you know, in this province, and sections of acts such as the Ontario Water Resources Act have provisions for land securement. We have agencies, like our conservation authorities, which have already been mentioned by the mover, which are funded by the Ministry of Natural Resources. The Ontario Heritage Foundation, an agency of the Ministry of Culture, owns and manages land for natural heritage purposes. It also holds lands in trust, including parts of the Bruce Trail and other areas that are habitats of endangered species, sensitive features of the Oak Ridges moraine and the Niagara Escarpment.

But we all know that there are missing pieces. The missing piece being addressed by this particular motion is that there is no dedicated funding source for land securement in the province. The Living Legacy land trust that was established by the previous government is a fund that allocated some monies toward the acquisition of protected lands, and that fund is now finished.

So in general, there is support from us with regard to this motion. There is certainly currency for this particular initiative among people of Ontario. We know that many polls have been conducted and many pieces of research have been done around the opinions and concerns of people in Ontario in regard to environmental issues, particularly in regard to the preservation of environmentally sensitive areas and the protection of these lands. A poll conducted by Environics found that Canadians are supportive of public funds being used to acquire more parks; that was done in 2001. That same poll found that 80% of Canadians said they would be willing to add \$1 a month to their municipal taxes to support natural park spaces in and around their communities.

I know from my perspective, having worked in the city of Hamilton on municipal council for the last seven years or so, that certainly rang true in our community. People really were quite supportive of parkland, of beautification, of keeping green spaces and not only active parks, but passive parks, places where people could enjoy the beauties of nature, with the understanding that these were assets that would carry us through future generations and weren't just a matter of the present, but a matter of the future.

There are some things that are missing, and those are pieces around the ongoing viable government support in terms of funding for these kinds of projects. Again, it's indicated that people are prepared to dedicate some public funding to these kinds of projects, but the reality is we need to make sure the mechanisms are in place for that funding to be gathered and dedicated.

The public willingness that is there for that funding kind of stands in contrast to what governments have been able to achieve so far, and really the amount of dedication to these kinds of funds has been in fact shrinking over the past decades, which is out of whack with where the public wants to go. So the role of securing environmentally sensitive land on a consistent basis has fallen on the shoulders of underfunded conservation authorities and a select few land trusts across the province that are founded by the provincial government via one-time funding. That's simply not good enough.

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The Living Legacy trust established under the Tories, which included some funds for lands securement, was finished this year, as I've already mentioned, so private foundations, universities and citizens' groups, all of those kinds of people, have been trying to fill the gaps that exist currently in our efforts as a collective group of people to deal with these issues. In the end, the goals of meeting conservation targets and trying to find a strategy to restore and preserve and safeguard a healthy amount or reserve of these kinds of lands cannot be left to this patchwork system. It cannot be left to fall on the shoulders of volunteers, citizens' groups and private foundations. It's really the elected representatives in government who need to step up to the plate and take responsibility for the stewardship of these areas.

The budget tabled here by the Liberals in 2004 contains a few measures geared toward land securement. There's a small commitment to the minor expansion of conservation land through the property tax rebate program. There are unspecified portions for environmental land acquisition from about an \$89-million fund falling under the heading "environmental capital spending," but we know that the risk here is that funds for improvements to natural resources, management infrastructure, environmental cleanup projects, the upgrading of conservation authority dams and other kinds of projects will all be drawing from the same fund, so the maintenance and management of existing parcels and existing resources in this area will be drawing on that fund. With coming cuts in the next couple of years, with

cuts to the Ministry of the Environment and the Ministry of Natural Resources, or the inability of those ministries to get even regular annual increases for the normal business that takes place in regard to increasing costs, what we're going to see is these two ministries that are most involved in environmental stewardship not being able to keep up, and certainly not being able to do anything new in regard to the environmentally sensitive areas.

So, although it would be in the best interests of everyone to introduce an initiative to meet the pledge toward biodiversity and water source protection, it's certainly not the government that's doing that; it is Mr Chudleigh. Again, I'm very supportive of that initiative.

In concert with funds, though, there needs to be that political will to protect the lands being put into place, and really the government has it already in its mandate, but what they've done, unfortunately, is succumb to the pressures. The mover of the motion indicated quite clearly that those pressures exist. I think he referred specifically to the pressures around land zoning and those kinds of issues that occur at the municipal level. Those are the kinds of things that erode the commitments to protecting these lands. So even the government, as we see it now, has backed off on some commitments, particularly around the Oak Ridges moraine and Castle Glen. The Liberals broke their promises to stop the construction on the moraine in November, claiming that the expenses would be too high. But the legal opinions prepared by the Canadian Environmental Defence Fund found that the new government could have expropriated moraine land and would have only been responsible for paying out-of-pocket expenses, according to the expropriation statutes. But there was no such action taken, and neither was such action taken to stop Castle Glen, which will be the first urban area to be developed on the Niagara Escarpment, a UNESCO biosphere, again, as mentioned by the mover of this motion.

These are the kinds of concerns that exist and the kinds of initiatives that are missed. These are the kinds of opportunities missed by government unless there's a real strong commitment to protecting these lands. Again, pressures of interest groups and developers oftentimes get the ear of governments, and we need to find ways to make sure that these lands are purchased and protected for time immemorial. We were really hoping that maybe the greenbelt legislation could deal with some of these issues, but we'll have to see what happens as this initiative unfolds.

What we really need to see is a real, serious dedication of resources. We need to see provincial governments dedicating selected revenue sources. It's similar to things like the health tax. If we're going to be making commitments around these areas, we need to make sure that we identify sources of revenue that we can then flag and identify to be put into these funds so they don't go into general revenue, that these particular sources of revenue that the provincial government obtains then immediately get put into this fund, so that they're able to fund the purchase of these lands.

For example, one of those types of revenue sources could in fact be water-taking fees. That seems to be fairly logical. You have water-taking fees, you bring those fees in for the water that's being removed from some of our natural areas and then you put those fees into a dedicated fund. As that fund builds, it's used to purchase these lands. We know that conservation authorities are front and centre in helping to protect watersheds and ecosystems and to try to sustain them, and they express the funding shortfall that they are constantly dealing with to meet the goals of protecting and conserving environmentally significant areas.

Many times, in the community that I come from, there has been quite a bit of controversy around the conservation authorities' lack of funding and their lack of ability to continue to do the great job they do, without then turning around and increasing the fees on the users of their green spaces and the users of the natural areas that they are protecting. Oftentimes, there's a struggle between wanting to do the right thing, wanting to maintain a great level of service and of stewardship that they do, and the growing pressure of financially being able to keep that work going. Conservation authorities will be instrumental in the implementation of any pending source water protection plans, and the securement of watershed areas could be part of protecting water at the source.

There's no word yet on how to fund source water protection, and they could face the same fate as the majority of Great Lakes remediation plans, which are great on paper and look wonderful in terms of plans, but the problem becomes that the resources aren't available to put those plans into play. Source water protection should also integrate all the Great Lakes protection plans. In fact, there have been proposals by Ms Churley, from my caucus, that funds from water-taking fees be directed specifically to source protection plans and the bodies responsible for implementing them from source to tap. For example, conservation authorities and municipalities allocating these kinds of funds for specific purposes means long-term sustainable funding for source water protection.

There are a couple of other specific details around what kinds of opportunities exist to take dedicated fees and funnel them into a fund, particularly for these kinds of initiatives. However, we come to a bottom line in terms of an effective strategy, and what we really need to recognize is that there has to be a larger piece to the puzzle. Having a will is excellent; having a debate about the necessity for this kind of initiative is essential. However, not designating funding for securing environmentally sensitive lands is not good enough. It can't be left alone; the strategy can't be left alone unless we actually start to designate where these funds are coming from.

We have seen under the previous government that certain areas had been protected, but then the rest were left open for activities that damaged the watersheds and tributaries, and the impact was significant. In fact, it weakened the environmental systems, and the environmental review processes over that time period were also

eroded. We need to consider the environmental implications of the development of various projects that are coming forward, various resource activities we are undertaking, and subsequent to that we need to have plans to mitigate. We need to be centralized in the planning process in regard to these lands. It can't be just a matter of goodwill. We have to take a really serious and complex look at the picture. It can't be a piecemeal review of the situation. It can't be a matter of talking the talk; it has to be a matter of walking the walk. That walk has to include not only the teeth in various pieces of legislation to realize that goal, but also it needs the commitment to identifying the dedicated funds that can then be funnelled into a trust that can be used to obtain, for the future of our children and grandchildren, land acquisitions that are going to keep our communities healthy and whole and celebrate our diversity and biology in a very full and appropriate way.

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Mr Michael A. Brown (Algoma-Manitoulin): I'm very pleased to be debating this particular issue and I thank the member for Halton for bringing it to the attention of the House this morning. Essentially, what my friend is asking for is that the government of Ontario establish a permanent land acquisition program with long-term funding in order to ensure the continued acquisition of environmentally sensitive areas.

As the member would know, since 1985 we have had quite a number of land acquisition programs from the government of Ontario. We've had formal acquisition programs that work in conjunction with public and private conservation partners for the purchase of environmentally sensitive land since 1985, including the Niagara Escarpment land acquisition and stewardship program, which worked from 1985 to 1998; the eastern habitat joint venture, from 1986, and it's ongoing; the Ontario parks legacy program, 1996, and it's ongoing; the natural areas protection program, which operated from 1998 to 2002; and presently, the ecological land acquisition program, which has been operating since 2002.

In this given year, we'll be expending about \$8.9 million. One of the things that's important about that is to understand that it works with partnerships. We have in Ontario, and with the Ministry of Natural Resources, approximately 20 partners who work with the government to acquire properties that are ecologically sensitive, natural heritage sites that are important to the people of Ontario and obviously to the government, and there are many organizations that participate in that. I think this year we'll leverage 16 million to 18 million additional dollars, or somewhere in that neighbourhood, acquiring a considerable amount of land that will be useful to the public.

I think Mr Chudleigh, in asking for a permanent fund, needs to also recognize—and I think he would agree with me—that there need to be provincial priorities established for how it's spent. As the member for Algoma-Manitoulin, I come from a constituency that's the size of all of southern Ontario and it is probably 85% owned by

the Queen. It is crown land; it is parkland. As a matter of fact, and I know, again, my friend from Halton knows this very well—it's the coastline that I represent, proudly known as the Great Lakes Heritage Coast. Think about this: 43% of the Great Lakes Heritage Coast—the member from Parry Sound-Muskoka is here and he represents a good, proud portion of that coast. I do, and my friends from Thunder Bay-Superior North and Thunder Bay-Atikokan represent the remainder. There are really only four of us who represent 4,000 or 5,000 kilometres of coast. What's interesting about that coast is that 43% of it is in park today, either a federal park or a provincial park. It might actually be a higher percentage. Another 20% of that is crown land. So we're talking about the coastline of Lake Superior and northern Lake Huron that is more than two thirds in the hands of the public today. Yet, as the member from Algoma-Manitoulin, I know there are areas of private land that need to be acquired.

I am particularly pleased that the Nature Conservancy of Canada, which has done a wonderful job across all of Ontario, is pursuing some projects in the Michael's Bay area on the south shore of Manitoulin at the moment. Clearly, I want to wish them the best in that effort. The Blue Jay Creek is there, and many people will know that as one of the sites of one of the province's fish hatcheries, an important part of our natural heritage. Some great work has been done, by both the agricultural community and others, in making sure that this particular resource to the people of Ontario is protected well, and is being looked at for more public participation or ownership. That's a good thing. We had a lumber company, a timber company, that actually donated land in that area over a decade ago.

It's important, and what the member is talking about is important. I want to point out that, of course, it's ongoing. The government has quite a number of initiatives that go beyond this point of just purchasing land. As a northerner, but born and raised in southern Ontario, somebody who was just a couple of weeks ago in Port Franks at a meeting of a group that's studying and promoting the values of the Carolinian forests, to come down into this huge clear-cut we call southern Ontario and to look at bringing some of its parks and protected spaces and public spaces into the same kind of category of public ownership that we have on our coasts and in our protected areas—not that we couldn't do more; I am not suggesting that. But, frankly, the south has been quite the laggard on this, as the northerners look at it. We just want to encourage Mr Chudleigh to work with the community partnerships that he knows are out there. I talked about the Nature Conservancy, but there are many local groups that would like to protect, enhance, purchase and acquire land that could maybe go to a conservation authority or possibly be included in a provincial park. There are all kind of options. Certainly, we also want to encourage those kinds of partnerships.

Mr Chudleigh, I want to thank you for bringing this forward. I think there might be, as an individual member speaking here, some opportunities to find a way to

encourage the public to donate into an acquisition fund that was permanent and ongoing.

I guess my time is just about expired. I just want to indicate to the member that I am happy to be supporting his resolution today.

Mr Toby Barrett (Haldimand-Norfolk-Brant):

Further to the concept of conservation incentives and the land acquisition discussed by the member from Halton, the finance committee received a submission regarding the benefits of reinstating the community conservation lands category. This is part of the conservation land tax incentive program. This came from Michael Bradstreet. He's the Ontario director of the Nature Conservancy of Canada, the NCC. Bradstreet lauded these tax break programs as low-cost tools to encourage landowners and land trusts like the NCC to protect and steward important habitats within the province of Ontario.

This approach, the NCC approach, MPP Chudleigh's approach and the ALUS approach—the farmer-driven alternate land use services concept—I feel is far superior to the approach that we will hear this afternoon from the McGuinty government with the introduction of the greenbelt legislation, legislation that in my view essentially trashes property rights and seizes the value of private land without compensation.

The Nature Conservancy of Canada, through partnership, has a different approach. They've been able to protect 70,000 acres of ecologically sensitive land in the province of Ontario. They own 35,000 acres.

1040

There is another approach as well, further to the issue of greenbelt legislation that we know will perhaps do nothing more than promote the leapfrogging of urban sprawl over the designated greenbelt areas. This is an approach proposed by Earthroots and what's referred to as the Ontario Greenbelt Alliance asking Premier McGuinty and all parties to embrace the NOAH concept. This is a comprehensive conservation biology plan to link the Niagara Escarpment to the Oak Ridges moraine, and to go further to link it with Algonquin Park and to go south to the Adirondack State Park. This heritage system plan would be somewhat similar to the Yellowstone to Yukon, the Y2Y corridor in the Pacific northwest, and it reminds me of the panther preserve, a very large area identified in Florida.

So I will wrap up. I fully support the Nature Conservancy of Canada. They presented to the finance committee a section titled Untaxing Nature, where they proposed the reinstatement of the community conservation lands category of the CLTIP program.

Mrs Donna H. Cansfield (Etobicoke Centre): It's my pleasure to be able to stand in support of the member from Halton's motion. I think I'd like to take it from a slightly different perspective than what others have proposed, and that is actually from the perspective of how we're dealing with our population growth.

Some 80% of Ontario's population is actually in the urban band around the Great Lakes and, of that, about 40% or half is in the Golden Horseshoe as we know it.

We have the highest population growth in Canada, and we're actually going to go from 4.2 million to 5.4 million or 5.6 million by the year 2016. So what possible difference could that have to do with the issue of land acquisition for parks? It really comes down to the issue of how we deal with our greenhouse gas emissions.

Our environmental impact from even thermal space heating is significant in the residential sector, and we're going to increase that sector significantly in the next number of years. Just from the residential sector, excluding the use of electricity, we have 14.1 megatons of greenhouse gas emissions that occur from space heating alone, 4.4 megatons from water heating in the residential area, 10.9 megatons from space heating, 1.2 megatons from water heating, and 0.4 megatons from space heating or cooling in our residential buildings. When you consider there are 4.4 million dwellings in Ontario now and our growth is approximately 85,000 houses a year, the majority of which grow in those huge areas, suddenly you look at the issue of environmentally sensitive areas in a different light, from my perspective.

It's wonderful to say that 43% of our parks are in northern Ontario, and kudos to that, but the fact of the matter is, we need to look at our sensitive lands environmentally in southern Ontario as well. The greenbelt legislation will, in fact, deal with some of that, but I think that people also have to recognize that a park can be anything from what they call a parkette, which is a small piece of land, to hundreds and hundreds of acres, all of which can have a significant impact if you do something like plant a tree or two.

Toronto used to be called the city of trees and, until recently, when they put in the legislation municipally that forbid the taking down of trees unless there was a reason—and, typically, the reason was the tree was unhealthy—we would hear stories of developers going in and virtually just tearing down. If I had an opportunity, I would say “build a house, plant a tree” would be a mandatory requirement—but not a little tree; a tree that would be sufficient to make a difference in that environment and that community.

That's one of the things that we look at that we haven't given a lot of emphasis to, and this is why Mr Chudleigh's motion is important, because he looks at acquisition in sensitive areas so you can have ANSIs, they call them, areas of natural and scientific interest. They can be abutting a farm, they can be down at the bottom of a lakefront, they can be in any number of areas, but once that area has been identified, unless it falls under the forest tax rebate system or whatever, how do you protect that? One of the ways you can do it is by working in partnership.

Certainly, this motion doesn't say how it will be done, but that it should be done. I think “should” is an optimal word. It doesn't say it should be done without this or that. I know Mr Chudleigh is a very fiscally responsible person. He recognizes that it has to be done in such a manner. If you don't have the money with which to do it, you can still do the planning, the thinking or the inves-

tigating. All the motion says is that we should be open to all of those thoughts, investigating and thinking beyond what's traditionally been in place, and are there other opportunities?

For me, I look at my own area down at the lakeshore in Etobicoke, because I'm the member from Etobicoke Centre, and you have to look at the development that has occurred in that area and what they're doing in terms of landfill to produce parks because, in fact, we've taken away the land to put into development. There are a number of habitats for birds and species of plants and such that need to be protected, and certainly you can do that through land acquisition.

The containing of urban sprawl and the management of growth is something that we put into our permanent sustainable legacy through the greenbelt legislation that's being proposed. One of the things it happens to do is actually put the public interest first. I believe that's really what Mr Chudleigh's motion is all about. He is saying that we need to look to the future in order to sustain the land; that is, actually looking at it in the context of its economy, its environment and its society. That's the whole concept to sustainability. That's something we need to really incorporate into all of our thinking. It shouldn't be just programmed into environmental thinking or energy thinking. It should be in all of our thinking as we plan policies, practices and procedures in this Legislature around the legacy we all wish to leave for the Ontarians we serve. Certainly, the Ontarians we serve are our children because they in fact, as I've said many times, are our future.

What you're doing through a motion such as this is protecting the broader provincial interest, obviously, through policy, but I believe you're also protecting the broader public interest through good planning. Good planning is part of what the leadership of a government should be doing when they look at the issue of land acquisition of parks, parkettes and areas of natural and scientific interest, and balancing that through the issue of the economy and growth.

I'm not sure that I particularly like the words “urban sprawl.” The connotation makes it sound like it's unacceptable or it's the wrong thing to do. In fact, you need someplace for people to live. We're fortunate enough to live in a province that is virtually the size of western Europe, and yet we know that 80% of our growth is going to occur along our Great Lakes. So if we know that, then it really is incumbent upon us to plan, and plan well. One of the things you do in planning is look at the use of that land. Some of it will go to development, but some of it must be able to sustain that development, and sustaining that development means dealing with things such as greenhouse gas emissions and living with your environment in a friendly, acceptable way that sustains and protects the environment for the future and, in fact, lives in some harmony with that environment. Maybe that's something we haven't done for a long time.

In my particular file, it's energy. We are energy hogs. I think it's time for us to look at how to do business

differently. I welcome the motion because I believe it gives us the freedom to do that.

Mr Bill Murdoch (Bruce-Grey-Owen Sound): I'm glad to stand here today and support Mr Chudleigh's resolution. It's a non-partisan resolution, and I'm sure there won't be anybody voting against it because, as I say, it's non-partisan. It's something we should be doing in this House.

In the past and in the future—our governments seem to make laws in this House that take away property rights. We can go back to what the Conservatives did when they made the Niagara Escarpment Commission. They took away property rights. Now I understand this government today is bringing in the greenbelt legislation, which is going to trample property rights. If we're going to do that for the good of Ontario, then we must compensate landowners, and this is one way of doing it. It's a good way. I understand, though, that this program's going to be done in 2005. Mr Chudleigh says we should have a permanent one, and he's absolutely right.

Also, Mr Brown mentioned that we should co-operate with other groups out there that are buying privately owned land and making it public, giving it to conservation authorities, the Ministry of Natural Resources and the conservancy.

1050

We have one group out there, the Escarpment Biosphere Conservancy. It's led by Bob Barnett. I've met him and he's a good friend of mine. They used to fight people with their money all the time to say they couldn't have this on their private land. They got themselves together and finally figured out that it's better to buy the land, give it to a government agency and make it public, so that a lot of the sensitive land is preserved forever. We know about this in the Niagara Escarpment area, because our rights have been trampled up there by all governments.

If this government would like to save money, the thing they should do is freeze the natural area of the escarpment—just the natural area—get rid of the Niagara Escarpment Commission, save the \$4 million or \$5 million they blow on that, and put it into buying that land and saving that land forever.

I stand in support of this bill, and I am glad that Mr Chudleigh put it in.

Ms Laurie Scott (Haliburton-Victoria-Brock): I'm pleased to join the debate on the motion being discussed here today, brought forward by the member from Halton. I think it is important for everyone in the Legislature especially to be interested in what type of legacy we are leaving future generations. It doesn't matter which party you belong to—and this is the nice thing about Thursday mornings—we all hope we'll be able to reach decisions in this place that will make for a more prosperous Ontario.

There's another legacy that's just as important. We have a responsibility in the House to do what we can to ensure that ecologically sensitive lands are protected. Ontario is the most naturally diverse province in the

country, with 3,000 native plant species, 450 species of birds and 130 species of native butterflies. It is also, however, home to more endangered species than anywhere else in Canada. We need to work to protect their habitat. The important task has been underway for the past couple of years through the ecological land acquisition program. The program is part of Ontario's Living Legacy, the most comprehensive natural heritage program in provincial history.

Under the land acquisition program, privately owned environmentally sensitive lands have been acquired and added to the protected areas system. This has been especially important throughout southern Ontario, where land is predominantly under private ownership. I'm fortunate in my riding that we still have crown land available for public use. There are many thousands of acres that have been protected for the enjoyment of Ontarians and the protection of our natural heritage.

Not every part of the province has land protected in this way. The land surrounding the Frost Centre, for example, includes 24,000 hectares of crown land. That covers both my riding, Haliburton-Victoria-Brock, and Norm Miller's in Parry Sound-Muskoka. I'm saddened that the present government has seen fit to close the Frost Centre and the important educational and stewardship programs it offered. Since the closure of the Frost Centre, we've gathered close to 15,000 signatures for its re-opening in some capacity. We especially appreciate the member from Peterborough's leadership in forming a committee to help us determine the best outcome we can for the municipality and the province with the Frost Centre. So I hope with that, the government, in the sudden closure of the Frost Centre, is recognizing the important goal of protecting the land and giving us a chance for further development of the Frost for future generations.

I want to also hold them to their promise not to sell the surrounding lands, the 24,000 hectares that I mentioned. The Leslie M. Frost Centre was the recipient of an Amethyst Award in 1998 in recognition of the quality and scope of their programs. UNESCO has just nominated part of Clear Lake, where there is an old hemlock forest, for recognition and protection. So we need more places like the Frost Centre.

The amount of community support out there to help the government protect these lands and work with all of us is a statement of how we're all committed to our future. We need to do more in terms of educating people about the importance of land stewardship, because as much as we are able to do in terms of acquiring land through programs such as the ELAP, it will never be enough to protect all of the many species at risk.

We also need to make sure that private landowners treat their land with respect. The goal of the ELAP is to enhance public ownership and stewardship of natural areas across Ontario where acquisition priorities have been established within the context of an approved provincial plan; for example, the Niagara Escarpment plan that was mentioned by my colleague, an improved land

acquisition strategy, for example the Lynde Marsh, or the acquisition agreement with the Nature Conservancy of Canada's eastern habitat venture.

The goal of protecting more land is laudable, but the program is in danger of fading away. The program, as stated by the member for Halton, was scheduled to end in March 2004, but the government has confirmed that the program will continue until March 2005. This time extension is limited, in that it only covers the continuation of projects already underway in the Rouge River Valley and Lynde Marsh.

The protection of ecologically sensitive lands should be able to continue. We all owe it to our children and their children to create a world where they would be able to enjoy nature as we have been able to. The Frost Centre and all the momentum that has been created around the Frost Centre for it to continue is an example. I want to thank the Perma-Frost group, who spearheaded all the notice to the province, the country and actually the world, and bringing groups to attention, like the Ontario Federation of Anglers and Hunters and the World Wildlife Fund, for example, as well as individuals around the world.

So I encourage all members here today to support this motion—it's very important—and to remember that we need to continue on with our ecological preservation and keep the Frost Centre and reopen it.

Mr Ted Arnott (Waterloo-Wellington): I'm very pleased to have the opportunity to speak to this important resolution. I found out just this moment that I was going to have the opportunity, and so it is something that I'm very pleased about.

Mr Chudleigh, the member for Halton, has moved a resolution that in the opinion of this House, the government of Ontario should establish a permanent land acquisition program with long-term funding in order to ensure the continued acquisition of environmentally sensitive areas.

First of all, I want to commend the member for Halton. I've enjoyed working with him over the last eight, nine years, since his election to the Legislature in 1995. He's played a very important role within our government and now within our opposition caucus. I know that, in his past tenure as parliamentary assistant to the Minister of Natural Resources, he showed a great deal of interest in these kinds of issues, so it's not surprising that he would bring this forward today. I know that he has worked within his riding to develop support for this proposal. He has worked with the Conservation Halton organization, and they're very supportive of this initiative.

Certainly, I would suggest that it's something that the government needs to consider and merits consideration. I'm aware that there are a significant number of programs of this type administered throughout the province that encourage this kind of thing, but at the same time, there isn't proper funding set aside to assist in the actual acquisition of the lands that need to be protected for future generations, as the member for Halton so eloquently pointed out. I expect that, in all likelihood, there

will be unanimous support for this initiative when the vote takes place. There are lots of nods around, but you don't know for sure until people come in and plan to vote. But it is something that I would hope doesn't just get passed here and action isn't taken.

I know that the Minister of Natural Resources, if he were here, would want to express his opinion on this. I would hope that he would be supportive. I would hope that there would be follow-up on the part of the government to make sure that the debate that takes place today isn't just a debate today, that there is follow-up and that very shortly the provincial government would bring forward the kind of program that the member for Halton is asking about.

Is there anybody else who wants to speak to this, or can we take the extra time?

Interjection.

Mr Arnott: Well, I've said what I wanted to say. I know there's another member of our caucus who had wanted to be here as well—the member for Durham—but I'm pleased to have had the chance to fill in briefly for him for a couple of minutes. I would give the remainder of the time to the member for Halton. Does that require unanimous consent?

Interjection.

Mr Arnott: No. OK, he has a little extra time, then, to sum up. I ask all the members of the House to support this initiative.

The Deputy Speaker: Further debate?

Interjection.

The Deputy Speaker: Well, you have two minutes on the clock and then you have two minutes to reply.

Mr Chudleigh: I'd like to thank the members who spoke to this motion and are supporting it. I'd also like to thank the members. I think this is the first hour of the past week that we've been through without ringing any bells, and I'd like to express my appreciation for the cooperation that the members have shown in the House today. Hopefully, that will continue even into the next hour, Ms Di Cocco.

I'd like to thank the member for Hamilton East, who very eloquently spoke to the bill and pointed out the one key phrase in her dissertation, which was, "Do we have the political will to do this?" Our future generations, of course, will judge us on whether or not we have that political will.

The member for Algoma-Manitoulin talked about the leverage that government programs have, which gives us added abilities to buy more land. That's a very, very important part of it—and, of course, funding. Even though you get great leverage, government funding is the salt that starts it off, and that's extremely important.

1100

I thank the member for Haldimand-Norfolk-Brant, who was supportive, and also the member for Etobicoke Centre, who talked about the development of our population. Certainly we will be judged by future generations for the way we handle our development. If we do it well, we will be remembered with pride, and if we do it poorly,

as has happened in almost all other jurisdictions across North America which have had rapid development, that is something we will have to hold on our conscience.

The diversity of opinions that are expressed in the private members' business hour is always interesting, as the Bruce-Grey-Owen Sound member talked about property rights.

I'll conclude with my two-minute wrap-up. Speaker.

The Deputy Speaker: Fine. Member for Halton, you have two minutes to reply.

Mr Chudleigh: The member for Haliburton-Victoria-Brock spoke so eloquently about her experiences with a really truly beautiful piece of property that should be held for Ontarians and future generations in the Frost building and its surrounding property. If you've ever had an opportunity to drive up through Dorset, particularly, I would say, in the last week of September or the first week of October, that is truly one of the most beautiful drives in Ontario. The beauty of that drive actually rivals parts of Halton, if you can imagine; it actually does.

I'd also like to thank the member for Waterloo-Wellington, who spoke so well about the issue and hit upon the issue of the need for funding. It isn't that this funding has to be a huge amount of money. You're not going to get hundreds and two and three hundreds of millions of dollars. The idea is to start and to keep it going.

We did a tremendous amount of purchases with ELAP, the ecological land acquisition program, with \$10 million. I think there were over 17,000 acres of land, and very sensitive land. A lot of it was on the Niagara Escarpment. It was land that sat between conservation areas, land that had particular wildlife on it or that had some particular ANSI on it, an area of natural or scientific interest. We were able to do a great deal of work with \$10 million. Over 17,000 acres of land of a very sensitive nature were purchased.

I would like to thank the members of the House for their words this morning, their support for this bill. Hopefully, down the road, 10 or 20 years from now, we will take great pride in what we have been able to accomplish in Ontario, not only from this point on, but really from years gone by. As the member for Algoma-Manitoulin pointed out, these kinds of programs have been in place in Ontario for years; they are a part of our heritage.

TRANSPARENCY IN PUBLIC MATTERS ACT, 2004

LOI DE 2004 SUR LA TRANSPARENCE DES QUESTIONS D'INTÉRÊT PUBLIC

Ms Di Cocco moved second reading of the following bill:

Bill 123, An Act to require that meetings of provincial and municipal boards, commissions and other public bodies be open to the public / Projet de loi 123, Loi exigeant que les réunions des commissions et conseils

provinciaux et municipaux et d'autres organismes publics soient ouvertes au public.

The Deputy Speaker (Mr Bruce Crozier): Pursuant to standing order 96, you have 10 minutes.

Ms Caroline Di Cocco (Sarnia-Lambton): Each one of us comes to this House with different experiences. We are here because of many areas of expertise as well as our own involvement in our communities.

Mine arose, if you want, because of the whole notion of public bodies and how they do business. It's important that we bring to this chamber some of those experiences and, as we've heard from the private member's motion that preceded us, deal with issues that are very important to us as individuals but also that we believe are going to make this province a better place. We're only here for a short time, as many of you know, so in the time that we're here I think each one of us tries to leave our imprint and to make this province a better place.

This bill is about transparency in public matters. Currently in Ontario, there are some guidelines in various acts governing open meetings for public bodies, but there are no penalties imposed or mechanisms for complaint when those guidelines are not complied with. Again, many states in the US, including Michigan, have open meetings acts, with penalties placed on those who serve in public bodies who are found to have broken the rules.

What this bill does, what this bill hopes to do, is to put in a mechanism of complaints. So how do we do this? What the bill does is, it provides oversight powers to the Information and Privacy Commissioner to address those complaints. What this bill provides is that it ensures public access and more transparency to meetings of these designated public bodies. It also requests, when public bodies such as municipalities, school boards or hospital boards go in camera, that they provide the reason for going in camera. As you know, there are exceptions for going in camera. Those exceptions are legal matters, personnel matters or contracts that have to be signed. But many times it's based on an honour system. Therefore, there have been many, many times whereby that trust has been breached because no one knows when the in camera items are not in camera.

The public has a right to know. That is the premise of this bill. Public bodies, unlike private companies, are really doing public business. It is important, in the whole system of decision-making we have, that that is done so that the public understands how that body has arrived at that decision. How do you do that? You can only do it when it is open to the public.

I have had a great deal of support for this bill from many of the ministers in our government, as well as Dr Ann Cavoukian, the Information and Privacy Commissioner of Ontario, the Canadian Newspaper Association, the Ontario Community Newspapers Association, the Ontario Association of Broadcasters, the Ontario Press Council, Advocates in Defence of Expression in the Media, Mr Ken Bosveld, who's with the Brabant Newspapers and the Flamborough Review, and I can go on—there's a very long list—Duff Conacher from Democracy

Watch. Why? Because we have probably the most informed citizenry we've ever had in our society. Therefore, there is a higher level of expectation today that we are able to apply the scrutiny to decision-making.

I want to read something that I was really pleased to see. It was from a letter from the Information and Privacy Commissioner. She stated, "I believe that Bill 123 has the potential to transform Ontario into one of the leading jurisdictions in North America when it comes to open, transparent and accountable government." That's what this is about. It's about moving forward in a way that decision-making is done so that we are able to ensure the utmost transparency in how these decisions are made.

1110

I must say, as much as there are a lot of people who are supporting this, I also know there is in some quarters—I think AMO's position on open meetings is a little bit different from this. AMO I believe is looking to possibly suggesting that municipalities should have more leeway in conducting their meetings as they see fit. The view according to our professional in this matter, Dr Cavoukian, is that their recommendation would actually create a patchwork of inconsistent open meeting rules and have the potential to seriously diminish openness, transparency and accountability at the municipal level.

I know that AMO is agreeing to disagree with me, but I believe this bill, the notion that we now have to put another level of responsibility on board members—today, as you know, for instance, hospital boards do not have to conduct their meetings in the open unless they themselves choose to do so. When you think of the considerations, the decisions that are made, whether it's hospital boards, school boards, municipalities, universities or colleges, if you think of the decisions they are making on behalf of the public and in the expenditure of the public purse, it's important that we now move into what I call the 21st century and make sure that there is not just the honour system in opening the meetings, but that the system has in it more checks and balances that apply this level of scrutiny.

The intent of this bill is that if someone believes that in camera meetings are held inappropriately, there is a mechanism whereby they can complain to the Information and Privacy Commissioner, her office can investigate and she can then decide whether or not those rules have been breached.

There's a penalty of up to \$2,500 for members of those boards if they do not hold their meetings in the open. What is it? It's an incentive. It's an incentive to ensure that the public interest is maintained at all times. A system is never perfect, but I think for too long the honour system—and there are many examples that have been used. Just recently I was at a courthouse. There was a school that was closed in our riding and the parents took the school board before the court to see if they could change their mind, basically. The justice did say, "Well, some of these decisions were done inappropriately behind closed doors," but there is no mechanism of penalty, so all they can say is, "Just don't do it again."

There's a case that has gone all the way to the Supreme Court of Canada in regard to this. The case was won but, again, there's no penalty. Therefore, even though it was deemed inappropriate, there was no mechanism except not doing it again.

I ask this House to support this bill because it is about better decision-making.

The Deputy Speaker: Further debate?

Mr Brad Duguid (Scarborough Centre): I want to begin by thanking our colleague the member from Sarnia-Lambton for bringing this bill forward for debate today, a bill that will improve public access and provide more transparency in public meetings of public bodies, including local councils and a number of other agencies, boards and commissions that are public.

The member from Sarnia-Lambton, Caroline Di Cocco, has been an ardent champion of open meetings for many years. It didn't start today, with this bill; she's been championing this cause since she got here a number of years ago.

I'll share a short story with you. In my first experience in the city of Brampton, I had the pleasure of meeting her mayor, Mayor Bradley, a very good mayor who has been there a number of years.

Mr Jeff Leal (Peterborough): Mike Bradley, one of the best.

Mr Duguid: Mike Bradley; a good guy. He wasn't all that great to me that day, mind you, because I came to meet with him in what was supposed to be a private meeting, to talk about Toronto's waste going to Michigan through Sarnia, and he insisted that the meeting be public. Mind you, I sensed a bit of a set-up, because there were about three or four cameras strewn all over the place, so I knew what I was walking into. So I said no, and we came to meet in private. But that was my first experience with the passion that the people of Sarnia have for open meetings, and I think Mike Bradley probably learned a lot from Caroline Di Cocco and was probably following her lead that day; I just didn't realize it at the time.

I support this bill for a number of reasons. It's very broad in the number of bodies it covers: municipal councils, hospital boards, universities, colleges, police services boards, school boards, library boards, among a number of others. I think it's important that we reach out to those organizations, to make sure there's a proper protocol and make sure people have access to decision-making. Some of the decisions these boards and commissions make are very important, so I think it's terrific that it does reach out to all those organizations.

That being said, the vast majority of those organizations all comply with proper protocol when it comes to private meetings, but there are always exceptions. I think that's what this bill is all about: dealing with the exceptions.

In the short time I have left, I also want to talk about another reason I support this bill, which is that it gives teeth to the enforcement of this; it really does. By giving the privacy commissioner the ability to nullify a deci-

sion—trust me, as somebody who was on a local council, it would be extremely embarrassing for a commission, a council or a board of education to have one of their decisions nullified for not going in camera or not going into a private meeting properly. So I think that helps a great deal. Then there are also the fines that are within it for anybody who might want to mislead or misconstrue or try to get in the way of the investigations of the privacy commissioner.

That being said, I support this bill for a number of reasons. It's a good step forward and it's something that I welcome, something that I think may warrant some further discussion with some of the stakeholders as we go to committee. But as that moves forward, I think all members of the House should lend their support to this.

Mr Leal: It is a pleasure for me to spend some time this morning to comment on the details of Bill 123. I certainly want to salute the member from Sarnia-Lambton, Ms Di Cocco. Prior to coming here, I spent some 18 years in municipal politics in Peterborough, and it was well known throughout the province, throughout the Association of Municipalities of Ontario, that Ms Di Cocco was indeed a champion of looking at the rules and regulations governing the conduct of public meetings at the municipal level in Ontario.

During my time on council, I did sit on the council proper of the city of Peterborough, and I was council's representative on the St Joseph's Hospital board, the library board and many other agencies, boards and commissions in the city of Peterborough. One thing that struck me when it came to dealing with items to go in camera and meetings to be held in camera was that there was enormous flexibility on the interpretation of the rules and regulations that were in place, and often the chairperson of the day would interpret those regulations and conditions from a very broad perspective. Often, as a member, from time to time, you would challenge the legitimacy of going in camera to discuss a specific issue.

One of the things I believe this bill helps to do is open up the public process. Certainly in 2004, one of the ways I believe we can address the issue of cynicism that covers all politicians and the political body proper these days is the whole issue of closed meetings and how we can open up the process so people can get the information that's really going on, that are not legitimate items that are discussed in in camera sessions.

1120

There was a case in Peterborough just recently with the Peterborough Examiner. They had made a request of the municipality under freedom of information. The issues that were denied them were very elementary issues dealing with a construction project in Peterborough.

This bill can go a long way to sharing a lot of details that were formerly held in camera, and I think this bill will advance the cause of making our meetings much more open.

Ms Marilyn Churley (Toronto-Danforth): Could I have some water, please? I think I'm going to need it. It smells a little better in here today, doesn't it? Were any

of you here last night? I want to thank the staff for taking care of that. I am still feeling the impacts, actually. For those of you who weren't here last night, we had a bit of smell coming from the new system that was put in. It smelled really bad in here—an oily smell—and some of us got sick.

I want to stand in support of this bill once again. I know I spoke in support of this bill or a similar bill, as I understand it, on October 1, 2001; in fact, I have my notes from that. What I wanted to clarify with Ms Di Cocco—and I just did briefly—is the difference between this bill and that bill. I'm not really sure what's been added, and perhaps one of your members, or you in the last two minutes, could clarify that for me because I'm tempted to say this should go back to committee for scrutiny of the details. I know it did before under the previous government when you brought it forward. I very enthusiastically supported it and still do, but I think it's necessary for it to go back to committee—I see you nodding your head that you agree with that—because there are some changes, to make sure we're able to scrutinize it because this is critical legislation. We really need it, but we have to make sure we get it right.

Having said that, I want to stand and congratulate Ms Di Cocco once again for bringing this forward. The details and the history of this are very interesting. I know some of you have heard Ms Di Cocco's story and understand why she's like a pit bull, dare I say, on this. It's probably not a good idea these days to tell anybody they're like a pit bull. She's like a dog with a bone on this. That's a better way to put it.

Having heard her story, you understand why. She knows first-hand the personal implications of not being able to get information that should be in the public domain. It's just a no-brainer. When you hear that story, you wonder how it could possibly happen. We shouldn't have to make legislation to prevent things like that from happening, but the fact it does happen shows very clearly why we need such legislation.

Even though it is private members', I would say that all members of my caucus support this bill and support the principle of transparency and accountability. Under the previous government we really saw that disappear in so many ways. When I spoke about this bill before, and Ms Di Cocco was in the Liberal opposition at the time, we told some stories about how difficult it was under freedom of information, for instance, under the previous government. They raised the cost of getting the information. Quite frequently, we found that when outside groups—or when I, as critic for the environment—were going forward and slapping down our big bucks, because they raised the cost so high to get information, we would literally hear about minister intervention to tell the FOI commissioner, “Don't give her that information.” We had evidence of that and it infuriated me.

All kinds of groups were coming forward telling me they were unable to either afford or get information that should have been in the public domain. I know that's just one part of transparency and accountability. We're

talking about the bigger picture here: all public bodies and municipal councils.

This bill deals with two areas, and those are open meetings and conflict of interest. I understand those are the essential elements of the bill. I find that it's pretty clear; it's not convoluted like a lot of bills that you have to examine in close detail to figure out what they are talking about.

As we know, there are already Municipal Act provisions requiring open meetings of municipal councils and their boards, but as has been identified, we have seen—I saw it when I was on Toronto city council several years ago now, and we certainly hear stories from all over Ontario, where where it's pretty broad, very broad. You could drive a truck through it—

Mr Leal: You're talking about that Mack truck?

Ms Churley: The Mack truck—in terms of how some councils and some boards and commissions determine whether something should be in camera or not. You hate to see it, but sometimes it's a pretty slippery slope and the issue that they pick out of a whole—and that's not everybody; we need to be really clear here. As always, you need broader legislation to deal with the bad apples in these kinds of situations. We all understand, and Ms Di Cocco's bill makes this clear as well, that of course there have to be exceptions. There are certain matters that should not be discussed in a public domain, certain legal and personnel issues. That wouldn't be fair to the people involved. A city council or a particular body has to protect the legal integrity of certain situations as well. But I believe as well that the bill is very clear on that.

What this really comes down to is that for most of these matters we're talking about, the bill does require a judgment about balancing the public interest in openness with the same public interest in keeping the matter private. To me, that's a key point, that these things have to be balanced. I'm afraid, as I said earlier, that for all kinds of reasons we have seen many examples of where the balance has very clearly tipped the wrong way, and we need to fix that.

I'm not sure about this particular bill before us today, but what I'm talking about is probably very similar. You can nod if I'm right. In the old bill, section 4 imposed a fine of up to \$1,000. Is that still in the bill? That's changed to \$500 now?

Ms Di Cocco: It's \$2,000.

Ms Churley: Oh, it's up. Thank you for updating me here. It's \$2,000 now for each member of council or a board who is in attendance at a meeting or part of a meeting that improperly excludes the public. I think that's really important. Again, it is balanced with exemptions for members who object on the record or who honestly believe the exclusion was within the bounds of the act. I think Ms Di Cocco does go out of her way to make sure those kinds of concerns are taken into account.

The other thing, though, that I want to get into today is broader than this bill, and that is the need to have transparency in so many areas this bill doesn't actually deal with. One of the promises the Liberals made was to

bring in transparency on real-time disclosure of political donations. Now, I don't see—

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): We're working on it.

Ms Churley: They're working on it, they say. Is there a way we can include that in this bill? Maybe we can make an amendment to this bill to bring in that promise by the Liberals in the election that they would bring in real-time disclosure of political donations. It hasn't happened yet, and of course I'm the democratic renewal critic in our party, as well as a few other areas you hear me talk about from time to time—

Hon James J. Bradley (Minister of Tourism and Recreation): Now we'll see what Jack gave you.

Ms Churley: —such as the environment. Yes, real-time.

The Liberals, as you may have noticed, over the past several months have been holding a lot of fundraisers, and some of them—

Mr McMeekin: Consultations.

1130

Ms Churley: Consultations. You see? “Consultations.” That's a good word you put in there, because these kinds of consultations mean people have to pay big bucks for them. You have to have the money to get in for these private consultations. The fact is, I believe this actually was a very important, and is a very important, piece of transparency and openness, and I understand why the Liberals, in opposition, did make that promise to make sure there's real-time disclosure of political donations. I know where it came from, and we fully support it. When the Tories were in power—and now it's the Liberals in power over there—we saw an awful lot of huge fundraisers, where people were paying thousands of dollars to get in to influence government decisions. These people often have a lot of influence over what governments decide to do with legislation. I will also say, to be fair, they don't always. Sometimes people pay big bucks to get in just because they support a particular party or it's kind of nice to rub shoulders with the Premier and the cabinet ministers. Nonetheless, we all know that, under this system, if people have an opportunity to spend big bucks to get an audience with the Premier or cabinet ministers when there's a particular piece of legislation coming through, they're going to use that opportunity.

We saw recently the energy minister had a big fundraiser, where people who provide power paid big bucks to come into—

Mr McMeekin: It was a charity.

Ms Churley: He says it's a charity. You see, if we had real-time disclosure, transparency in donations, as promised by the leader, you wouldn't have me up here complaining about this. Because I don't know who's coming to these fundraisers. I do know that a lot of developers, a lot of people with particular interests in certain pieces of legislation, in energy policy, development policy and all kinds of other areas, do pay big bucks to get into these fundraisers.

I think, as with this bill—and this is where the connection is—the public has the right to know. The public

has the right to know who's paying the big bucks to go to fundraisers with cabinet ministers and the Premier. In fact, I know the Liberals agree with me, because they made that promise. Now so far, a year later, this is another broken promise, because we haven't seen it yet.

We're talking today about a bill that is going to—I expect it will be passed this time, because the members of Ms Di Cocco's government, I'm sure, will come in and support her on this, and I know we will be supporting her as it goes through and is passed into law. That's a good thing. We are moving forward toward openness and transparency in government and public bodies.

But I want to come back to other areas again where we need that transparency, and that is around real-time disclosure of political donations. I think it's actually not only good for the people to know who's coming to these fundraisers, but it is actually good for the government to have that, and I believe that's why the Liberals promised it. It's not only good for the people to know, as I think they have the right to know—because we're all servants of the people; they vote us in here to represent their interests—but it also actually helps the government, whoever is in government, all of us, that they can stand up and say very clearly, “Yes, we had a fundraiser, and yes, these are the people who came.” It's all open; it's an open book. So I don't know why they haven't done that yet.

It would have been nice to see that—I don't know if there's any way to fit that into your legislation today, I would ask Ms Di Cocco. Maybe we can make an amendment at committee to move her government along in this promise they made for real-time disclosure.

I think that public disclosure is of paramount importance in every area where we as public servants influence public policy, and whatever happens out there in our communities, they, the people, have the right to know. My position is that unless there is a darned good reason to not make it public, then it should be made public. That's what this bill will do in certain circumstances. That would avoid a lot of the really awful things that have happened in the past, a real misuse of power going on behind closed doors that has had real adverse effects on the public. Money misspent and all kind of things have happened, and the public has not been able to get to the bottom of it. We're seeing the MFP computer inquiry going on here in Toronto right now and all of the revelations that are coming out of that. That's quite shocking.

A lot of these meetings were held in secret, behind closed doors, and some of them no doubt had to be held that way. But had many of them been more open and transparent, perhaps we wouldn't have seen the terrible mess we have seen happen at Toronto city council over that.

So I support the bill and I hope it goes forward to committee. Thank you very much.

Mr Ernie Parsons (Prince Edward-Hastings): Before I speak to this bill, I want to compliment the member for Sarnia-Lambton. She has believed in this with a passion, and it's because she's right. It is great to see this bill come forward.

The very premise of democracy is that it is a system that encourages, allows and needs the public to participate in every action and decision, maybe not actively at a board table, but to participate in it. When people are excluded from decisions that are being made by elected bodies, it produces a reaction, “Well, my vote doesn't count. My opinion doesn't make any difference. There's no point in my saying anything because they've already decided.” That gradually erodes away our democracy and we're seeing that with the decreasing voter turnout. People believe that others are making decisions that they have no control over.

There is a sense among some elected bodies that they own the assets they have been elected to manage. But the reality is that in many ways, in all ways, they're trustees. The public owns the schools, municipalities and hospitals. Every asset in this province is in a system, thank goodness, where all of the public owns it, and the public needs to be involved in that.

This bill identifies boards and organizations that will be subject to this bill. I look at some of them: board of directors and governors for universities, for hospitals, for colleges of applied arts, for board of health. These are organizations that truly have a profound effect on the community. First of all, they spend a lot of public money. That alone, to me, would be justification for saying that their meetings must be open. Even more than that, they affect the citizens in the community they serve.

A decision made by a hospital board has a profound effect on the community. What is happening at a community college or at a school board has a profound influence on the community, and yet we're seeing more and more restrictions. Rather than being more open, we're seeing more closed actions.

I believe that the health of a democracy can be judged by the freedom that the media enjoys. When I say the public needs access to these meetings, I don't necessarily mean that everyone in the community shows up and sits in on the meeting. But the media need to have full and open access to it so they can share with the community what decisions are being contemplated. Sometimes we see decisions made behind closed doors, and then the board chair comes out and says, “We made a very tough decision.” Some of these decisions are tough because they're the wrong decisions. If a decision is a good decision, it would stand the scrutiny of daylight, with the public present and in on it.

Elected officials in many ways know only what they're told. So if a perspective is given to them behind closed doors, and they base that decision on it, they have lost the advantage of all the expertise that exists in that community that could come forward to either support it or to say, “Have you thought about this?” or “Here's an alternate plan.” So I passionately believe that these bodies should hold open public meetings. In fact, in some cases for certain boards—community college boards, hospitals—I could make a case that these boards could be publicly elected rather than a closed-door system, because they're public bodies.

The other thing that has to happen is that the public has to know ahead of time what's being planned. If a decision is being made to change something and it's made at a public meeting, without the community knowing that it was coming, there is simply no possibility of their receiving the other side of the people coming out. That is happening at an appalling rate for many of the organizations across.

I respect that certain decisions have to be made in private if you're dealing with a personnel matter, a property matter or a legal matter. But if a municipality can do its budget in public session, then surely to goodness things like school boards and hospitals and community colleges can do it in public session.

There is nothing that is being done, outside of those areas, that should not be done in public. I do not believe an organization should make the decision itself as to what is public and what is private. I applaud Caroline for saying there would be a definition that cannot be broken on what can be done in private.

1140

Mr Garfield Dunlop (Simcoe North): I'm pleased to make a few comments on this piece of legislation, Bill 123, An Act to require that meetings of provincial and municipal boards, commissions and other public bodies be open to the public.

First of all, I want to say to the member that I congratulate you for bringing forth this bill again. I have questions about it and I'm very concerned about it. But anybody that has Mike Weir as a constituent has to be not too bad a person because I believe that Mike Weir, as one of our primary golfers in this country and in the world, has brought a lot of recognition to our country. The economic spinoff for the golfing industry as a result of Mike Weir and Lorie Kane and these people has been incredible, for our province and our country. I thank them for that, and that's great.

Anyhow, it gets us around to Bill 123. I guess my initial thought is that it can be very bureaucratic, and that's my worry, that we're just adding—as the citizens of the province get involved with the Information and Privacy Commissioner, I worry how far down that path we can go. I have to tell the member that in rural Ontario, in the county of Simcoe, I have sat on a number of these boards you talk about today: small library boards, community centre boards, hospital boards, the community college association, foundations and boards. I've got to tell you that I have sat with literally hundreds of people over the last 23 or 24 years who have been absolutely phenomenal and have not tried to hide anything.

By far, most of these people are volunteers in their communities and they have the best—for example, a library board. In the communities I've been involved with, we've had a hard time or difficult time finding people to even sit on these boards. I don't want to restrict people. That's my main concern with this piece of legislation, that there may be some restrictions in that area. In her concluding remarks, she may want to address that.

As well, I have to say some nice things about the boards. Our hospital board in Orillia, Soldiers' Memorial Hospital, the North Simcoe Hospital Alliance, Huronia District Hospital and the Penetanguishene General Hospital: Absolutely phenomenal people are on these committees. They work hard either on the foundation, raising funding, funds for special projects or the day-to-day operation of the hospital. Most of those folks don't receive a penny for anything. They just work hard and do the best they can for their hospitals. I don't want to say anything to those folks that would restrict them or take away their desire to be a part of that board.

It's the same thing with our community college system, Georgian College in Simcoe county, with the headquarters in the city of Barrie. We have satellite campuses throughout the county. In my particular riding we have Midland and Orillia campuses. Again, it's a volunteer board of directors that does an absolutely fantastic job.

As far as I know, their procedural manual calls for public meetings. You can go to a meeting whenever you want and get a deputation, the same as at the hospital board and the school board. I know our school board—I've been on many boards and sat in the audience. Certainly you're restricted in the amount of time you can speak or whatever. For example, in our Simcoe county board of education, I think you are allowed to bring up a topic one time in a deputation so that they don't have people coming back month after month trying to address certain issues like transportation or a funding issue that a parent may have. The board would have to deal with 55,000 students in a school board like Simcoe. We would want to make sure the board has some movement that way.

Overall, I'm very satisfied. The member has probably come across this issue and is very concerned about the fact that there may be some boards or public bodies across the province that are not doing that, but I have to tell you that I'm not hearing that in my riding. I certainly don't hear it from my municipalities, and they all have library boards and community centre boards. Very seldom do I have a problem. I have a few problems with people who claim the mayors and councils sometimes have certain issues and don't want to allow too much time for debate or for deputations, but overall I think they do a fairly good job. I'm really sorry that when I came here—I was late getting here to make my comments because I was at a House leaders' meeting, and that's not the best kind of meeting to be at these days. When I leave here—I have to go back—Mr Miller is coming in to wrap up for us. I have to tell you—

Mr Ted Chudleigh (Halton): Everybody else has spoken.

Mr Dunlop: Everybody else has spoken? I guess I'm going to stay until Mr Miller arrives.

The bottom line is that, overall, the volunteers who make up the vast majority of the boards—here's my friend from London-Fanshawe; we just gave out volunteer award recognitions up in Barrie and Orillia. He did a great job, by the way. I believe there were something like

250 people at each of those events that the ministry held. Almost all of them were volunteers and contribute to their communities on library boards and, some of them, on hospital boards and foundations. I have a real problem trying to put through legislation that would hinder their desire to continue in the role they play in their communities. I'm not saying for a moment there is not a need in some other communities or some other organizations across our province, but I can tell you that from my perspective, I have a concern.

Now, let's talk about the government for a while—this just came to mind a few minutes ago when I was talking—the role of government and why this piece of legislation. I think of the government itself, and what I'm really concerned about is that last year you ran in an election. The Liberals had a platform, and if I had the time I would have brought it down. I think it's 147 pages of information on different topics, and a number of promises and what Mr McGuinty and his team would do if they were elected in this province. I found there were a number of promises made. At the time, during the election last fall, there was a lot of debate around what these promises would cost provincial taxpayers.

The one piece of information that came out rather quickly—and here's my buddy coming—was the previous auditor's report, that purple manual. He came out and claimed that the government had a deficit of \$5.8 billion. We argued about that until we had a confirmation later on this year. However, the document you didn't release was the document that was made up by the folks in the Cabinet Office projecting the cost, previous to the election, of each party's election platform. I understand that your party did everything possible, until we finally got it through the freedom of information act—we finally got it just a few weeks ago. You did everything possible to stop our party from receiving this document, which, of course, allocated something like \$18 billion a year—that's what we were told in the end—and that the ministers had to address this—

Mr Lou Rinaldi (Northumberland): Yours was 30, though.

Mr Dunlop: Yes, but the problem is, to the member from Northumberland, you're the government now and you're bringing in this legislation. You can say whatever you want—

The Deputy Speaker: I remind the member to direct his comments through the Chair, please.

Mr Dunlop: I'm sorry.

Mr Leal: What about your platform: \$30 billion?

Mr Dunlop: There you go again. You see, everything you do, you look at a previous government. All I'm asking today is, why didn't you release that document? You were quick to release the purple document from the Auditor General. They were quick to release that document, but they were not quick to release their own Cabinet Office document which called for billions of dollars. Of course, right to this day, 13 months after the election of October 2, you're still trying to blame the previous government for everything that's happening.

Sometime you have to take control of the situation. You have to remember that you're no longer in opposition. You actually have to govern over there, and it's about time you started to govern.

1150

Mr Leal: We are.

Mr Dunlop: Well, you know what? I can see how you're governing. I've been listening to question period, and we've got a lot of problems in this province today. A lot of it has been created in the last 13 months by some of your legislation. You know the one I'm talking about in particular. That's the health premium. It was called the health premium—

The Deputy Speaker: We do have a private member's bill before us, so I would ask the speaker to please—

Mr Dunlop: I'm going to wrap up right now, but what I'm trying to point out here is the secrecy of this government. It's the secrecy that you've held back. Now you're trying to come through with a piece of legislation, a private member's bill, that's going to pick on some little library board. That's what you're going to do with this piece of legislation: send some member of the library board to the Information and Privacy Commissioner. So it is difficult for me to support this.

However, I have used up a lot of the time of my colleague Mr Miller. I know that he would like to make a few comments on this piece of legislation. Mr Miller, if it is OK with you, I'll turn it over to you now.

The Deputy Speaker: Well, we'll just check. Further debate? The member for Parry Sound-Muskoka.

Mr Norm Miller (Parry Sound-Muskoka): It's my pleasure to join in the debate in private members' time on Bill 123, An Act to require that meetings of provincial and municipal boards, commissions and other public bodies be open to the public. Certainly, I would say that the goal stated on the cover of the bill is one that I don't think any of us are going to argue with. We all want to see business conducted in as open a manner as possible.

I know the member from Simcoe North, who was just speaking, has a lot of municipal experience; he was 18½ years on council. Councils do most of their business in an open manner, but there are some types of business that they don't, like labour relations, litigation or potential litigation, employee negotiations, and acquisition or de-acquisition of land.

In my riding we have 26 municipalities, so I would be concerned about how this legislation might affect those municipalities as well as other boards. I'm concerned that this may be quite bureaucratic in creating a lot of red tape and complications for those municipalities. Some of them are pretty small. Some are municipalities that only have 500 people in them.

I would also ask, is this just complicating things? We had a situation in the municipality of Magnetawan, where people in the community were concerned with how business was being conducted and had questions about it. They raised those questions. They delivered a petition to me, which I forwarded to the Minister of Municipal

Affairs and Housing. On a fairly speedy basis, the ministry looked into and actually did an audit on the municipality and looked at the way they were conducting their business. I'm pleased to say the result was that Magneta-wan was seen to be doing their business according to the rules. The point of that is that there were questions about how they were doing their business. The process worked very well in dealing with that.

I've also had situations where parents are frustrated with school boards and want to get more information and are having difficulty getting the information. That's an example of how we do, in some cases, need more open methods of dealing with business in some of these public agencies.

But I am concerned about some of the measures of the bill. There are certainly some, I would call them draconian, measures that are given to the commissioner, who is given the power to look into things. I'll just note, especially, section 14(1)(c), giving the commissioner power of entry and search, even when "the commissioner does not have reasonable grounds to believe that a person has committed an offence."

I only have 50 seconds, so I'm not going to be able to go through all of the points that I wanted to be able to make on this bill. The type and nature of the power given to the commissioner or person or employee of the commissioner will allow him or her to operate in a world that is a little scary: no restrictions, no concern for rules of evidence, testimony by people who may be recounting pure gossip. The attacks will be coming against members of boards and commissions, mayors and other elected officials, many of whom are community volunteers or part-timers. On top of all that, the act grants immunity to the commissioner.

So the problem I have with the bill is that it's far too bureaucratic, and I'm concerned with some of the powers that are given to the commissioner.

Mr Kim Craiton (Niagara Falls): I'm happy to join in the discussion today, with regard to my colleague from Sarnia-Lambton, to ensure transparency in government, agencies, boards, commissions and other publicly funded bodies.

There are far too few guidelines governing open meetings for public business in Ontario. There is far too much public money that's being spent but it's not open to public scrutiny. There are far too many penalties when you don't comply. The current rules governing openness of public meetings, in my opinion, are like a toothless tiger.

We've already heard that across the border in the US, in Michigan, they have an Open Meetings Act, with penalties placed personally on those who serve public bodies and who have been found to have broken rules. So the time has definitely come for us here in Ontario to adopt similar legislation. This position was supported by the Information and Privacy Commissioner in her letter to the Minister of Municipal Affairs just three days ago.

I'm also proud to indicate that in my riding of Niagara Falls the local newspaper, the Niagara Falls Review,

under the banner of the headline, "No Good Reason to Keep Boards' Business Private," wrote, "Many of these public agencies are made up of elected representatives and government appointees. Except for the Niagara Parks Commission, most of these agencies are spending public money. In many cases, government appoints the boards of governors.

"It makes sense that their meetings should be open to the public they serve and through which they are funded."

During my campaign, when I was running, I heard loud and clear from the people in my riding that they wanted more transparency in government at all levels. Since I've been in office, I've been hearing the same message over and over. Bodies like our hospital boards, colleges, universities—this will apply to them when this bill is passed.

I want to indicate that I'm also a supporter of other agencies that don't fall under this bill yet, and I hope to have that amended to be included, such as the CCAC in my riding, which did not renew the contract of our VON and lost a valuable service, or the Niagara Parks Commission, which brought in the idea of a gondola and created a huge uproar in our community, without having public input before this decision was made. Only after it came to the public did they participate, and the cry came out loud and clear that they did not want the falls themselves to become a tourist amusement centre with this concept.

The purpose of the bill is to provide more public access and transparency to the public and to make these boards accountable. Under this legislation, organizations will have to provide public notice, including minutes. In essence, they're going to have to become accountable.

I'm extremely pleased to have an opportunity to express my opinion and that of my riding and show our support for this bill. I also want, on a personal level, to congratulate Caroline Di Cocco for her leadership in bringing this bill forward. I was glad to have the opportunity to partner with her in bringing it forward on behalf of my community, who loudly and clearly have told me they have concerns about two of our agencies that they feel have not been accountable to the people in the Niagara region.

Interjections.

The Deputy Speaker: If we can just keep the conversations to a minimum, it would be appreciated. We have two minutes now to hear from Ms Di Cocco in her reply.

Ms Di Cocco: I want to thank my colleagues and all those who have spoken to the bill and those who support it. There's a clear connection, by the way, to the government's transparency agenda. I'm pleased to say that, if this passes, we're more than willing to go to committee so that it can be tweaked and addressed and we can look at ways to make it better.

I was a little bit disappointed with the remarks coming from the opposition. I'm quite surprised at their interpretation of the bill, because it is about better govern-

ance. It has nothing to do with being utterly bureaucratic, as has been stated. There is the right of the public to know. This has the support, as I said, of many different sectors: the dailies, the Ontario Community Newspaper Association, the Ontario Association of Broadcasters, Democracy Watch. Many organizations across this province have been looking for some checks and balances in public bodies.

I also want to thank in particular the member from Toronto-Danforth, because it is about our experiences that we bring to this chamber, an idea that would make the whole system better. That's the intent of this bill. And I want to thank the member from Scarborough Centre, who is the parliamentary assistant to the Minister of Municipal Affairs, for his support, and the members from Peterborough, Niagara Falls, Prince Edward-Hastings and others, and I ask you to support this bill.

The Deputy Speaker: I thank the members for their co-operation this morning. The time for private members' public business has expired.

LAND ACQUISITION

The Deputy Speaker (Mr Bruce Crozier): We will deal first with ballot item 35, which is private members' notice of motion 24. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

We'll deal with this after ballot item 36.

TRANSPARENCY IN PUBLIC MATTERS ACT, 2004

LOI DE 2004 SUR LA TRANSPARENCE DES QUESTIONS D'INTÉRÊT PUBLIC

The Deputy Speaker (Mr Bruce Crozier): We will now deal with ballot item 36. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All of those opposed will say "nay."

In my opinion, the ayes have it.

We will call in the members for a vote. This will be a five-minute bell.

The division bells rang from 1203 to 1208.

LAND ACQUISITION

The Deputy Speaker (Mr Bruce Crozier): We will deal first with ballot item number 35, private members' notice of motion number 24, standing in the name of Mr Chudleigh, which reads:

"That in the opinion of this House, the government of Ontario should establish a permanent land acquisition program with long-term funding in order to ensure the continued acquisition of environmentally sensitive areas."

All those in favour, please stand.

Ayes

Arnett, Ted	Dunlop, Garfield	Ouellette, Jerry J.
Arthurs, Wayne	Gravelle, Michael	Parsons, Ernie
Berardinetti, Lorenzo	Hardeman, Ernie	Patten, Richard
Bradley, James J.	Horwath, Andrea	Peters, Steve
Brotten, Laurel C.	Hoy, Pat	Prue, Michael
Brown, Michael A.	Klees, Frank	Pupatello, Sandra
Bryant, Michael	Kormos, Peter	Ramal, Khalil
Caplan, David	Kular, Kuldip	Rinaldi, Lou
Chudleigh, Ted	Kwinter, Monte	Ruprecht, Tony
Churley, Marilyn	Leal, Jeff	Sandals, Liz
Colle, Mike	Marsales, Judy	Scott, Laurie
Craiton, Kim	McMeekin, Ted	Sergio, Mario
Delaney, Bob	McNeely, Phil	Smith, Monique
Dhillon, Vic	Milloy, John	Van Bommel, Maria
Di Cocco, Caroline	Mitchell, Carol	Wilkinson, John
Dombrowsky, Leona	Munro, Julia	Wynne, Kathleen O.
Duguid, Brad	Murdoch, Bill	
Duncan, Dwight	O'Toole, John	

The Deputy Speaker: All those opposed will please stand.

Nays

Matthews, Deborah	Mauro, Bill	Smitherman, George
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The Clerk of the Assembly (Mr Claude L. DesRosiers): The ayes are 52; the nays are 3.

The Deputy Speaker: I declare the motion carried.

The doors will be open for 30 seconds before the next vote.

TRANSPARENCY IN PUBLIC MATTERS ACT, 2004

LOI DE 2004 SUR LA TRANSPARENCE DES QUESTIONS D'INTÉRÊT PUBLIC

The Deputy Speaker (Mr Bruce Crozier): We will now deal with ballot item number 36, standing in the name of Ms Di Cocco: second reading of Bill 123, An Act to require that meetings of provincial and municipal boards, commissions and other public bodies be open to the public.

All those in favour, please stand.

Ayes

Arnett, Ted	Duncan, Dwight	Ouellette, Jerry J.
Arthurs, Wayne	Gravelle, Michael	Parsons, Ernie
Berardinetti, Lorenzo	Horwath, Andrea	Patten, Richard
Bradley, James J.	Hoy, Pat	Peters, Steve
Brotten, Laurel C.	Klees, Frank	Prue, Michael
Brown, Michael A.	Kormos, Peter	Pupatello, Sandra
Bryant, Michael	Kular, Kuldip	Ramal, Khalil
Cansfield, Donna H.	Kwinter, Monte	Rinaldi, Lou
Caplan, David	Leal, Jeff	Ruprecht, Tony
Chudleigh, Ted	Marsales, Judy	Sandals, Liz
Churley, Marilyn	Matthews, Deborah	Scott, Laurie
Colle, Mike	Mauro, Bill	Sergio, Mario
Craiton, Kim	McMeekin, Ted	Smith, Monique
Delaney, Bob	McNeely, Phil	Smitherman, George
Dhillon, Vic	Milloy, John	Van Bommel, Maria
Di Cocco, Caroline	Mitchell, Carol	Wilkinson, John
Dombrowsky, Leona	Munro, Julia	Wynne, Kathleen O.
Duguid, Brad	O'Toole, John	

The Deputy Speaker: All those opposed will please stand.

Nays

Dunlop, Garfield	Hardeman, Ernie	Murdoch, Bill
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The Clerk of the Assembly (Mr Claude L. DesRosiers): The ayes are 53; the nays are 3.

The Deputy Speaker: I declare the motion carried.

Pursuant to standing order 96—Ms Di Cocco?

Ms Caroline Di Cocco (Sarnia-Lambton): Yes, I would like the bill to be sent to finance and economic affairs.

The Deputy Speaker: Shall the bill be sent to the standing committee on finance and economic affairs?

All those in favour, please stand.

All those opposed, please stand.

A majority is in favour. It will be referred to the standing committee on finance and economic affairs.

All matters relating to private members' public business having now been dealt with, I do now leave the chair, and the House will resume at 1:30 of the clock.

The House recessed from 1215 to 1330.

MEMBERS' STATEMENTS

FREDERICK BANTING HOMESTEAD

Mr Jim Wilson (Simcoe-Grey): My statement is directed to the Minister of Culture, and it concerns the Banting homestead in my hometown of Alliston.

Canadians will know Sir Frederick Banting as the man who discovered insulin and was Canada's first Nobel Prize recipient for medicine in 1923. He was a noble man who did not seek to profit from his discovery. Instead of applying for a patent for his life-saving serum, he sold the rights to the University of Toronto for one dollar to ensure that insulin would be affordable for the millions of people across the world who suffer from diabetes. His contributions to medicine were so significant that viewers and listeners of the CBC recently recognized him as one of our top 10 greatest Canadians.

The home and buildings on the farm where Sir Frederick Banting was born on November 14, 1891, are deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society. Edward Banting, the last owner of the homestead, bequeathed the property to the society in 1999 so that they could preserve and maintain it for the benefit of all Canadians.

The town of New Tecumseth, under the leadership of Mayor Mike MacEachern and former Mayor Larry Keogh, has tried to reach an agreement with the Ontario Historical Society to use parts of the land to educate the public about the historical significance of the work of Sir Frederick Banting. Unfortunately, the historical society has been unreceptive to the town's bid and residents of my riding are worried that the land may be sold for development.

I'm calling upon the Minister of Culture and the Liberal government to step in and ensure that this important piece of Canadian history is preserved for generations to come.

JOHN SZOKE

Mr Kim Craitor (Niagara Falls): Thank you for the opportunity to inform the House about a special award presented to a resident of my riding of Niagara Falls. I was present when Mr John Szoke was presented with the Knight Cross of the Order of Merit of the Republic of Hungary from the Hungarian ambassador, Dénes Tomaj.

John was born in Transylvania in 1937, settled in Hungary in 1957 and moved to Niagara Falls subsequently. He was instrumental in the building of the first cultural centre dedicated to Hungarian-Canadian residents of the Niagara area. After being elected as president in 1983, he has been re-elected for 21 years, something I think we all wish we could do.

John has been leader of many fundraising events to support the Hungarian community, which include conducting a weekly bingo for the past 20 years. Over the years, he has dedicated his time and efforts to raise money for Hungarian groups and causes in our community. He's currently president of the North American Hungarian National Association.

I'm sure this House will join me in congratulating John in recognition of this award and thanking him for his continued effort to ensure that all who now call Canada their home are able to continue to enjoy the customs and traditions of their native country, and ensuring aid to the less than fortunate citizens of Hungary and Transylvania.

VOLUNTEERS

Mr John O'Toole (Durham): I rise in the House today to pay tribute to the close to 100 community volunteers in Durham riding who were honoured on October 26 with community volunteer service awards.

These awards went to outstanding community volunteers such as Doris Hills and Elaine Baker of the Solina Women's Institute, who were each honoured with more than 50 years of service. Also recognized for more than 50 years was Ann Evans, of the Orono Horticultural Society. A couple, Isabelle and Orville Challice, of the Orono Horticultural Society, were honoured for 40 years of service to their community and together. Pat Best and Jean Taylor, of the Solina Women's Institute, were honoured for 40 years of service.

Other long-service volunteers are Erich Poehlmann and Michael Rausch of the Donauschwaben Park in Blackstock. They were recognized for 30 years' service to the community. Thirty-year volunteers also included Esther Allin, Beatrice Higgins and William Tamblin of the Durham Central Agricultural Society; Cor Mostert and Dini Schoenmaker of the Orono Horticultural Society; and Eileen Down of the Marnwood Lifecare Centre.

Unfortunately, time limits do not permit me to name all the volunteer service award recipients from my riding. I thank them. Whether they have volunteered for a year or 50 years, every volunteer brings unique gifts to their

work and help in the community. I'm pleased to thank and pay tribute to the 2004 Volunteer Service Award recipients of Durham and to the volunteers everywhere who make Ontario a great place to live, work and raise your family

COMMUNITY SAFETY

Ms Laurel C. Broten (Etobicoke-Lakeshore): The most important issue in any community is safety. When a community is not safe, when residents are afraid to walk to the corner store after dark, when quiet streets inspire fear, not comfort, every other issue is secondary in importance. This could not be more true than it is for the residents in my riding of Etobicoke-Lakeshore, who have unfortunately, as of late, suffered from a rash of violence in our community.

I have been working hard to make my community safer. As a long-time supporter of community policing, I have continuously advocated for the installation of a community storefront police station on the Lakeshore. I have attended community meetings where crime and safety are topics of discussion. I have met with our local superintendent, with local police officers and articulated my concerns to the chief of police on a number of occasions.

I've also worked in partnership with the municipal councillors in my riding to get more police on the streets, because if you ask residents, police officers are the best way to reduce the amount of crime and make people feel safer. Their response is always the same: Put more cops on the beat. That will mean safer streets.

That's why I've recently conducted my second Etobicoke-Lakeshore safety audit in conjunction with LAMP and the Etobicoke Take Back the Night committee. That's why I'm proud to be part of a government that is committed to and is delivering 1,000 new police officers in Ontario.

I want to applaud the residents of my community who continue to work on this issue, and to let them know that I will not let them down.

LOBBYISTS

Mr Ernie Hardeman (Oxford): We learned yesterday that the Minister of Agriculture and Food has been bought and sold by an anti-farming lobbyist. The minister needs to know that if he turns his back on one group of farmers, he turns his back on all farmers.

Here is what Dwayne VanBesien, a tobacco farmer from my riding, had to say about this:

"Farmers of Ontario have to rely on their Minister of Agriculture in good times and in bad—that's why he is there, for all farmers, including tobacco farmers. With the latest announcement that Agriculture Minister Peters will be the guest of honour at an event hosted by an anti-tobacco lobbyist, in my opinion confirms that he is turning his back on us. It feels like he's conspiring to put us completely out of business in Ontario, and that's

appalling since he's supposed to be representing us as farmers."

Yesterday, in response to a question from my colleague Toby Barrett, the minister refused to defend the fact that an anti-farmer lobbyist was organizing a \$300-a-head fundraiser on his behalf. I wonder how, in good conscience, he can continue as Minister of Agriculture while so arrogantly ignoring the needs of his stakeholders. Obviously, for our Minister of Agriculture, lobbyists come first and farmers come last.

ASSISTANCE FOR DISABLED

Mr Peter Kormos (Niagara Centre): An e-mail from a Niagara Falls resident: "I was going to purchase a new van to transport disabled son to his daily activities. He's 26 years old and gets around in an electric wheelchair. I learned that the government no longer rebates the PST on these vehicles (hidden in the last budget). I am 66 years old and on a small pension, which makes it difficult to take care of my son in our home without this additional expense. Any help you can give me and others like me would be greatly appreciated.

"So much for no tax increases."

That's why the Niagara Amputee Association, based in St Catharines down in Niagara region, is circulating a petition. The petition says that the government is going to "eliminate a key program offered," known as the PST sales tax rebate, "for vehicles purchased to transport persons with permanent physical disabilities.

"This program is non-means tested, and for middle-average income families has represented virtually the only assistance offered by the province.

"We feel that such action by a Liberal government that was elected on the promise that it would be a kinder, gentler government is reprehensible. This proposal is another example of bad faith and voter betrayal."

I'm inviting people—and thousands already have signed this petition. New Democrats insist that the legislation, which hasn't even been presented to this House yet, which repeals this modest level of support for persons with disabilities, be brought forward so that it can be defeated by this House, by any fair-minded member of any political party who has any sense of compassion and regard for the struggle that persons with disabilities have imposed on them, still today in 2004 on a daily basis, in this province of Ontario.

1340

ADULT EDUCATION

Ms Judy Marsales (Hamilton West): Kathleen Wynne, member for Don Valley West, was given the task of seeking public input into adult education in Ontario. On her mission, she visited one of the St Charles Adult Education Centres in the wonderful riding of Hamilton West. It gives me great pleasure today to recognize the St Charles Adult Education Centres under the auspices of the Hamilton-Wentworth Catholic District School Board.

I also want to thank Jack Maga, principal of continuing education and staff, as well as the 50 students of the centre for taking the initiative to come to Queen's Park and visit with us today.

A few weeks ago, I had the privilege of speaking to an adult ESL class at St Charles. Not only was I able to provide these people with a bit of insight into the community, but I also taught them a little bit about the role of an MPP for Hamilton West. But I was the one who learned more than I shared, for I learned a great deal that day from the students themselves: their lives before coming to Canada and how each and every one of them are working toward establishing themselves in the new community of Hamilton. I was humbled by that experience and went away thinking about the courage each and every one of them exhibited in coming to Canada.

St Charles centres not only welcome new immigrants, they also serve Hamiltonians looking to upgrade their education and improve their career opportunities. I am proud that the Liberal government is committed to providing Ontarians with access to an adult education and training system that addresses current and anticipated economic and social challenges.

HEALTH CARE

Mr John Wilkinson (Perth-Middlesex): I'd like to take this time to talk about what health care looks like in the province of Ontario these days. Once a system that experienced cuts and more cuts, and a system that was attacked by the former government, it is now a system that is being rebuilt to the standards that Ontario was once known for—

Interjections.

Mr Wilkinson: —despite the protestations of the members to the right of me.

We're working to reduce wait times by allocating resources to purchase equipment such as MRIs for our hospitals. We're creating 2,400 full-time nursing positions so there is actual staff to use that equipment. We're ensuring those nurses are safe when they are on the job by buying new patient lifts that were desperately needed.

The health care system doesn't just mean hospitals. The health care system also includes home care. We understand the importance of home care, and that is why we've made investments to provide 21,000 more Ontarians with home care this year alone.

Most importantly, we set a new tone in affirming that we believe in universal health care, and that is why we introduced and passed the commitment to health care act. Personally, the fact that we are inoculating children in this province against preventable diseases—against pneumonia, against chickenpox, against meningitis—is the forward thinking that our government brings to this. It's far better to keep children safe than allow them to be sick and then care for them, I'm sure we would all agree.

We believe that Ontarians deserve a health care system that is second to none, that gives them the care they

need, when they need it, with an OHIP card, not a credit card. That is what we are delivering.

EDUCATION

Mr Brad Duguid (Scarborough Centre): I rise today to talk about Ontario's education system. Just over a year ago, we took office and, when we did, we pulled up our sleeves and got to work.

One of our first priorities was Ontario's children and their education. I'm proud to stand here and say that we're making real, positive changes with regard to how children learn in this province. Not only do we have reduced class sizes so that every child can get the attention they need, but we also hired new teachers, including lead teachers, who can help those children who need it most. In addition to the lead teachers, we've also launched a literacy and numeracy strategy.

For eight years, Ontario students had to deal with cuts to education and bigger class sizes. They sat on radiators when there weren't enough chairs. They shared books because there weren't enough resources. Our children spent their time in schools that were crumbling. The education system under the Tories was unacceptable, and every day we're taking steps to correct it. The resources are being put back into education to ensure that our children go to schools that are well maintained, properly staffed and provide an enjoyable learning environment.

We're really making a difference when it comes to education. I can tell you that I've been to the schools myself. My own son goes to school in our system. Each and every day I go to schools and talk to principals and teachers, they're saying that this government has been a breath of fresh air when it comes to education in the province of Ontario.

INTRODUCTION OF BILLS

GREENBELT ACT, 2004

LOI DE 2004 SUR

LA CEINTURE DE VERDURE

Mr Gerretsen moved first reading of the following bill:

Bill 135, An Act to establish a greenbelt area and to make consequential amendments to the Niagara Escarpment Planning and Development Act, the Oak Ridges Moraine Conservation Act, 2001 and the Ontario Planning and Development Act, 1994 / *Projet de loi 135, Loi établissant la zone de la ceinture de verdure et apportant des modifications corrélatives à la Loi sur la planification et l'aménagement de l'escarpement du Niagara, à la Loi de 2001 sur la conservation de la moraine d'Oak Ridges et à la Loi de 1994 sur la planification et l'aménagement du territoire de l'Ontario.*

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

Mr Gerretsen?

Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors): I'll wait until ministerial statements.

PLACES TO GROW ACT, 2004
LOI DE 2004 SUR
LES ZONES DE CROISSANCE

Mr Caplan moved first reading of the following bill:

Bill 136, An Act respecting the establishment of growth plan areas and growth plans / Projet de loi 136, Loi sur l'établissement de zones de croissance planifiée et de plans de croissance.

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

Mr Caplan?

Hon David Caplan (Minister of Public Infrastructure Renewal): I'll wait until ministerial statements.

INCOME TAX AMENDMENT ACT
(PUBLIC TRANSIT EXPENSE
TAX CREDIT), 2004
LOI DE 2004 MODIFIANT LA LOI
DE L'IMPÔT SUR LE REVENU
(CRÉDIT D'IMPÔT POUR DÉPENSES
DE TRANSPORTS EN COMMUN)

Mr O'Toole moved first reading of the following bill:

Bill 137, An Act to amend the Income Tax Act to provide for a tax credit for expenses incurred in using public transit / Projet de loi 137, Loi modifiant la Loi de l'impôt sur le revenu afin de prévoir un crédit d'impôt pour les dépenses engagées au titre des transports en commun.

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

Mr O'Toole?

Mr John O'Toole (Durham): The intention of the bill is to reward commuters and those who use public transit. They can help themselves while helping the environment as well as traffic congestion on our roads. This bill will give incentives directly to those who use public transit.

1350

VISITORS

Mrs Liz Sandals (Guelph-Wellington): I'd just like to draw to members' attention that there are a number of people from Guelph-Wellington in the gallery today, in particular, my parents, Jean and Earl MacNaughton.

Mr Frank Klees (Oak Ridges): Mr Speaker, on a point of order: I think it's extremely important that we recognize the deputy mayor of Markham, Mr Frank Scarpitti, who is in the gallery.

Mr Ted Arnott (Waterloo-Wellington): Mr Speaker, on a point of order: I think it's important that I recognize the presence of one of my constituents in the gallery as

well, Ken Seiling, chairman of the regional municipality of Waterloo.

Mr Wayne Arthurs (Pickering-Ajax-Uxbridge): Mr Speaker, on a point of order: Might I introduce at this point and recognize in the gallery as well the mayor of Burlington, Rob MacIsaac.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Dwight Duncan (Minister of Energy, Government House Leader): I seek unanimous consent to put forward a motion without notice regarding private members' public business.

The Speaker (Hon Alvin Curling): Is there consent? Agreed.

Hon Mr Duncan: I move that notwithstanding standing order 96(d), the following changes be made to the ballot list of private members' public business: Mr Eves and Mr Flaherty exchange places in order of precedence such that Mr Flaherty assumes ballot item 44 and Mr Eves assumes ballot item 66; and that, pursuant to standing order 96(g), notice be waived for ballot item 39.

The Speaker: Is it the pleasure of the House that the motion carry? Agreed.

VISITOR

Mr Mike Colle (Eglinton-Lawrence): Mr Speaker, on a point of order: I would like to welcome Councillor Erin Shapero from the city of Markham.

STATEMENTS BY THE MINISTRY
AND RESPONSES

GREENBELT

Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors): I rise today to introduce—actually, it's been introduced—a bill that, if passed, will have a profound effect on the future of this province.

We want to ensure that as Ontario strengthens, grows, builds and develops, this growth will always be balanced with care for and preservation of green space. We want to ensure that as more and more people are accommodated in central Ontario, there will be simultaneous protection of our natural resources, watersheds, ecosystems and agricultural and rural lands. We want to ensure that as generation follows generation, Ontarians, young and old, will always know the delight of walking through the fallen leaves on a crisp autumn day like today, or finding their way along that overgrown trail deep in the forest, or picking out the perfect locally grown pumpkin to carve

for Halloween or enjoying the produce of our agricultural lands.

This proposed legislation, if passed, will create a permanent legacy to Ontarians of more than one million additional acres of protected countryside in the greater Golden Horseshoe region. Our economy is strong. Our population is growing. It is expected that four million more people will arrive in Ontario by 2031, the majority of them settling in the greater Golden Horseshoe.

The proposed Greenbelt Act, 2004, is a clear response to this success. Our government is planning carefully for this population growth and the two million jobs that will accompany it, and we are planning just as carefully for what must be preserved. Our government is determined that Ontario will not be paved over by sprawl, as has previously occurred. We intend to target growth, curb sprawl, and protect the farmlands and green space that mean so much to healthy communities and to our quality of life.

With this legislation, we are proposing a permanent greenbelt across the greater Golden Horseshoe, a dividing line, so to speak, between the mistakes of the past and the promise of the future. This House will recall that it previously passed legislation which allowed for the establishment of a greenbelt study area on lands that extended from Niagara Falls to Rice Lake near Cobourg to north of Barrie. The Greenbelt Task Force, under the leadership of Burlington mayor Rob MacIsaac, who is here today as we've already heard—and I should introduce another member of the task force who is here today as well, Mr Don Ziraldo from the Niagara area. As you heard earlier, individuals that have been introduced as well that have a great interest in this are Ken Seiling, the Chair of the Regional Municipality of Waterloo, Frank Scarpitti, deputy mayor of the town of Markham, Erin Shapero, a councillor in the town of Markham, and also accompanying them is Fran Agnew, the executive assistant to the mayor of Burlington.

The Greenbelt Task Force was asked to research and consult widely across this area and provide our government with advice on the scope, content and implementation of a permanent greenbelt. The task force did an outstanding job and I would like to thank all of the members for their hard work and significant contribution.

Guided by their recommendations, our government has drafted legislation and a plan that sets out the clear objectives of the permanent greenbelt in the greater Golden Horseshoe area. If passed, the act will:

First, permanently protect thousands of acres of prime agricultural lands and tender fruit lands, ensuring the continuing strength of our agricultural industry and enabling farmers to keep on growing the food that we as Ontarians need. The proposed legislation will prevent any action that could reduce the total area of these protected lands.

Second, it will ensure that the lands that grow specialty crops, as well as other prime agricultural lands, will continue to be used only for farming, not for urban uses like residential subdivisions or major recreational uses such as golf courses or ski hills.

Third, it will preserve our watersheds, rivers and forests, thereby protecting our water and air.

Next, it will promote recreation, sport and tourism by establishing a trail system, open spaces and parklands. It will conserve and make available the natural resources critical to a thriving economy, and it will set strict limits on where urban boundaries can and cannot expand.

We are striking a clear balance between protecting vital green spaces and meeting the needs of our growing communities. Our proposed legislation, if passed, will set the stage for a more detailed greenbelt plan. Our draft plan is supported by maps that outline the exact parameters of lands being considered for greenbelt designation. For instance, you will see the areas that we wish to preserve in the Niagara tender fruit lands and the Holland Marsh area. You will see the importance of the connection between Rouge Park, the Oak Ridges moraine and Lake Ontario. You will see the broad sweeps of land we want to protect in northern Durham and York regions and west of the Niagara Escarpment, which are home to significant natural features and fertile agricultural lands.

Over the next number of weeks, we will consult widely on this draft plan. We know there will be great interest from across the province and indeed from across the country. Ontarians are paying close attention. They know this is perhaps our last chance to make a real difference to the quality of life in the most rapidly expanding region in Canada.

Our proposal for a permanent greenbelt works hand in hand with the proposed long-term growth plan for the greater Golden Horseshoe being spearheaded by Mr Caplan. The complementary pieces of legislation that we are introducing today, if passed, will ensure a balance in environmental, social and economic interests that will benefit Ontario now and in the future.

1400

I'm often asked, what is a greenbelt? Let me simply say that a greenbelt is the difference between focused growth and sprawl. A greenbelt is the difference between getting caught in gridlock or getting home on time. A greenbelt is the difference between being surrounded by buildings and being able to escape to the healthy outdoors. A greenbelt is a pivotal component in building strong communities, protecting the environment and strengthening the economy. And in Ontario, a greenbelt can be permanent.

GROWTH PLANNING

Hon David Caplan (Minister of Public Infrastructure Renewal): Today I am extremely proud to be tabling legislation that will help us plan for growth in a strategic, rational and balanced way at a critical time in our history. The proposed legislation that I tabled would help all parts of Ontario plan for the growth they need to build strong communities.

In some parts of our province, communities are struggling to keep up with the impacts of rapid growth such as gridlock, sprawl, declining air quality and a whole host of

other problems. In other parts of the province, however, communities are suffering because growth isn't happening. They need jobs, they need investments, and they need opportunity. This proposed legislation would enable the government to take a strategic approach to planning for population and employment growth in a way that makes sense for the entire province.

Unfortunately, the former government did not have a plan to manage growth. The former government's poor planning and neglect of infrastructure has left a legacy of uncontrolled urban sprawl, disconnected and cobbled-together infrastructure, and more gridlock and congestion.

This government is taking a different approach. We want to begin planning in a balanced and coordinated fashion. The Places to Grow legislation would enable us to make real this government's commitment to ensuring that we have the infrastructure in place to support that growth. Establishing a long-term vision and plan for renewal of Ontario's public infrastructure is paramount to ensuring we develop strong and sustainable communities. We are developing a 10-year infrastructure plan that will place emphasis on the health, water, transportation and education sectors. Investing in infrastructure is all about investing in our future prosperity.

This proposed legislation would ensure that whatever we do, we would always ensure the protection of our environment, our agricultural lands and our natural resources.

By the year 2031, we estimate that more than four million additional residents will call Ontario home. We must plan now for that growth. We must plan in a way that integrates and brings together all of the elements required to build strong communities and a robust economy, while at the same time protecting our environment and other valuable natural resources.

Currently, we do not have comprehensive legislation that looks at the total picture, that goes beyond simply land use planning or single issue elements of planning such as what is found in the Environmental Assessment Act. The legislation that I've introduced today would enable us to coordinate growth and capital planning and a plan for economic expansion, infrastructure renewal and to protect the environment. The proposed Places to Grow Act would put into place the legal framework necessary to move forward with growth plans for geographic-specific areas of this province.

As honourable members may recall, earlier this summer I was honoured to release a discussion document called Places to Grow: Better Choices, Brighter Future. The discussion paper included a strategy to meet the growth challenges of the greater Golden Horseshoe. This strategy was developed with a wide range of stakeholders, and it was used to obtain further input from the public. The discussion paper was the first step toward a draft growth plan here in the greater Golden Horseshoe. This would be our first plan under the proposed Places to Grow Act.

I am delighted to inform the House that Places to Grow: Better Choices, Brighter Future was incredibly

well-received. More than 1,600 people from all walks of life attended public meetings and we received over 500 written submissions. People told us they wanted the strategic direction from the province. They approved the idea of taking a coordinated approach to growth planning.

In terms of growth planning, the greater Golden Horseshoe of course demonstrates an urgent need for an improved approach. It is one of the fastest-growing regions in Canada; in fact, one of the fastest-growing in North America. Today there are almost eight million people living in this region; by 2031, we project there will be almost 12 million.

If we don't do something about planning for this growth, we can expect business-as-usual development to consume 1,000 square kilometres of prime agricultural land. That's an area twice the size of the city of Toronto. We could expect gridlock to worsen and commute times in the GTA to increase by an additional 45%. We could expect our environment would suffer further degradation. We could expect that air quality will decline, with automobile-related emissions increasing by some 42%. We could expect that affordable housing would become harder to find.

I am proud to be introducing Places to Grow legislation in this House this afternoon at the same time that my colleague John Gerretsen, the Minister of Municipal Affairs and Housing, introduces the proposed greenbelt legislation. These two pieces of legislation complement one another.

But as I said before, it isn't all about the greater Golden Horseshoe. We've also heard from stakeholders and municipalities in northern Ontario, in eastern Ontario and in southwestern Ontario. They too are looking for strategic direction from the province in planning for growth.

The legislation I am tabling today would help all geographic regions come to grips with where and how they should grow. It would encourage growth planning to determine the infrastructure that might be needed to support that growth. It would help ensure that Ontario as a whole benefits economically, socially and environmentally while minimizing the disadvantages associated with high growth rates.

This legislation is not about dictating how this would be done. It is about working together: different ministries, the municipalities, business leaders, industry, environmental and community groups, and at the forefront, the public of the province of Ontario.

The Premier and all members of the government join with me today in our commitment to ensure that we plan in a rational, balanced and coordinated way.

I would particularly like to acknowledge my colleagues, and their ministries, who worked particularly closely with us on this proposed legislation: my colleague the Minister of Natural Resources, David Ramsay; Steve Peters, the Minister of Agriculture and Food; Leona Dombrowsky, the Minister of the Environment; Harinder Takhar, Minister of Transportation; Greg Sorbara, our Minister of Finance; and Joe Cordiano, the

Minister of Economic Development and Trade. As I've already mentioned, it could not have happened without John Gerretsen, the Minister of Municipal Affairs and Housing.

Municipal leaders, including the mayor of Mississauga, Hazel McCallion, the mayor of Burlington, Rob MacIsaac, and regional chair Ken Seiling recognize the value and the crucial importance of growth management.

I would like to take this opportunity to thank the municipalities for their input and their very valuable suggestions and recommendations. Their involvement has helped enormously as we worked on the development of this proposed legislation. Municipalities will continue to play a major role in growth planning.

If this House passes the Places to Grow legislation, we would work with our municipal partners and other stakeholders to determine our priorities. Together, and that's quite a departure from the past, we will plan for growth in a way that will ensure we leave communities for future generations that we can be proud of.

In the year 2031 we want our communities to be places where they have access to jobs, transit, hospitals, schools and recreational facilities. We want them to be places where we can accommodate growth while at the same time ensuring clean water, thriving places of nature and a rich agricultural economy.

We want our families of tomorrow to be able to live, play, work and participate in livable communities. It is up to us here in this Legislature to take the necessary steps so that we can leave this legacy for our children and for their children.

This proposed legislation is about helping the people of Ontario and the government of Ontario make better choices for a brighter future.

1410

GREENBELT

Mr Tim Hudak (Erie-Lincoln): I'm pleased to rise in response to the Ministers of Municipal Affairs and Housing and Public Infrastructure Renewal. I too want to welcome and thank the efforts of Mayor MacIsaac, Donald Ziraldo from Inniskillin wines, and all those involved in this initiative. It was a lot of hard work that they now have handed off to the government to implement.

We in the opposition, I have to tell you, are going to be a bit sceptical. Watch closely, because Dalton McGuinty's record in keeping his promises is certainly not admirable. We all remember Dalton McGuinty's solemn promise to stop houses in the Oak Ridges moraine and how quickly he backtracked from that promise once he got into office. The Minister of Municipal Affairs himself was chased by a giant chipmunk calling him on his promise, and one wonders too if the big pipe project in York region runs against the grain of Dalton McGuinty's promises during the election.

Obviously, with respect to the greenbelt initiative, let me say that we Conservatives support the goal of the

addition of environmentally valuable land to protect its status. I am proud to have been part of a government, under Mike Harris, which had the greatest addition of protected green space in the history of the province through Ontario's Living Legacy and 378 new parks and protected areas, bringing the total to 23.4 million acres of land across the province.

My colleague the member from Halton led the way on the Great Lakes Heritage Coast initiative, and continued his dedication to the cause with his resolution before the assembly today to purchase park lands, passed in the House. My congratulations to the member for Halton for his ongoing efforts.

I'm proud to be part of the Progressive Conservative Party, which has a proud record in this area beginning with Frost, then to Robarts, the construction of the Bruce Trail, and one of my friend from St Catharines's favourites, protection of the Niagara Escarpment as well. I think it's important that we recognize the foundation for today's initiatives in the Smart Growth panels and the Oak Ridges moraine work begun by Minister Chris Hodgson, accompanied by David Young. I think it's important for us—environmental groups acknowledged this today—to thank Ministers Hodgson and Young for their efforts in bringing this initiative forward.

GROWTH PLANNING

Mr Tim Hudak (Erie-Lincoln): In many senses, many parts of this are simply a red ribbon tied around good Conservative ideas. But there are some major gaps that you have left out here.

First, the leapfrog impact: My colleagues in Simcoe county are, by way of example, already dealing with the impacts of the leapfrogs. For those folks driving to work in the GTA down the 400, down the 401, down the QEW, caught in gridlock without a serious, realistic and prompt transportation strategy, that long snake of traffic down those highways is going to get even longer. No comfort to those commuting from Barrie, Durham or Waterloo; they can now anticipate a longer commute unless you bring forward a real transportation strategy immediately to complement this initiative.

Secondly, it is incumbent upon the government to ensure an adequate long-term supply of land for housing as part of this plan. If housing supply is strangled, that Canadian dream to own your own home, to have a backyard when you raise your daughter, to have your own garden, will become increasingly unattainable for working families in Ontario without that long-term housing plan.

Both of these are areas that I had hoped the minister, with Places to Grow, would bring forward hand in hand with the greenbelt initiative. I respect the work he has done to date, but, to take a turn on Premier Davis's old quip, this once again is simply a plan to make plans. I hate to quote Walter Mondale, it pains me to do so, but, Minister, where's the beef? We need real projects, real infrastructure investment in our highways, in our schools, in our hospitals, instead of simply a plan to make plans.

With respect to agriculture, we wonder about the role of that ministry. You can't simply wave a magic wand and keep agricultural land in production. If you want to save the farmland, you have to save the farmer, and certainly farmers have no place in the Dalton McGuinty government of today. Where is the support plan for agricultural viability in the greenbelt area and the province of Ontario?

I'm always encouraged by the addition of green space and was proudly part of a government with an excellent record of doing so. But there are major missing pieces: transportation, home ownership and agriculture. Too much of this is a plan to make plans because we all know, when Dalton McGuinty is charged, that plan can change awfully fast.

GREENBELT

Ms Marilyn Churley (Toronto-Danforth): First of all, I, too, would like to congratulate and thank the greenbelt task force and all of the other stakeholders that I know worked so very hard on this. I know you put in a lot of long hours of your time, and we thank you for that. I think you did a very good job on behalf of all Ontarians.

Because I only have a few minutes here, I'm just going to get right to the issue: the holes in the greenbelt legislation that we need to have plugged. I'm glad it's going out to committee. It's an opportunity to fix some of these problems. I only have a few minutes to tell you about some of them.

Some of the loopholes that I pointed out in committee and in the House have been addressed, and I'm glad to see that. About five out of the 10 hotspots are dealt with, a couple of others semi-dealt with and some not dealt with at all. Some of them are extremely significant.

The greenbelt, for instance, missed most of Simcoe, where developers are set to build a project that'll gobble up close to 9,500 acres. Most of it is prime agricultural land. The proposed subdivision would also pack an extra 75,000 people into the area. That's about four times more than the town's projected population growth. This is a major problem and we have to fix that.

Such development is accompanied by transportation demands. Originally, this development was driven by a proposed Highway 427 extension. Discussion on this has been muted in the growth management plan, but with this development now happening, the pressure for it to happen is going to be greater and, as my colleague Michael Prue likes to say, quoting from *Field of Dreams*, "If they build it, they will come."

Then there is the area within the greenbelt still eligible for development. You pointed out this greenish-yellowish area on the map. That's likely where developers will very quickly start purchasing those parcels of land because there are no clear guidelines, implications or indications of the direction you want to see for this buffer land in between.

There are the greenbelt hotspots that I mentioned, areas that need to be included in the greenbelt for the

purpose of protecting more prime agricultural land, biodiversity and water. Some were brought into the belt, like the Duffins Rouge—and I'm glad of that—as a result of concerted pressure by local activists. That was done and that's great. But then we have the Castle Glen Development Corp, which is going to locate a resort community into a full-time community on the Niagara Escarpment. This will be the largest development on the escarpment since 1975. I tried for months to get the government to step in and stop that, but it is going ahead and I think that's really unfortunate. The site includes the headwaters of two critical coldwater fisheries and all kinds of other provincially significant wetlands and woodlands.

Then there's the Dufferin Aggregates Milton expansion. This is going to create a hole in the UNESCO biosphere. This site contains many provincially significant wetlands, the headwaters of Sixteen Mile Creek, as well as the nationally threatened Jefferson salamander.

I also want to bring up another point here, and that's the aggregates—I've been talking about that for some time—and the proposed provincial policy statement, which is another key component to curbing sprawl. Their interests have trumped other interests in this case. So that is a major concern.

I pointed out before King City, the big pipe. You've gone ahead with that: building a pipe and laying down the infrastructure for sprawl into the heart of the greenbelt, on to prime agricultural land located on the moraine, which is also land at the headwaters of the Humber River, a source of GTA drinking water.

I note that the city of Toronto passed a very nice resolution supporting the government's initiatives today, but let me point out to you that they made it very clear, and I'm going to read it to you quickly, "that the city of Toronto support, as part of the greenbelt, the absolute protection of the headwaters areas affecting Toronto's rivers, even if such headwaters areas are outside of the greenbelt study area...." That is a big problem, and that's going to be a problem for the city of Toronto in terms of supporting this.

1420

There are others. There's Boyd Park-Pine Valley, which is only partially protected.

So it's apparent that more work needs to be done on this. I'm committed to doing it. I'm committed to going to committee and working with the people who come forward, and with the government, to make amendments to this act to fill in the big holes that still exist.

Mr Mike Colle (Eglinton-Lawrence): On a point of order, Mr Speaker: I seek unanimous consent to send the congratulations of this House to the Commonwealth of Massachusetts and the people of Boston for their amazing historical achievement yesterday in winning the World Series for the first time in 86 years. I move that we give unanimous consent to send congratulations to the people of Massachusetts and the city of Boston for winning the World Series.

The Speaker (Hon Alvin Curling): The member from Eglinton-Lawrence seeks unanimous consent. Is it agreed? I'm hearing some noes.

VISITOR

The Speaker (Hon Alvin Curling): We have with us today in the Speaker's gallery Representative Paul Luebke from the North Carolina House of Representatives. Please join me in welcoming our guest.

ORAL QUESTIONS

HOSPITAL FUNDING

Mr Robert W. Runciman (Leader of the Opposition): My question is to the Premier. You've been in office for more than a year, and in that time you've done nothing to keep your promises when it comes to hospitals. You promised you would open 1,600 new hospital beds, provide a health care system that would give us all the care we need when we need it, reduce wait times and provide hospitals with multi-year funding that would meet their needs.

We know now that those promises aren't worth the paper they're written on. Hospitals are now warning about bed closures and cutting services. The OHA has said emergency rooms, obstetrics and arthritic clinics, to name a few, are at risk.

You've already been caught playing fast and loose with the facts about your Liberal health tax. I want to give you another opportunity to explain why people are paying more for health care and getting less from hospitals in their communities.

Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): The Minister of Health.

Hon George Smitherman (Minister of Health and Long-Term Care): It's only the honourable member opposite who can draw the conclusion that investing nearly \$1 billion in our hospitals, as a government, is getting less. What would be getting less would be if the people of Ontario had that party still in government. They promised \$700 million less for Ontario hospitals this year than we're providing.

Contrary to what the honourable member says, we're at the earliest stages of working through a process with all Ontario hospitals. In some cases, it could take up to 18 months. We've outlined a seven-step process with our hospitals to work through the challenges, focusing first and foremost on making sure we don't spend any extra dollar in this province on costs related to administration. It is prudent in the interests of the people of Ontario to make sure we dedicate every precious penny available to patient services. That is what we're doing as a government.

Mr Runciman: I rhymed off a number of promises that are not being met, and indeed the minister declined

to answer the question I posed at the end of my comments.

Minister, there's evidence from across Ontario that your rhetoric doesn't match or jibe with reality. London Health Sciences Centre is facing a massive deficit of at least \$35 million; Children's Hospital of Eastern Ontario, a deficit of \$4 million; the Hospital for Sick Children is facing a deficit of more than \$45 million; St Joe's in London, \$20 million; Cambridge Memorial is cutting 18 programs; the Sault Area Hospital is cutting 75 jobs; Campbellford Memorial is closing 21 beds and cutting 19 jobs; the Huron Perth Healthcare Alliance is closing 47 beds.

You promised Ontario's hospitals would be better. You used that as a rationale for breaking your key campaign promise by introducing your Liberal health tax. What will you do to ensure that hospitals don't have to cut any further services?

Hon Mr Smitherman: The fact of the matter is that whatever might be predicted or projected out there by the information of the honourable member is not the fact and circumstance that is occurring in Ontario hospitals today. Hospitals across the province—50 of them so far—are already in balance, and we work with the others every single day to bring them to that circumstance.

The commitment this government made in response to the very direct request from Ontario hospitals was to take the necessary time, to balance over a two-year period, if necessary. It's based on a pretty simple premise. We believe it's incredibly important that we create a system of health care in our province that lives within available resources on an annual basis. The culture that party created of running up a deficit and having it dealt with in the final months of the year is not a healthy culture for health care. While we work with our hospitals and make these investments that I outlined previously, we've also made significant community-based investments, which I'll be very happy to profile to the honourable member in the supplementary.

Mr Runciman: I think the culture that existed with the former government was much healthier than the culture of fear that has now been imposed upon the hospital sector.

You don't have to look beyond the Premier's own backyard, his hometown, for evidence of the McGuinty approach to hospitals. Ottawa hospitals are facing a funding shortfall of \$83.8 million just this year. You've provided the Ottawa Hospital with a 1.8% funding increase over last year. CHEO is facing a \$4-million deficit. The Queensway Carleton received only 0.6% in operating funding. Hospitals aren't asking for a bailout; they're asking for the funding they need to deliver high-quality patient care, as you promised. Minister, when will you make good on your promise of adequate funding for Ontario's hospitals?

Hon Mr Smitherman: I always find it interesting when the honourable member, who has earned the nomenclature "mad dog," likes to raise instances of fear. I also find it interesting that the honourable member was part of a government, in relation to the Ottawa com-

munity, that sought to close the Montfort Hospital and failed to adequately offer protection for the cardiac program at CHEO. We stand behind those programs. We're putting in a new MRI at Montfort as evidence of our commitment to Ontario hospitals.

The facts remain that we're investing \$700 million more than that party promised for Ontario hospitals this year and, in addition, we're making unprecedented investments in community services, to help divert traffic from our hospitals and free them to do the things that only they can do. That means unprecedented investments in home care, long-term care, the first investments in community-based mental health care in a long time and a very significant approach to primary care that will again see Ontarians being served in their communities, as close to home as possible.

OAK RIDGES MORaine

Mr Tim Hudak (Erie-Lincoln): A question for the Premier regarding your 2003 supplemental agreement to the Oak Ridges moraine land exchange and the direct negotiations that took place with developers under your leadership.

During the estimates committee on October 20, 2004, your Minister of Municipal Affairs and Housing revealed that at some point between election day and the swearing in of the ministers on October 23, members of the Premier's office directly negotiated with the land developers involved with the land swap. In the original process, respected non-partisan individuals like Ron Vrancart and David Crombie led that negotiation process. Premier, why did you send in political staff to directly negotiate with developers instead of using experienced negotiators in this process?

Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): I thank the member opposite for the question. I think what really counts in all of this is the ultimate opinion rendered by the fairness commissioner, who also happens to be the civil service Integrity Commissioner, the Honourable Lloyd Houlden, who looked at the entire North Pickering land exchange involving Oak Ridges moraine lands and lands in North Pickering, an independent third party neutral. When offering his opinion as fairness commissioner, he said:

"I am pleased to report, with reference to the agreement respecting the land exchange, as follows:

"(a) The process used to reach agreement was fair and appropriate; and

"(b) The agreement constitutes a fair and reasonable outcome from the perspective of the taxpayers of Ontario."

I think that ends the matter.

1430

Mr Hudak: I think we've seen this played by the Premier before—a diversion. Premier, I asked you a very specific question about the negotiations entered into directly by members of the Premier's office with the developers in the Richmond Hill area. When pressed, the

Minister of Municipal Affairs told the standing committee on estimates that the lead in this was David MacNaughton, your principal secretary. You had at your disposal the civil service and the Ministry of Municipal Affairs and Housing. You had the likes of Mr Crombie or Mr Vrancart at your disposal. Instead, you chose to send in the principal secretary, the top dog in the Premier's political staff.

Premier, could you inform the House what particular skills in negotiation and land appraisal, environmental analysis and experience in the development industry Mr MacNaughton had to make him a superior choice to the civil service or the existing negotiators?

Hon Mr McGuinty: I'm not exactly sure what the member opposite has against a fair and reasonable outcome, as determined by the fairness commissioner. Maybe I'll make reference to some other parts of the opinion rendered by the fairness commissioner.

Just in passing, he says, "This represents a significant advantage for the province." He says that "the agreement suggests a significant saving for Ontario taxpayers." He says that "in this regard will provide Ontario taxpayers with a number of important benefits." He says, "The approach used by the ... negotiating team" was "prudent." He refers to the "benefit that the taxpayers of Ontario" will "enjoy from the agreement," and again his final opinion:

"(a) The process used to reach the agreement was fair and appropriate; and

"(b) The agreement constitutes a fair and reasonable outcome from the perspective of the taxpayers of Ontario."

Mr Hudak: With respect to the Premier, you can answer these questions in the assembly or you can answer them in the hallway, but you're going to have to answer these questions.

You referred to the fairness commissioner. Can the Premier say that Mr MacNaughton went through the conflict-of-interest test? Did he go through the declaration of assets that everybody else involved in this process did? Can the Premier guarantee that to us today? Secondly, when I asked the assistant deputy minister of municipal affairs at the estimates committee what role the ministry played in this land negotiation of the additional 47 acres, she replied, "There was no involvement of myself or my staff in this process."

Premier, why was the civil service banned from these negotiations, with Mr MacNaughton's direct negotiations? In light of your Minister of Municipal Affairs' revelations to the estimates committee, will you have the Provincial Auditor go through Mr MacNaughton's deal and table the results with the Ontario Legislature?

Hon Mr McGuinty: If there was something here, then I could deal with it, but there is nothing here.

Just for purposes of information, so that the member understands and the members opposite know what we do, prior to taking office I did something that I don't think has ever been done before. I asked every single member of my senior staff to undergo an integrity screening. The

team that undertook that screening process included lawyers, former cabinet ministers and even a retired High Court judge. Beyond that, and this is something with which the members opposite would be completely unfamiliar, members of my staff who had active outside business interests were required to place those in blind trusts. They have done so, Speaker, and I'm pleased to report this to you and to the members opposite.

HEALTH CARE FUNDING

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. Premier, last spring, after you told the people of Ontario that your new health premium would be used only for health care, we learned that \$200 million was in fact funding sewers. Two weeks ago, we learned that you are continuing the disgraceful practice of the former Conservative government by pocketing dedicated federal hepatitis C funding that was supposed to be used to enhance hepatitis C health services.

Now we learn from the Ontario Association of Radiologists that the \$380 million you have received from the federal government's diagnostic medical equipment fund last year and this year has not been spent on the purchase of new MRIs and CAT scans.

Premier, patients in some communities in Ontario are waiting up to 72 weeks—a year and a half—for MRIs and CAT scans that are desperately needed. Can you tell us where the dedicated federal money for diagnostic medical equipment went?

Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): The Minister of Health.

Hon George Smitherman (Minister of Health and Long-Term Care): I think the member seeks to do the same on this issue, I suppose, as he has convinced himself was the case with hepatitis C, except in the case of hepatitis C, he was wrong constantly, and he's wrong on the diagnostic medical equipment fund as well.

On hepatitis C, Ontario has acted in the same fashion as the province of Manitoba, in the same fashion as the province of Saskatchewan, something that both of those health ministers would be happy to confirm for him, because I spoke to them about it in Vancouver.

On the issue of the diagnostic medical equipment fund, it is the interpretation of a few that this was about funding to provide for new equipment only in the form of MRIs and CAT scans, except that this, apparently, is something that's shared by the honourable member. Every penny of those funds is spent as intended—the federal government will confirm that—and it is to enhance the quality of medical equipment in hospitals all across the province. I'm very pleased to say that on our watch, we made sure that every hospital—and especially those smallest hospitals received a disproportionate share of these funds.

Mr Hampton: This was the 2003 federal-provincial health care accord, where the provincial Premiers and the federal Prime Minister got together and created not a hospital equipment fund, not an equipment fund for

something else. It's very clear. It is the diagnostic medical equipment fund, and MRIs and CAT scans are specifically mentioned.

Now, the Ontario radiologists' association, in their report, says that an incredible 94% of patients in Ontario who need an MRI are waiting longer than is medically appropriate; 89% of patients who need a CAT scan are now waiting longer than is medically appropriate.

Given these appalling numbers, why have you failed to invest the \$380 million of this dedicated federal health care fund in the MRIs and CAT scans for which it was intended?

Hon Mr Smitherman: The member continues to misinform. The fact of the matter is—

Interjection.

Hon Mr Smitherman: Well, sometimes in this place, you've got to call something what it is. This is a stream of misinformation on the part of the honourable member, and it's unfortunate. The fact of the matter is that the federal government will continue to support the position of the government of Ontario, which is that we are—

The Speaker (Hon Alvin Curling): You used some unparliamentary language. Could you withdraw that, please?

Hon Mr Smitherman: I will. The member continues to use—

Interjection.

The Speaker: Well, I haven't heard it.

Hon Mr Smitherman: I said yes, I withdraw it.

The member continues to portray this information in a fashion which I believe is inaccurate based on the facts. The facts have been established. We are in compliance on this matter with the federal government.

But, importantly, I will repeat that medical equipment, which was the intent of this fund, exists, of course, in all of our hospitals. Our government has acted in a fashion which is designed to make sure that all hospitals across the province of Ontario, from the smallest hospital in Terrace Bay to the largest hospital in downtown Toronto, have been given a proportionate share—and in the case of small hospitals, a larger share—to make sure that they upgrade the quality of their medical equipment.

Mr Hampton: What you're simply doing is using a plethora of words to say that you pocketed the money, that the money didn't go for CAT scans, it didn't go for MRIs. This coming year, in 2005, the amount of money under the federal medical diagnostic equipment fund will grow to \$570 million, which you will have pocketed. Meanwhile, 72% of Ontario patients waiting for ultrasounds are waiting longer than is medically appropriate. This is unacceptable. What's more, this is what the Premier, Mr McGuinty, used to criticize the Conservatives for. He used to say, "Here is federal money dedicated for this health fund, and it's being misused."

You've got the money, Minister. The federal government gave it to you. When are you going to stop misusing it?

1440

Hon Mr Smitherman: I say to the honourable member, when are you going to stop misusing information?

Because the fact of the matter is that's what you're doing. You say we pocketed it. It will be interesting, then, when you get a letter from the hospitals in Fort Frances, Dryden, Sioux Lookout or Kenora that have their share from 2003-04. Because what we did was we made sure that every single hospital in the province of Ontario received a proportionate share of those funds.

Further, on the issue of MRIs, the Premier and I recently had the opportunity, with the Minister of Consumer and Business Services, to attend at Queensway Carleton, where our government has moved forward and funded nine new MRI services in one fell swoop.

Interjections.

Hon Mr Smitherman: Yes, you promised them, and we paid for them. That is the difference. We've invested the resources of the people of the province of Ontario behind their priorities because we're committed to making improvements.

What is the net effect of the investments that we've made to date in MRIs? A 10% expansion of our capacities, more new machines and more hours at existing machines. On the issue of diagnostics, we have more to do, and I say to the honourable member, stay tuned.

The Speaker: New question.

Mr Hampton: To the Premier, who doesn't want to answer these questions, yes, I know that you and the Minister of Health announced nine MRIs and CAT scans. These are exactly the nine that were announced by the Conservatives. You're simply following the Conservative pattern again: announce, reannounce and reannounce. In fact, these were already previously announced by the Conservatives. I'm talking about the federal-provincial dedicated medical diagnostic fund.

The reality is that the waiting lists are growing longer. Seventy five per cent of radiologists said waiting lists will increase over the next year. And now we have a full-blown crisis in Ottawa, where there is a 35-week waiting list for MRIs, with an additional 11,000 patients who aren't on the waiting list. They've closed the waiting list.

Premier, you call yourself a health care government, but you've created a crisis in diagnostic testing, when all the while there is dedicated federal money there to help do the job. When are you going to stop using this money and put it toward the CAT scans, MRIs and ultrasounds for which it was intended?

Hon Mr McGuinty: The Minister of Health.

Hon Mr Smitherman: To the honourable member: In 2003-04, we allocated every penny of the federal diagnostic medical equipment fund to Ontario hospitals. Every Ontario hospital received a proportionate share, and the smallest hospitals in the province of Ontario received a disproportionately large share.

With respect to the challenges of MRI and diagnostic services in the Ottawa community, I think the honourable member helps make a very important point for us. We recognized that Ottawa stood out as an area that was standing out, frankly, in a very negative way from this standpoint. That's why we did what we've done: not just announced, but funded the operation of an MRI at

Queensway Carleton Hospital that had been spoken about for two or three years by the previous government. It's up and operational. We're moving forward with a second new MRI in the Ottawa community, at Montfort Hospital, exactly because we are a government that is responsive to the challenges and needs of the people of the province of Ontario.

Mr Hampton: The Minister of Health would know that those MRIs were approved in November 2002. You're trying to engage in the same game that the former Conservatives engaged in.

But it's not just Ottawa, and it's not just eastern Ontario. The Royal Victoria Hospital in Barrie has a 51-week waiting list for MRIs, while St Joseph's Hospital in London has a 38-week waiting list. The shame of it is that you pocketed that federal money instead of using it for the MRIs and CAT scans for which it was intended.

The Ontario Association of Radiologists has put forward a three-year plan that calls for the purchase of 35 new scanners and 65 new MRIs. It calls for this dedicated federal money to be used for the purposes that it was intended for.

My question to the Premier is, are you going to use this money in the intended way, or are you going to continue to misuse dedicated federal health care funding?

Hon Mr Smitherman: We're going to continue to move forward in a fashion that is consistent with the way the money was intended, and the way the money was intended was to enhance the quality of equipment across the broad range of services that are provided in Ontario's hospitals. That's the way we made those investments last year, and it is the way we will continue to move forward.

But the heart of our plan includes a very significant expansion of our capacity around diagnostics. I agree with the honourable member that there are challenges out there, and that's why we, as a government, recently made an announcement that adds 10% capacity to our MRI services in the province, a very significant advance.

I agree that some of these MRIs are the same ones that have been talked about for a long time, and I'm very pleased to say that we are the government that moved it from the talking phase, which is what they're rather good at, to the action phase. This means that across the province today there's more access to MRIs—a 10% increase over a period of about a year—which stands as a very strong example to Ontarians that we will not stand and look at these long lines; rather, we will take action to address them.

Mr Hampton: The Premier promised, "Choose change." Let's count it up. We have the McGuinty government doing what the Conservative government used to do; that is, announce and reannounce. We have the McGuinty government doing what the Conservative government used to do, which is to take dedicated federal health care funding and pocket it or use it for purposes that were not part of the federal-provincial accord. Where's the change?

Here's the change: People are waiting longer and longer in Ontario for CAT scans and MRIs. People are waiting long past what is medically advisable.

It's obvious that your plan isn't working. It's obvious that it looks almost identical to the Conservative government plan. When are people going to see the "Choose change"? When are people going to see dedicated federal health care funding used for the CAT scans and the MRIs it was intended to be used for?

Hon Mr Smitherman: The member likes to repeat the same point. He was wrong from the get-go on it, and he's wrong now. We've used these funds in an appropriate fashion. Every Ontario hospital, including all those in his riding, are the beneficiaries, and he'll be receiving those letters.

Let me take the opportunity to talk about the things we have done: 2,400 additional new full-time opportunities for nurses; 21,000 people in our province receiving more home care this year; 2,000 people being driven to front-line work in our long-term-care facilities to assist those who have some of the highest needs in our province; nine new MRIs, three repatriated from private sector work, with more hours, providing more services to people in those communities; \$469 million this year targeted at our hospitals on top of \$385 million after we first arrived; free vaccines for kids for the first time; and working very hard to enhance the quality of public health. I might add that in the last year of their government, there was a cut of \$163.7 million to community and public health services.

OAK RIDGES MORaine

Mr Tim Hudak (Erie-Lincoln): A question to the Premier. You seemed to imply that I question Mr MacNaughton's integrity. I do not; I don't know him from Adam. But I am questioning your judgment and your decision-making in this matter.

I posed three very serious questions, none of which you answered: Why was Mr MacNaughton, your top political adviser and principal secretary, chosen to enter direct negotiations with the developers; why were experienced civil servants totally shut out of this process; and did Mr MacNaughton go through the regular conflict-of-interest and declaration-of-assets procedures with the fairness commissioner?

Premier, you dodged those three questions. Let me ask you one straight: Your Minister of Municipal Affairs and Housing revealed that negotiations transpired between October 2, election day, and October 23, the swearing-in day of cabinet in 2003. Is your minister's memory accurate?

Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): I can appreciate why the member opposite enjoys this particular environment and indulging in innuendo and allegations. But if he listens this time, he will actually hear the answer.

I was saying that every single member of our senior staff had to undergo an integrity screening process. The team that undertook that screening process included lawyers, former cabinet ministers and even a retired high court judge. I also said that members of my staff who had active outside business interests were required to place

those in blind trusts, and if there were any involved, then they have done so. I've also made reference three times over to the opinion rendered by the fairness commissioner, an individual who, unlike the member opposite, is not partisan; he is independent and an objective third party. It is his considered opinion that this matter was dealt with in a way, as I said, to repeat, "The process used to reach the agreement was fair and appropriate, and the agreement" itself "constitutes a fair and reasonable outcome from the perspective of the taxpayers of Ontario."

1450

Mr Hudak: Premier, we have serious questions about the process for negotiations, how they took place, why you chose your principal secretary and top political adviser, Mr MacNaughton, to enter into direct negotiations with the landowners. We also have a question about your personal credibility. Your Minister of Municipal Affairs said that negotiations transpired between October 2 and October 23, 2003. On October 17, you told the Toronto Star that you were going to stop all 6,600 houses in the Oak Ridges moraine. On October 20, to the Hamilton Spectator, you repeated that claim.

This does not add up. Your municipal affairs minister says that your principal secretary was in negotiations for a land swap while you were out there saying you were going to stop all of the houses. You were working on a secret deal, but publicly you were saying just the opposite. Why do you have any credibility on this issue?

Hon Mr McGuinty: I can understand why the member opposite would want to engage in some distraction.

Here are the facts: We worked as hard as we could to repair the mess that they left with respect to development on the Oak Ridges moraine. I can tell you something further. I am proud today to lead a government that is establishing in perpetuity green space for the benefit of our kids, their kids and the kids after that to the tune of 1.8 million acres, just as large as Prince Edward Island. That demonstrates, in no uncertain terms, our commitment to protecting green space in Ontario.

FUNDRAISING

Ms Marilyn Churley (Toronto-Danforth): My question is for the Premier. Before the election, you promised to fully disclose donations in real time. Remember that? A year has passed and you are still hiding the names of people and corporations paying big bucks to golf and dine with you and your cabinet ministers. Who's donating to the Liberals? It's a bigger mystery than how they get the caramel inside the Caramilk bar. Who knows?

On Wednesday, you're hosting a \$4,000-a-table fundraiser in Ottawa. Everyone who has to attend has to fill in this form. So I ask you, will you fax all these completed forms to Ontario's chief electoral officer by dinnertime Wednesday and disclose your donors, or is this just another broken Liberal promise?

Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): The NDP have always been a

little bit holier-than-thou when it came to fundraising. I'm sure that the honourable member opposite would be interested in learning that there's a job posting on the Web right now, posted on behalf of the Ontario New Democratic Party seeking and advertising for a major donor ask coordinator. Not a volunteer fundraiser, not somebody who's looking for \$25, \$50 and \$75 donations, but they're advertising for a major donor ask coordinator. I just thought that we should make it known to the world at large that it turns out that the NDP are also interested in collecting contributions of a significant size.

Ms Churley: It's still a mystery who is going to be donating \$4,000. What has that got to do with your promise—

Interjections.

The Speaker (Hon Alvin Curling): I'm having difficulty hearing you. Order. It's hard to get the government side to quiet down.

Could you put your supplementary, member for Toronto-Danforth?

Ms Churley: I'm happy to let people know in real time, any time, how much I donate to my party.

Seriously, Mr Premier, it sounds like you are more familiar with shredders than fax machines, because you've been breaking this promise all year long. In August, two days before accepting bids on power projects, Dwight Duncan charged energy companies up to \$5,000 to golf with him. Two weeks later, you charged high rollers big bucks to golf with you at a Dalton McGuinty golf classic. In September, people in Simcoe county paid top dollars for a boat cruise with George Smitherman. In all three cases you were asked to disclose the donors and in all three cases you said no.

Premier, Ontarians deserve to know whom you are selling access to. I'm going to ask you again. You made a promise. Will you keep it? Will you disclose the donors attending your Ottawa dinner by dinnertime Wednesday or will this be another broken Liberal promise?

Hon Mr McGuinty: Again, the member opposite may be interested in learning that when he was seeking the leadership of his party, the single largest donation Howard Hampton accepted was \$750, from the MDS Health Group. I take it that he is now shilling for private health care in Ontario.

Interjections.

The Speaker: Order. The leader of the third party seems to be quite excited about this.

Premier.

Hon Mr McGuinty: I thought the leader of the third party was about to burst into flame, so I thought I'd better stop.

To be serious about the matter, I'm going to make an offer to the leader of the third party and to the leader of the official opposition. If you are prepared to disclose the contributions you are making real-time, then so are we. We'll get our people to sit down and we'll talk together. I know the leader of the official opposition is campaigning for funds on a full-time basis. If they're prepared to go there, then we're prepared to go there right away.

SCHOOL CLOSURES

Mr Michael Gravelle (Thunder Bay-Superior North): My question is to the Minister of Education. Earlier this month in Thunder Bay, you met with the Lakehead District School Board to discuss their recommendations regarding proposed school closures, and particularly their intention at that time to make a final decision on these closures by November 30 this year. At that meeting, you indicated to the board that new provincial educational initiatives were forthcoming, specifically a revised funding formula which could impact their recommendations, and you asked them to at least push back their deadline until you were able to release that information to all boards across the province.

As you know, this past Tuesday evening at the first public meeting since their discussions with you, the board voted to push back their deadline to make a final decision until January 25 of next year. I know that everyone affected by these potential closures, particularly rural residents, will want to know your reaction to the board's change of heart. More specifically, may I ask you whether this additional time will be enough for you to bring out your new funding formula, and for the board to assess the impact of our government's new approach to funding education in the province, and particularly in the north?

1500

Hon Gerard Kennedy (Minister of Education): As many members of this House are aware, there was a premium put on closing schools in this province by the previous government, by rules they had that actually nominated properties to the Ontario Realty Corp and that had a lot of strange aspects to them. We counselled the boards a year ago that there were going to be new rules forthcoming that would put students' interests first and that wouldn't treat our school buildings in our communities as pieces of real estate, but rather as learning centres and would evaluate them accordingly.

We've made progress with that. We have declared the end of November as the date we would need to bring together the various elements of a real, considered, long-term planning strategy, which is the only way we should look at our school buildings and properties bought and paid for by the taxpayers.

I say to the member opposite, who has had an abiding interest in making sure his community benefits from all the things this government is doing in education, that this will, I believe, allow that community to make a proper assessment in time. It is a good idea that they have put it off for at least 60 days. That consideration is necessary because the people and the students of Lakehead should benefit just as much as the students anywhere else in the province.

Mr Gravelle: Thank you very much, Minister. I appreciate it. There is a great deal of anxiety, as you know, surrounding the board's determination to make a decision affecting so many schools, particularly those in our rural areas. I think it's probably also fair to say that the board itself is dealing with a difficult challenge as a

result of dramatically declining enrolment in our schools. While it clearly makes sense for the board to at least wait until all the funding information is available from Queen's Park and from you, the question remains as to what impact a new formula will have on the board's final decision.

Minister, my supplementary to you is, can we expect that the new formula and other initiatives you will be bringing forward will allow the board to close fewer schools than presently recommended?

Hon Mr Kennedy: While the ministry and the sector, which we involved in all our important decisions, have not yet concluded, it is clear that the answer is yes, that there will be more schools open than the board predicted. Using the formulas of the previous government, they talked about closing 19 out of 37 schools. Just our class size commitments alone, which have already started this year to reduce class size in the primary years, mean 60 more classrooms than they anticipated. That's four additional schools right there. They also have to take into account the number of 16- and 17-year-olds we are repatriating through our program to reduce high school dropouts.

We're also going to be rearranging some of the formulas that have to do with the opening of new schools. By this time next year, we're investing something in the order of \$2 billion to make sure that school buildings can come up to the level of respect we want our students to have for their education.

Those are all factors, just to name a few, that they have not taken into account and that will invariably affect the outcome very positively for the residents and students of Thunder Bay and the Lakehead.

HYDRO PROJECT

Mr Frank Klees (Oak Ridges): My question is to the Minister of Education. I'm asking this question on behalf of 530 children, their parents and the staff of St Monica Catholic Elementary School in York region. Minister, you have repeatedly washed your hands of any responsibility for the health and safety of those children and the staff in that school when confronted with the potential health risks that would result from a Hydro One plan to increase the voltage capacity through that hydro corridor, which is immediately adjacent to this school.

The International Agency for Research on Cancer classified EMF as possibly carcinogenic. A recent UK survey, based on 33 years of study on 35,000 children diagnosed with cancer, found that young children living within 100 metres of high voltage power lines have twice the risk of developing leukemia.

Minister, why are you glibly simply deflecting any appeals to you and your office, saying it's not your responsibility? You've referred it to the Minister of Energy. How can you in good conscience simply wash your hands of this threat to the health and safety of the children and the staff in that school?

Hon Gerard Kennedy (Minister of Education): To the Minister of Energy.

Hon Dwight Duncan (Minister of Energy, Government House Leader): This is of course a decision of the Hydro One board. The decision to take action is based on IMO forecasts, in consultation with local distribution companies, to meet growing demands for electricity in the area. Hydro One has considered a variety of options. It undertook a consultation process and has decided to go forward with this proposal. Hydro One has also stated they will not seek approval to construct unless requested by York region.

Comments and concerns about the draft environmental studies report on this proposal, which was posted on October 21—there's a 30-day public review period, following which Hydro One will decide whether to file the environmental studies report with the Minister of the Environment.

I should state that, once this process is done, the community can request, as I understand it, a bump up to a full environmental assessment to assess and make determinations with respect to these kinds of issues.

Mr Klees: Minister, World Health Organization studies have linked EMF it to childhood leukemia. Dr Helena Jaczek, York region's medical officer of health, is quoted as saying, "They"—the World Health Organization—"state that there was an above average incidence of leukemia in children and did relate it to a specific dose. It seems the last place you want to put high voltage transmission lines is in a residential area."

Minister, you were prepared to involve yourself in the vending machines of our schools, supposedly for the health and safety of our kids. You're the one who set yourself up as the official parent to monitor the lunchboxes of kids in this province, but you are not willing to stand and advocate on behalf of children who are threatened, whose lives are threatened as a result of this proposed plan.

I'm asking you today, will you meet with the parents of this school and agree to personally, as minister, intervene in the EA process to advocate for the children and the staff of this school?

Hon Mr Duncan: There is a process that's laid out with an appeal available to the Ministry of the Environment with respect to the environmental assessment. I can tell you, it would be inappropriate for any minister of the crown to interfere in this type of process that could be subject to a full environmental assessment. The Integrity Commissioner has ruled on numerous occasions about the inappropriateness of that.

Suffice to say, there are public consultations set up in Aurora, Newmarket, Richmond Hill, Unionville, Whitchurch-Stouffville and Woodbridge. Public information sessions are also being held by Hydro One in Aurora and Richmond Hill. The town of Newmarket will also hold its own public information session. If public concerns cannot be addressed by Hydro One, concerned stakeholders—and that could involve parents, citizens' groups, York region itself, Dr Jaczek, who we have enormous respect for—have the option to bump up or apply for a bump up of the environmental assessment to study these types of issues.

Mr Klees: On a point of order, Mr Speaker: I'm going to ask for a late show from this minister. He should have answered that question.

The Speaker (Hon Alvin Curling): As you know, the appropriate papers have to be filed for that late show.

INSURANCE

Mr Peter Kormos (Niagara Centre): My question is to the Premier. Your government is simply not protecting ordinary Ontarians from special kickbacks on their home and auto insurance. Yesterday, your minister said there's no evidence—none—that Ontario insurance brokers are pocketing contingency commissions. These commissions are the secret bonuses that go to a broker for steering lucrative business to a given company.

Today we learn that contingency commissions are very much alive and well here in the province of Ontario. CTV News reports brokers paid \$359 million across Canada last year. Will you ban the scam and protect drivers, or are you going to let big insurance and insurance brokers continue to gouge and rip off homeowners and drivers?

Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): I know the Minister of Finance spoke to this yesterday. I know there's a real concern here. He has asked the regulator of the Financial Services Commission of Ontario to look into this business of commissions and contingent payments. He has also asked the industry to enter into a voluntary arrangement to disclose base commissions and whether or not there were any contingent commissions involved in their work as brokers.

I also want to remind my colleague opposite that they had five years to do something to protect consumers and increase transparency, and they chose to do nothing. We have directed—"asked" I think is the appropriate verb—the regulator—I'm talking about the regulator—to look into the business of commissions and contingent payments. We'll be watching the industry closely to ensure that consumers' needs are being met. After we get a report from the regulator on their practices, if necessary, we may be required to take further action.

Mr Kormos: This regulator is the same regulator that's been asleep at the wheel, allowing these big insurance companies to rip off drivers and homeowners with these kickback schemes over the course of years now, and you're telling them to investigate themselves?

1510

I find little comfort in your proposal. Last year, you said you'd work with your insurance friends and cut insurance rates by 20%. Well, that didn't happen. Now you claim you're going to work with your insurance company friends to protect consumers. Saying that big insurance is going to protect consumers is like calling King Kong the New York protection monster.

Minister, will you please refer this matter to a legislative committee for examination to determine how much brokers have ripped off premium payers and to make

recommendations for compensation to those auto and homeowner premium payers for all monies paid in these ripoff contingency commissions?

Hon Mr McGuinty: It's always interesting to receive criticism from the champion of public auto insurance. After all those years, we still don't have it. It's the equivalent of Waiting for Godot, apparently, in the province of Ontario.

Here's what Jim Hall had to say in commenting on the steps we've taken in Ontario—Jim Hall is the NDP-appointed insurance regulator in Saskatchewan. He also happens to be the chair of the Canadian Council of Insurance Regulators. With respect to the steps taken by my finance minister late yesterday, he said, "I think it's a great first step." That's the NDP-appointed regulator in Saskatchewan.

Now, it may not be enough for the champions of public auto insurance who, on their watch, did nothing, but I think it's a prudent and responsible approach, taken in keeping with the desires of the people of Ontario.

GREENBELT

Mr Kevin Daniel Flynn (Oakville): I've got a question for the Minister of Municipal Affairs and Housing. Our government has made a historic commitment to establishing a permanent greenbelt in the Golden Horseshoe. Less than one year ago, our government introduced legislation that imposed a one-year moratorium on new urban development on both rural and agricultural lands within the greenbelt study area. My constituents, especially my young constituents, are asking me how this government plans to preserve land, not only to grow food but to improve the quality of life and clean the air they breathe.

Minister, would you please inform the children of my constituents as to what progress our government has made in preserving their green space?

Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors): I'd like to thank the member for his question. Today is indeed a great day for the people of Ontario. We are bringing an additional one million acres into protection. We are going to protect agricultural lands, and we're going to protect lands that are environmentally sensitive. Our plan will build a legacy for children by stopping the sprawl on the most precious specialty crop lands in the Holland Marsh and the Niagara tender fruit lands and grape lands area that grow the foods we eat; by protecting watersheds, streams and rivers that provide clean drinking water; by providing trails, parklands and open spaces that we need to support sports, tourism and recreation; and by setting strict limits on where communities can and cannot expand their urban boundaries.

Mr Flynn: I have a supplementary question to the minister. We know that the call for a greenbelt in the Golden Horseshoe has been a long time coming, and we're doing something about it. Even the president of the

Urban Development Institute stated in December 2003, "A greenbelt is not something that we are averse to."

A greenbelt is something the public has wanted and been asking of governments for years. How do the people provide input to the vision of a permanent greenbelt?

Hon Mr Gerretsen: As the member knows, the draft greenbelt plan has been guided by the input of literally hundreds of people, thousands of e-mails, at least a thousand other written submissions and the advice of more than 60 stakeholder groups.

We look forward to hearing from the public over the next 45 days while we consult on this draft plan by holding a series of town hall meetings—there are at least 10 of them scheduled within the GTA area—and by submitting e-mails and on-line questionnaires through the ministry Web site. The draft plan will also be posted on the Environmental Bill of Rights registry for public comment.

We hold in our hands the last opportunity to make a real difference to the future of Ontario, particularly central Ontario. Ontarians understand, and we understand, that a clean environment and a strong economy go hand in hand.

CIVIL MARRIAGES

Mr Bill Murdoch (Bruce-Grey-Owen Sound): My question is to the Minister of Consumer and Business Services. On December 12, 2002, I had a private member's bill passed with the support of all the parties in this House. The bill would have appointed marriage commissioners in each riding across the province to perform civil marriages. What, if anything, has your government done to develop this bill?

Hon Jim Watson (Minister of Consumer and Business Services): I want to congratulate the honourable member for a couple of things: first of all, for his persistence on this issue. I was pleased, on September 17, just three months after the honourable member raised the issue in the House, to file a regulation under the Marriage Act, which is part of my responsibility, that authorizes municipal clerks to solemnize civil marriages. Municipal clerks are responsible citizens in our communities, and the response from the municipal sector has been very positive.

Let me just read one quote from Roger Anderson, who is the president of the Association of Municipalities of Ontario. He said, "Municipalities see this as a positive step in providing another level of service for people in our communities."

I was pleased that we on this side of the House were able to proceed with this, because I read with interest in Hansard, on June 15, that the honourable member said the following about one of his colleagues: "I want to tell you why it wasn't done: because we had an incapable, incompetent minister handling it in Minister Hudak. He shouldn't have been the minister. He was the minister, and that's unfortunate." I'm sure he regrets those

comments now, he was in the doghouse for so long, but I thank the member for bringing the issue forward.

We acted on it, we moved on it, and we're very pleased to support the Association of Municipalities of Ontario in this province.

Mr Murdoch: I don't regret anything I've said, so you don't have to worry about me. It depends on what doghouse you're in. As long as I'm not in the pit bull doghouse, I'll be all right, but if I am, you guys are going to neuter me and I'll be in trouble.

Mr Ted Chudleigh (Halton): You're old enough, so it won't make any difference.

Mr Murdoch: I'm old enough, so Chudleigh says, so I'm all right.

Mr Minister, I appreciate what you've done, to a point, but unfortunately a lot of clerks are upset that this responsibility was put on them. I want to ask you, why didn't you do what the House wanted here? When the House voted on the bill, we were going to appoint marriage commissioners. People would have been appointed. You would have had the appointments over there to do this. You didn't follow what the House voted on. This is the problem. I need you to explain to us why you took the route you did and why you didn't do what the House voted on.

Mr Robert W. Runciman (Leader of the Opposition): Contempt of the House. Contempt of the will of this Legislature.

Hon Mr Watson: I hear the interim Leader of the Opposition saying it was contempt of the Legislature, it was contempt of the people of Ontario. He didn't follow the procedure either.

I want to say that the clerks of the municipalities are supportive. Let me read from the president of the Association of Municipal Managers, Clerks and Treasurers: "Municipal clerks welcome this opportunity to expand their role in the marriage process and provide a more complete service to those seeking a civil marriage." This was a much more efficient, quicker fashion to get this service out and about.

I'd encourage the honourable member, who has done good work on this, to go and talk to his new leader and tell him to support Bill 70. Tell him to say no to negative-option billing. Let's stand on the side of consumers. The honourable member's a rebel within his caucus. Go and speak to your leader. After seeing the leader of the Conservative Party in a scrum yesterday, he looked like Bambi in headlights. He was frightened about talking about negative-option billing. Our government is standing side by side with consumers in Ontario.

SOCIAL ASSISTANCE

Mr Michael Prue (Beaches-East York): My question, in the absence of the Minister of Community and Social Services, is to the Premier. Your government promised real change for people on social assistance. To date, all that has happened is that you have promised them a 3% increase, which most of them have not seen. I

have to ask you, are they ever going to get it? Because some of those same recipients who had the good fortune to go off assistance are getting absolutely nothing.

I draw your attention to an ODSP recipient in my riding who turned 65 years of age. That's all that happened: She went from ODSP to old age security. This is a woman who has had her money frozen for 10 years and, because she turned 65, your government is going to give her absolutely nothing. Why are you proceeding in what I consider this horrible, horrible manner?

1520

Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): I want to say that we're proud of the initiatives that we have just begun to take with respect to ensuring that Ontarians who are struggling are getting more of a hand from the rest of us. In particular, I'll tell you about some of the things that we have done. We're investing \$56 million for 2,300 housing units across Ontario, 900 units right here in Toronto. We've increased the minimum wage for the first time in eight years. We're investing \$10 million in a brand new rent bank. We now have a 1.5% guideline increase for 2005, the lowest in the history of rent regulation in Ontario. We've had a 3% increase for homeless shelters. We've had a 3% increase for disability and social assistance. I say this proudly because we've only been on the job for one year.

Mr Prue: Mr Premier, if I have ever heard a non-answer, that had to have been it. This is a woman who has been on ODSP for 10 years, who had the temerity to turn 65, and now you're not giving her the 3% increase that she's entitled to. This is all because you inherited a computer system, I guess, that didn't work, that couldn't calculate a 3% increase. Because you inherited that system, you are now saying that this woman is not entitled to anything. She's not entitled to the 3% that every ODSP recipient in this province will eventually get.

She still has to feed herself, she still has to pay the rent, she still has to do a thousand other things that all of us have to do, and she's in poverty. She's looking forward to that \$100, or a portion of that \$100. Why should she continue to suffer because the computer did not work? Why should she suffer anything at all? Will you reverse the ministry's decision? Will you allow these people who are now no longer on ODSP because they've turned 65 to get the money that is owed to them?

Hon Mr McGuinty: That raises an important issue. I'll give it my personal undertaking. Please provide us with the specifics and we will look into it. The member raises a serious issue.

VISITOR

The Speaker (Hon Alvin Curling): We have with us in the Speaker's Gallery Eric Cunningham, former member of Provincial Parliament representing the riding of Wentworth North in the 30th, 31st and 32nd Parliaments. Please join me in welcoming him here.

PETITIONS

CHIROPRACTIC SERVICES

Mr Jerry J. Ouellette (Oshawa): I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Re: support for chiropractic services in Ontario health insurance plan:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I affix my name in support.

Mr Shafiq Qaadri (Etobicoke North): I have a petition addressed to the Legislative Assembly of Ontario regarding support for chiropractic services in the Ontario health insurance plan.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I send this to you by page Alyscha.

DISTRICT OF MUSKOKA

Mr Norm Miller (Parry Sound-Muskoka): I have more petitions to keep Muskoka part of northern Ontario. This reads:

“To the Legislative Assembly of Ontario:

“Whereas the district of Muskoka is currently designated as part of northern Ontario; and

“Whereas the geography and socio-economic conditions of Muskoka are very similar to the rest of northern Ontario; and

“Whereas the median family income in the district of Muskoka is \$10,000 below the provincial average and \$6,000 below the median family income for greater Sudbury; and

“Whereas removing the district of Muskoka from northern Ontario would adversely affect the hard-working people of Muskoka by restricting access to programs and incentives enjoyed by residents of other northern communities; and

“Whereas the residents of Muskoka should not be confused with those who cottage or vacation in the district; and

“Whereas the federal government of Canada recognizes the district of Muskoka as part of the north; and

“Whereas this is a mean-spirited and politically motivated decision on the part of the McGuinty government;

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

“That the McGuinty government maintain the current definition of northern Ontario for the purposes of government policy and program delivery.”

I support this petition and affix my signature to it.

CARDIAC CARE

Mr Kim Craitor (Niagara Falls): I'm pleased to present the following petition to the people of Ontario and to the Legislative Assembly of Ontario. I also want to quickly recognize Karen Stern, the executive director of Heart Niagara, Don Gibson, John Carter and Anita Fiorentino, who are here on behalf of this petition. It says:

“To the Legislative Assembly of Ontario:

“Whereas the Niagara region has a population of over 430,000 people and has the highest 30-day rate in Ontario for heart failure, has the second-highest one-year death rate in Ontario for heart failure, has the second-highest heart failure readmission rates in Ontario, has the third-highest post-heart-attack one-year death rate, and is 25% higher than the Ontario average for ischemic heart disease deaths; and

“Whereas in fiscal year 2002-03, Niagara region residents had 1,230 admissions to the hospital for heart failure, 1,150 patients admitted to hospital for acute heart attacks, 862 admissions to hospital for ischemic heart disease, 93 admissions to hospital for cardiomyopathy, a repatriation population of 458 post-angioplasty patients,

341 admissions to out-of-region hospitals for coronary artery disease, 328 post-coronary artery bypass patients, 92 heart valve replacement patients and three heart transplants; and

“Whereas all the above-mentioned 4,503 heart patients are eligible for cardiac rehab in Niagara, which translates to 1,500 new patients who would access Niagara cardiac rehabilitation services every year; and

“Whereas the Ministry of Health and Long-Term Care funds cardiac rehabilitation in 24 communities but does not fund cardiac rehabilitation services anywhere in Niagara, Heart Niagara, a registered non-profit corporation, provides services in one of the largest cardiac rehab programs in Ontario at no charge to the patient, but relies on funding through donations and special events;

“Therefore we, the undersigned concerned citizens of Niagara, petition the Legislative Assembly of Ontario as follows:

“That cardiac rehabilitation services in Niagara be funded by the Ministry of Health and Long-Term Care, as they are in 24 other communities, and made comprehensive and accessible.”

The petition contains 18,948 signatures. I'm pleased to present it to the House. As well, it has 2,213 letters of support.

1530

FREDERICK BANTING HOMESTEAD

Mr Jim Wilson (Simcoe-Grey): I have a petition to the Legislative Assembly of Ontario.

“Whereas Sir Frederick Banting was the man who discovered insulin and was Canada's first Nobel Prize recipient; and

“Whereas this great Canadian's original homestead located in the town of New Tecumseth is deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society; and

“Whereas the town of New Tecumseth, under the leadership of Mayor Mike MacEachern and former Mayor Larry Keogh, has been unsuccessful in reaching an agreement with the Ontario Historical Society to use part of the land to educate the public about the historical significance of the work of Sir Frederick Banting;

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

“That the Minister of Culture and the Liberal government step in to ensure that the Banting homestead is kept in good repair and preserved for generations to come.”

Of course, I agree with this petition, and would remind people that there's a press conference on this subject at the Banting homestead tomorrow at 4 o'clock.

GO TRANSIT SERVICE

Mr Bob Delaney (Mississauga West): I have a petition to the Ontario Legislative Assembly from a group of residents of the Lisgar area of Mississauga. It reads as follows:

“Whereas the city of Mississauga has, within a generation, grown from a linked collection of suburban and farming communities into Canada’s sixth-largest city, and tens of thousands of people daily need to commute into and out of Mississauga in order to do business, educate themselves and their families and enjoy culture and recreation; and

“Whereas gridlock on all roads leading into and out of Mississauga makes peak-period road commuting impractical, and commuter rail service on the Milton GO line is restricted to morning and afternoon service into and out of Toronto; and

“Whereas residents of western Mississauga need to commute to commute, driving along traffic-clogged roads to get to overflowing parking lots at the Meadowvale, Streetsville and Erindale GO train stations;

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

“That the government of Ontario, through the Ministry of Transportation and highways, instruct GO Transit to allocate sufficient resources from its 2004-05 capital budget to proceed immediately with the acquisition of land and construction of a new GO train station, called Lisgar, at Tenth Line and the rail tracks, to alleviate the parking congestion, and provide better access to GO train service on the Milton line for residents of western Mississauga.”

As one of those residents, I agree with this petition and ask Geneva to carry it.

CHIROPRACTIC SERVICES

Mr John O’Toole (Durham): I’m pleased to present a petition that was given to me by patients of Dr Marty Richter, a doctor of chiropractic from Oshawa. Thousands of his patients are very upset, and I’m going to read their petition into the record:

“To: Legislative Assembly of Ontario

“Re support for chiropractic services in Ontario health insurance plan:

“Whereas,

“Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

“Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

“Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

“There was no consultation with the public on the decision to delist chiropractic services;

“We, the undersigned, petition the Legislative Assembly of Ontario to reverse this” reckless “decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the

best interests of the public, patients, the health care system,” and the people of Ontario.

I’m pleased to endorse this on behalf of my constituents.

IMMIGRANTS’ SKILLS

Mr John Wilkinson (Perth-Middlesex): “To the Legislative Assembly of Ontario:

“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” our great country of “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 glad to add my name to this petition.

VOLUNTEER FIREFIGHTERS

Mr Ted Arnott (Waterloo-Wellington): My petition is to the Legislative Assembly of Ontario and it reads as follows:

“Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and

“Whereas the Ontario Professional Fire Fighters Association has declared their intent to ‘phase out’ these double-hatter firefighters; and

“Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs and this is weakening volunteer fire departments in Ontario; and

“Whereas Waterloo-Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employ-

ment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

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

“That the provincial government express public support for MPP Ted Arnett’s Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time.”

This of course has my endorsement. It comes to me from the township of Woolwich, and I will give it to the page.

HEALTH CARE

Mr Norm Miller (Parry Sound-Muskoka): I have a petition to the Legislative Assembly of Ontario:

“Whereas the Liberal government has announced in their budget that they are delisting key health services such as routine eye exams, chiropractic and physiotherapy services,

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

“To reverse the delisting of chiropractic, physiotherapy and optometrist services and restore funding for these important and necessary services.”

I support this and affix my signature.

PROPERTY TAXATION

Mr John O’Toole (Durham): It’s a pleasure to be able to present two petitions today. This one here is a very popular petition.

“To the Legislative Assembly of Ontario:

“Whereas recreational trailers kept at parks and campgrounds in Ontario are being assessed by the Municipal Property Assessment Corp (MPAC) and are subject to property taxes; and

“Whereas owners of these trailers are seasonal and occasional residents who contribute to the local tourism economy without requiring significant municipal services; and

“Whereas the added burden of this taxation will make it impossible for many families of modest income to afford their holiday sites at parks and campgrounds;

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

“That these seasonal trailers not be subject to retroactive taxation for the year 2003; and that the tax not be imposed in 2004; and that no such tax be introduced without consultation with owners of trailers and trailer parks, municipal governments, businesses, the tourism sector and other stakeholders.”

I am pleased to endorse this on behalf of the people of Ontario, who already pay too much in taxes.

NOTICE OF DISSATISFACTION

The Speaker (Hon Alvin Curling): Pursuant to standing order 37(a), the member for Oak Ridges has given notice of his dissatisfaction with the answer to his question given by the Minister of Energy concerning health threats to children and staff of St Monica elementary school in York region. This matter will be debated at 6 pm today.

1540

ORDERS OF THE DAY

ONTARIO HERITAGE AMENDMENT ACT, 2004

LOI DE 2004 MODIFIANT LA LOI SUR LE PATRIMOINE DE L’ONTARIO

Resuming the debate adjourned on October 27, 2004, on the motion for second reading of Bill 60, An Act to amend the Ontario Heritage Act / Loi modifiant la Loi sur le patrimoine de l’Ontario.

The Speaker (Hon Alvin Curling): The member who previously had the floor is not here today. I would then ask for further debate.

The member for Beaches-East York.

Mr Michael Prue (Beaches-East York): It is indeed a privilege again to stand and speak on this issue. Heritage is very near and dear to my heart, having been a municipal politician in the city of Toronto, and before that in East York. We have many fine buildings in this city, buildings well worthy of saving. I was also privileged at one time to be the first non-Toronto—that is the old city of Toronto—resident to be appointed to Heritage Toronto. This happened right after the amalgamation. I was the only one sitting around the table who was not from the old city, where the majority of the heritage properties are located. I think they looked at me with some scepticism when I sat around that table at first: “What is this guy from East York going to bring to this particular table? How is he going to influence the policies of heritage in the city of Toronto?” It was an excellent learning experience for me. I had the privilege of sitting on that board for nearly all of the five years that I was a municipal councillor in the megacity.

Heritage in Toronto is in desperate need of a boost, a shot in the arm, something I believe this bill will bring. It may shock some of the members opposite. I’m actually going to speak in favour of your bill and I’m going to say why I think you’re doing, in almost all respects, exactly the right thing.

For too long in this country, we have not treated heritage and heritage properties in the way that we should. If anyone has had an opportunity to travel around the world, whether that be to Europe, to South America or to Asia, where do the tourists go when they go to those places? They don’t go to the football games. They go to the museums, they go to the older parts of the cities, they

look at the heritage properties. They try to soak up the ambiance.

You can go to any kind of tropical destination. I've visited the Commonwealth of Puerto Rico several times. You can go around and you can see the palm trees and lie by the beach, but the more exciting thing is to go into the capital of Puerto Rico itself, to walk up and down the blue cobblestone streets, to see the structure of that particular city, to see the heritage of buildings that are 400 or 500 years old. That's where the history is. That's really what the heart and soul of that community is. That's what the people fight to protect.

I have to tell you that the Commonwealth of Puerto Rico has done an excellent job. Many places have done an excellent job. I'm very proud of what the city of Ottawa has done with some of our large heritage buildings and of what they're continuing to do in the preservation of some of the homes in close proximity to the Glebe. I'm very proud when I go to Kingston and I see what Kingston is doing with their downtown core, with the hundreds of buildings that have been designated.

But when we go to other places in Ontario—and I guess I know Toronto best. I see the heritage-designated buildings or the buildings that should receive protection, that we should be crying out to save, and then you see the wrecker's ball come in and it goes down, because somebody can make more money building a condo or changing an old building that is absolutely beautiful, architecturally important and historically magnificent. It goes down because money is to be made. The city of Toronto fights, and I think fights pretty hard, to save some of them—some members, anyway, of the city of Toronto council. But we could do so much more. This bill, to put it bluntly, will allow municipalities, politicians at the municipal level and all Ontarians to fight to save that which is important.

There was a big fight at the city of Toronto about the Concourse Building. It is one of only two art deco buildings still left standing in the downtown core. It has a magnificent mural painted by one of the Group of Seven—I think it was A.J. Casson but I could be mistaken—right inside the foyer. The building itself is architecturally unique in that it was built in that period of the 1920s and 1930s when art deco was all the rage. But in fact, the city of Toronto council voted not to preserve this building. The only thing they're going to preserve is the façade. They're going to build around it. They're going to take down a magnificent building and it will be subject to the wrecker's ball.

History does not start in the 1980s or 1990s with glass and steel towers. The history of this city, of this province and of this country is far older than that and it needs to have a focus. It needs to have a place where people can go, where people can look and where people can understand what happened.

In Toronto, you can go to the oldest building in Toronto, Scadding Cabin. It's not on the original site, but it is the oldest building. People can look to see what the first settlers actually lived in. It is a real building that has

been restored somewhat and moved from its original site. You can go back and visit the Toronto of the 1800s or 1700s. That building is important for all the world to see. Or in Toronto you can go to the oldest buildings in situ, which I'm proud to say are in East York. They are at Todmorden Mills. You can go down there and see the old mill and the brewery, you can go down into the museum and see the way life was in the late 1790s through about 1815. You can see what it was like to be a rich person on that site, because there's a magnificent house where the rich guy lived, and then there's a not-so-rich house, where an ordinary family lived, to see what life was like for them in those days.

That important little development shows people the history and wealth of our community. It was saved by the first mayor of East York, True Davidson, as a Centennial project in 1967, when it was going to be demolished as a result of some of the ravages of Hurricane Hazel some 10 years before. It stands as a testament to the importance of heritage to our community.

I am saying this bill is going to do so much more. The reason I'm saying that in part is because I had an opportunity about two years ago to meet a remarkable man from the United States, a man by the name of Anthony Tung. He has written some books on heritage and the preservation of old buildings. He said something which is fundamental and absolutely true: The most important thing a government can do in terms of heritage is to refuse to allow the buildings to be destroyed.

What is happening in Ontario is quite the opposite. This is what's happening, prior to this bill, right today. We're saying that heritage is important, we're designating it, but you, the person who owns it, can ignore us and tear it down in 90 days if you want, because all we can do is stop them for 90 days.

Anthony Tung was absolutely right. He showed us some wonderful slides at a presentation put on by the heritage board in Toronto. I wasn't a member then. I just went down as an ordinary guy. I left this building and went down there to see it. He showed how they had reconstructed Warsaw. He showed how New York City, in some of its boroughs, had rebuilt the old buildings. He showed London, he showed cities around the world and what they had done to restore their heritage. Then he started to show us how tourism went way up. People wanted to come to those cities, not to see the glass towers. People came to those cities not to gamble or to drink or go to the restaurants or watch the sports games. People came as tourists to those cities because they were world architectural sites, where you could see something that you couldn't see anywhere else, where you could see a civilization and a history and you could be part of it simply by being there. That's why I support this bill, because this bill is going to allow exactly that. It is going to prevent demolitions. It is going to give the province and, I think, the municipalities the authority to give fines of up to \$1 million for those who take possession of a heritage property and simply come and tear it down.

I watched in amazement, and some disgust, I must tell you, a developer who bought a heritage property just

outside of Toronto, and I can't remember the name of the municipality or exactly where it was. But he came in and bulldozed the whole thing before the municipal council could do a thing. They woke up on a Monday morning to find out that on the weekend a heritage property, which was the pride and joy of that municipality, had been bulldozed. What could they do? They could fine the guy a few hundred bucks, if they took him to court at all.

This legislation will allow a \$1-million fine, which will make many developers and people think twice about demolishing our heritage and our history.

I like this bill as well because it has an appeal mechanism. It is difficult for people who own a heritage property, and some would be a little reluctant to actually buy that property if they thought they couldn't modify or change it. I know they need to be modified and changed; old properties do. Some of them may have insulation that doesn't work. Some of them may have windows that are no longer in stock and you have to upgrade; you may have to put in a little bit of plastic that looks like wood to do the same job that wood used to do. You may have to do a few cosmetic things, and they're reluctant to get into this. I'm glad to see here that there is an appeal mechanism that will allow the owners of those homes an opportunity to go before the Ontario Municipal Board and ask for what needs to be done.

I am glad there's something in this bill that allows for property standards changes. Those are not present in the current act or the legislation that we have now, but I'm glad to see that there is, because even something as minor as the type of fence that surrounds a heritage property is important to preserve.

1550

Many heritage properties at one time probably had picket fences. They may have had rockeries. They may have had cedar fences. They may have had whatever was de rigueur in those times. They probably did not have iron fences—well, some of them had iron fences too. What they probably didn't have was Frost fences. They didn't have the kinds of architectural fencing you see today. It's important that even a little detail like that be preserved, where it is not cost-prohibitive and where it actually enhances the look of the property and the history of our province.

I'm pleased to see conservation districts, and I have to tell you that these are contentious. I went to a meeting in Beaches-East York about a week ago, and it has been suggested by some of the neighbours that they go before the city of Toronto and ask that a certain portion, some two or three streets in the Beach area, be designated as a conservation district. There were 300 people at that meeting; 300 residents of that community showed up in a local school gym and were debating fiercely whether or not they wanted a conservation district in their particular neighbourhood. There were some who said no and there were some who just as passionately said yes. Tempers flared for a little while. I think a lot of education needs to be done as to what would constitute the heritage district and whether in fact that community is the right place for one.

I leave it to that community, because conservation and heritage districts need to be decided by the people who live there. They cannot be imposed by Queen's Park, nor should they be imposed by the city of Toronto or any jurisdiction other than the people who live there. Quite frankly, if the people who live there decide that a heritage district is opportune, if they want to preserve some of the unique buildings on those particular streets in the Beach, then I think they should have that opportunity to do so. This bill will allow a much clearer enunciation of how that is to happen, and I support that.

The only problem I have with this bill is very minor and I'm going to support the bill notwithstanding that. But I ask the minister, who is here, and I thank her for being here, to look at this. People are reluctant to buy heritage properties. They are reluctant to buy them because the city, the province or someone else can come around and tell them what to do. They can say, "Heritage property—we don't want you to build on this. We don't want you to put on an addition. You can't tear it down." People have a very strong sense that what they own and what they have paid for is theirs. They are reluctant to buy heritage properties unless they know and unless they feel they have control over that property, which after all belongs to them and on which they sometimes pay a great deal of tax.

We need to do something to encourage the owners of heritage properties to keep them as heritage properties. When those heritage properties are sold, we need something that encourages people to want to go out and buy them, not for the sake of tearing them down, which all too often happens, but for the sake of buying them to refurbish them, to fix them and to keep them as close as possible to the condition and to the way they were originally built.

We need to have something that gives grants to owners of those properties who can apply for them, either at the time they own them or at the time that they are seeking to buy them, which will ensure that they understand the nature of the heritage property and that there will be some monies coming to them, because invariably it costs more money to upgrade a heritage property than to build a new one or to refurbish it with modern-day materials. There should be some form of grant that is available upon application, where people are doing really necessary and important work to maintain those properties.

In a little paper I wrote with my colleague the late Fred Gloger when I first came to this magnificent building, we called for a fund for dynamic downtowns. It involved some \$350 million, and it was to be made available so that downtown cores, especially in cities, could have heritage properties preserved and kept, and that fund could be replaced—it wasn't \$350 million every year, so I want you to breathe a little sigh of relief; it was \$350 million to start and it would be refurbished as the money was spent—in order to allow the owners of these properties to gain access to the monies. It would also encourage them to refurbish the properties.

The problem with what is happening now and what the Conservatives tried earlier is that you can say to the municipality, "We are going to encourage you to tell the owners of heritage properties to preserve them, and you, municipalities, can give them a tax cut," but the reality, as you know, is that all municipalities in this province do not have sufficient money to do this. I will tell you, they are all reluctant to grant tax cuts to heritage properties in their municipality because they desperately need the money for transit, water, sewage, education and everything else for which they are responsible. So they are not going to give that selfsame tax cut. It will fall upon the province to come up with another mechanism. Whether that mechanism is an outright grant to the municipality to pay to the person or whether it's directly to the person, who is after all an Ontario citizen, I would leave that to the regulations.

Also—and this is a very minor one, too, and I think can be done by way of regulation or by ministerial fiat in some way—I would suggest that the transition arrangements need to be tightened a little. This bill has been a long time coming before us today. It was back in April, I think, that it was originally—

Mr Rosario Marchese (Trinity-Spadina): Buildings are already demolished.

Mr Prue: Yes, there are buildings that have been demolished in anticipation that this will one day pass. I'm sure a developer out there, looking at what I'm having to say with some passion, at least I hope some passion, will think, "Hey, we'd better get on and start to demolish this, because this may be coming down the pipe pretty soon."

I think this bill needs to pass, and it needs to pass quickly. But in the interim, the minister needs to do something to make sure that the developers don't run out there in a frenzy of demolition.

Mr John Wilkinson (Perth-Middlesex): Third reading right now.

Mr Prue: OK. I leave that to you and your lawyers. You have far more money, far more bureaucrats and far more lawyers than I will probably ever see in my life, so I leave that, because I know it can be done. All I am asking on behalf of my support of the bill is that you fund the people who own it to keep it and, second, you make sure that in the two to three months or however long it takes to proclaim this bill into law there is not a frenzy of applications to tear buildings down. I leave it to you how it's done.

I've only got two minutes left, so I'd like to spend the last two minutes on one final aspect of the bill that I find intriguing, because I don't know whether we have ever really done enough of this in this country. That is, there is a provision in the bill that allows for the saving of marine and archaeological property. People look around and say, "Where would we have marine or archaeological preservation?" I am reminded of the epitaph of the builder of St Paul's Cathedral. I can't remember his first name; his last name was Wren. If you go there, it says something like, "If you want to see a description of me, look around you.

It is all around you." That was his description. It was St Paul's. Well, I'm saying that all of this stuff is all around us, all the time, every day; we just fail to see it. There is marine and archaeological evidence all around this city. There is tons of marine evidence around Lake Ontario. There is tons in the port lands. There's archaeological evidence just outside the city of Toronto. Even on that hotly contested land in Pickering—and it was in question period today—there is archaeological evidence of First Nations. That all needs to be protected as well. This bill will go a long way to help that.

I commend the members opposite for bringing forward the bill in its present form. I hope the minister will take my constructive criticism on two very small areas, and I would hope that all members of this House, within the next few days, at the most, will find the time to pass this bill into law and that we can save the history and heritage of this great province.

The Acting Speaker (Mr Joseph N. Tascona): Questions and comments.

1600

Mr Peter Fonseca (Mississauga East): It's a pleasure to speak on Bill 60, the amendments to the Ontario Heritage Act, and to commend the Minister of Culture for bringing it forth and the member from the third party, from Beaches-East York, for speaking so eloquently about our history, our culture and our heritage. It's so important to preserve.

Conserving our history is really what grounds us. It's what makes us great. It always gives me great pride, when I drive by or stop at an old farmhouse, to see where we came from, what previous civilizations were like here in this great land of Ontario and Canada.

Travel around the world, and the greatest places, the greatest tourism attractions, are those that preserve their history. I know that in the great city of Mississauga it's something we are building strongly today in terms of our tourism. We've got some beautiful places with great heritage and great culture: the Port Credit area, Streetsville, Cooksville, all of the towns that now make up the city of Mississauga, 680,000 strong.

This bill will help us preserve many of the heritage buildings that exist on those sites and help Mississaugans learn about their past, their past that comes from much that was farmland. In my riding we had many apple orchards, and some of those beautiful farmhouses still do exist. Many like to drive by and stop there because they are a grounding force for the community. Really, they preserve the community and give everybody the sense of community.

This bill will do a number of things. It's going to change the designation criteria. Where in the past it was objective and transparent criteria, especially as proposed, the designation will come with stronger demolition controls.

Mr Norm Miller (Parry Sound-Muskoka): It's my pleasure to add some comments on the remarks by the member for Beaches-East York. I believe the name he was searching for was Sir Christopher Wren.

Bill 60, the Ontario Heritage Amendment Act, 2004, is very much—a big part of it came from Dave Tsubouchi's Bill 124, which came from the consultations we carried out that led to that bill.

The member for Beaches-East York was talking about the possibility of funding owners who have heritage properties to help maintain more heritage properties. I agree that we have to do all we can to keep as many of those heritage properties as we possibly can, but it's not always an easy decision. I think about a situation that's going on right now in my own riding of Parry Sound-Muskoka, where there's Pinelands, one of the original Muskoka lodges. Actually, our family used to own it for many years. It's an old wood frame building. It's now been sold. There are new owners that have big plans for the property. Really, the question of what to do with the old property—the new owners want to demolish that building. They've got the blessing of the township to do so.

It is a very difficult decision. I spoke with the past owners, the Revilles, and asked them, do they think they should be trying to maintain it? They said that it's just not economical with this old wood frame building that may not be safe, that could quite possibly in the future be a fire hazard. It would be quite difficult.

I think the member raises some good points. If you do want to maintain some of these properties, then I think the province will have to consider what the value of them is and how much money they want to spend trying to fund maintaining more heritage properties.

Mr Marchese: I am very thankful for the remarks made by the member for Beaches-East York, because he's covered a great deal of ground, and covered the ground that many New Democrats have spoken to and will speak to again, if needed. And that is that this government has done the right thing with respect to heritage. They've done the right thing because essentially they've listened to the heritage community.

For years people in the heritage community have been saying that cities and the province need to have the power to be able to say no to the demolition of heritage properties. This bill gives the municipalities the power to do so and allows for the minister to be able to intervene with a stop order if she or he has to.

That's an important thing, because when you think of all of our heritage buildings that have been razed to the ground, not just in Ontario but everywhere across Canada, it's shameful what we have allowed in this country. Where other countries in Europe invite tourists from all over the world to see their heritage, we in Canada and Ontario have destroyed so much of it.

Finally, we have a bill that speaks to what people have been speaking to for a long time, so of course we're happy to speak to many of the positive aspects of this bill. We're happy that you still have the power to say no to the demolition of the Concourse Building—very historical, a beautiful building; I was there when we demonstrated a couple of years ago. It remains to be seen whether you exercise that power.

There's a lot of good in this bill and a lot to reflect on about how we help individuals who need help to preserve their buildings, because it's expensive. We haven't done an adequate job, and you need to reflect on that, including reflecting on our cemeteries and how we protect them as well. In the next two minutes, I'll have an opportunity to speak about that.

Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal): This is a really good bill, and it's an important issue. And that was a really good speech, I say to the member for Beaches-East York, a really thoughtful speech and a really important contribution to this debate.

I know that his proposals are going to be considered as the bill moves forward. This issue is one of those things where you think, "Why didn't we do this a few years ago? We've been talking about it for a long time." I'm not the only one, but I had a private bill—not a private member's bill but a private bill—that I brought on behalf of the city of Toronto a couple of years ago. It dealt with a similar—very close to this. This bill is much broader, of course, and applies across the entire province.

The inability of the municipality to deal with these issues and to deal with heritage buildings just never made any sense to me. It also didn't reflect the role that cities are to play in our province. But now, if passed, cities are going to get the power to prohibit instead of just delay. I know that councillors Michael Walker and Joe Mihevc, in the riding of St Paul's, have been active on this issue for a long time and we've talked about it for a long time. They were supportive of my private bill, as were, I should say, New Democrats as well.

I think this bill, in a very comprehensive fashion, subject to the debate we continue to have, gives the province new powers to designate and control demolition. It just never made any sense, I can say to many constituents in St Paul's. We have heritage buildings in the riding of St Paul's. From time to time we'd have a threat of demolition and there just weren't those controls or balances or powers or abilities of governments to act in the public interest. Now we've got that.

I think it's a fair process, and I look forward to more debate on this very important bill. A great speech, I say to Mr Prue.

The Acting Speaker: In reply, the member for Beaches-East York.

Mr Prue: I would like to thank very much the members for Mississauga East, Parry Sound-Muskoka, Trinity-Spadina and the Attorney General. You all had very important things to say. I sometimes wish I had more than 20 minutes, because you've all touched on something I neglected to say and which I now have two minutes to do.

The member for Mississauga East talked about his community. I think that oftentimes when I stand here and speak, I tend to be Toronto-centric. That's the problem with growing up and living here your whole life. I do

acknowledge that Mississauga is a wonderful community, that there is—

Mr Marchese: They exist.

Mr Prue: No, they more than exist. They are vibrant and exciting, and there are historic properties. You can go out to Streetsville or Port Credit and see really old buildings. You can see communities that have been there for a long time. It is not the image that people have of Mississauga as a big sprawl. The original communities there are unique and need to be protected as well.

The member for Parry Sound-Muskoka reminded me that of course former Minister Tsubouchi, whom I had not said anything about, did some very good work on heritage. We disagreed on many things, but on heritage he was good. Even though Rosario Marchese and I stood up in the House several times and asked him about the first Parliament and it was agonizingly slow, in the end it was saved and he is to be commended for that.

1610

The member for Trinity-Spadina talked about the heritage groups, and I neglected to talk about the wonderful work they continue to do. I know they had a hand in drafting this bill. I think most fondly and most often about one person in particular, and that is Cathy Naismith, who continues to run a little heritage newspaper. It's free and it's on the Web. You should take a look at it. It's sent out monthly. Read it. It outlines all the heritage aspects of what is going on in the greater Toronto area and the efforts that are being made to save buildings. Last but not least, thanks to the Attorney General for his very kind words. In fact, most of the heritage, although not all of it by any stretch of the imagination, is in downtown cores in larger cities and small towns too. It needs to be preserved, and I trust it will be.

The Acting Speaker: The Chair recognizes the member for Don Valley West.

Ms Kathleen O. Wynne (Don Valley West): I want to say before I start that I'm going to share my time with my colleague from Etobicoke Centre.

I'm very pleased to speak to this bill. I think it's wonderful that it's coming forward. I hope it passes quickly, because I, like some of my colleagues, am concerned about the buildings that are not being preserved while we continue to debate. It's been a long time coming in this province.

It seems to me that this bill is something of a coming of age in Ontario. We're looking at a number of things happening in the province that indicate we're realizing that we have a history to preserve, that we have a history at all: the fact that in Toronto for the last five years, we've had Doors Open Toronto, where we've celebrated the architecture in the city and people have gone and looked at the beautiful buildings.

I recently was in New York, where Open House New York, the equivalent of Doors Open Toronto, has only been going for two years, which is interesting. I would have thought New York would be doing it longer. It's a wonderful opportunity for those of us who aren't architects, who don't spend our time looking at or designing

buildings, to look at the beautiful buildings around us. I think we in Ontario have underestimated the beauty of our buildings. In Canada—perhaps in North America but particularly in Canada—we think of ourselves as a young country, as not having that heritage to preserve. Those of us who travelled—I didn't go to Europe until I was 19. I can remember that sense of things being so old, and that was the first time I had really thought of myself as coming from a young country. I think that ethos has pervaded our consciousness.

Bills like this acknowledge that it's not good enough to just delay the demolition of a building for 90 or 180 days; we have to prohibit the demolition of buildings we have deemed to be important, and we have to put in place clear criteria for the preservation of those buildings. That's what this bill will do, so it's extremely important.

I remember when I was in grade 10—in 1967 or 1968, I guess—at Richmond Hill High School. I was in my history class, looking out across the football field, and I watched as the Langstaffs' house moved across the football field to be placed on their property, but away from Yonge Street. The Langstaff family had been in Richmond Hill for many, many years—Langstaff Road is named after their family, and Dr Langstaff was one of the patrons of the town. They had an old heritage farmhouse that they lived in, and he was selling a piece of the property. But instead of demolishing the building, they moved it across the football field and put it facing Trench Street, I think, or Hall Street.

I remember thinking that was an unusual thing to happen. I had never experienced that before. It was an expression of a value system that I really wasn't aware of. Again, we didn't necessarily grow up in this country with a sense of preserving what's old, because we've lived with the idea that we have limitless land and limitless resources, so we could always build something new and better, and progress has become defined in terms of new, better and bigger.

What we're saying with this bill is, that's not always the case. Sometimes progress has to mean that we preserve our history, we preserve where we've been. So I am very pleased that we're moving ahead on this legislation. It sounds like we're going to have support from around the House, because this is another one of those issues that really isn't partisan. This is about preserving our heritage for all our children, no matter the party stripe. So I'm very pleased to support the bill, and I look forward to a debate and to watching as attitudes shift in this province. I hope that one of the outcomes, one of the results of this bill is that, at both a provincial and a municipal level, we're going to watch for buildings that are important.

In my own riding, there's a perfect example of the Arts and Crafts style that might have gotten torn down but, by chance, was bought by someone who believed in heritage—56 Blythwood, built by Herbert Elgie, one of the builders of Casa Loma. There was no legislation in place that would have protected that building. That legislation will be in place, and I look forward to it passing expeditiously.

Mrs Donna H. Cansfield (Etobicoke Centre): I'm pleased to be able to lend my voice to others on this issue of passing the bill. When I was thinking about the bill, I was thinking about why we were doing this. I mean we often pass bills, and you wonder what's behind it, what's the motivation.

Of course, we're very close to November 11, and we often lament the fact that our students have not had the opportunity, as often as they should, to know and recognize the issues around November 11, but then, I think even more so, they often don't have the opportunity to recognize or get involved in the history of our country, much less in the history of our province or the history of our city. We used to call that, in the education system, the crowded curriculum, where you had to make some choices. Unfortunately, sometimes those choices were difficult.

Having said that, it's even more difficult a choice if we, as people in the province or municipal leaders, don't value the history to begin with. It's very difficult to say to a student, "You should value history," if in fact we don't value it ourselves.

I'm very fortunate in Etobicoke Centre to have Montgomery's Inn, which dates back into the mid-1700s. That's a very old part of the history of Metropolitan Toronto. I think about the times that the students are able to spend, to learn about the past, about the pioneers, to know and understand even the games the children played, and the differences in terms of how people rested, what they ate, how they kept their accounts, or even how they cooked in the kitchens, as compared to what they have today. Part of the reason for that is I think students need to understand that, in order to progress in the future, they need to know and understand their past.

That's exactly what a heritage act really does. It enables us to preserve and understand our past for the future. I think someone very famous said that if you don't understand your past, you're doomed to repeat it, and I think that's really an important lesson we all can learn.

There's no question that you have to have standards and criteria by which to judge. You need to have an appeal process that's fair, open and transparent for people who feel that they may choose to go down another path. You must, in fact, deal with places that are unsafe. But, having said that, I always believe that if you really want to do something, you can, regardless. You can keep the façade, for example, as we had previously in a number of school sites, or you can incorporate that façade into a new building. You can celebrate that history.

I remember going to the United States to celebrate the beginning of the Underground Railroad, not knowing that I would end up at Sackville school in Toronto, which, in fact, was one of the major sites for the end of the Underground Railroad, again only to learn that the beginning of the taxicab service in this province was started by someone who was a freed slave. That's the kind of history that we not only can talk about in classrooms, but we can actually show and then celebrate with our population, whether they are students or seniors. I think that's part of

what makes us unique in our history. It's part of the diversity and the culture that we can share with new immigrants who come to our country as they embrace the history that's here.

1620

What the act has been able to do is say that we celebrate, recognize and are prepared to work with municipalities around the designation of historical buildings. Just think about it. This is an historical building that we're standing in. It's an amazing place. There are others similar to it, maybe a smaller venue, right across this province; some a little older than others, but all of them make a difference in the history of this province. What the bill allows us to do is to celebrate that, and to do it in a way that's fair and, as I said, open and transparent to people who either own the properties or who wish to sell or maybe even develop those properties. You can't stand totally in the way of some progress; you have to be able to embrace it and make a difference in how that happens.

So, why the bill? Why not? It's really the right thing to do. There's nothing better than preserving where you come from in order to understand where you're going.

The Acting Speaker: Questions and comments?

Mr Garfield Dunlop (Simcoe North): I'm pleased to rise this afternoon to make a couple of comments on the previous two speakers on Bill 60. The first thing I'd like to do today—I don't very often compliment the members of the government, but I do think it's important when the minister is in the House, like you are today, Minister Meilleur, to listen to the debate on your legislation. Quite often that doesn't happen in governments of all persuasions, and I think it's important that you hear firsthand the comments coming from your colleagues as well as ourselves.

Some of the previous speakers have mentioned this, but I think what's really important here is that we do respect the heritage and the architecture we see in so many of our beautiful villages and rural and urban settings, and even big cities. I'm a very strong supporter of preserving old buildings and making sure that we have them for many years to come.

Mr Prue mentioned earlier about going to Europe—no, I guess it was Ms Wynne. She mentioned going over to Europe and actually seeing this architecture that's 500 and 600 and 700 and 800 years old. I think I was in a bar in England that was 1,100 years old, an inn, and I could hardly imagine. It was there long before we had any types of buildings in our beautiful country. I can tell you that when they are preserved and respected, it grows on our young people as well. That's why it's important that we support this piece of legislation.

I know that some of my colleagues have made it very clear that they have some property rights type of issues, and I support them on that too. But overall, I think it's important that all governments have moved ahead in this direction, with some consultations. I'm pleased we are debating it at this time and look forward to passage of this bill this fall.

Mr Prue: I listened with great attention to the members from Don Valley West and Etobicoke Centre. I

think the member from Etobicoke Centre said something that was very poignant to me, which I think all too often Canadians and Ontarians and people in general don't realize. She said, "If we don't believe in our history, why will our children?" or something to that effect. That is absolutely true. There are many children who go to school who think that history is boring. They think that history is not relevant to them. They don't understand how they fit into all of that. That is, in a nutshell, why I think this bill is important. It is not the dry kind of history you get from a book; it is not some foreign history of kings and queens in a country you have never seen and may never see; it is the history that is all around us.

Every day, when I'm in this Legislature, there are school kids coming up and down the halls of this building. If you've never seen them or had a chance to just hang around for a few minutes, not just walk by them but have the chance to hang around them, look as they marvel at the paintings, at the buildings, at all the little characters that are carved into the walls and the sayings and the wood. They just stand there. They are in total awe. When they find out this building is about 125 years old—although I'm not sure of the exact age—that is unfathomable to them. Then they look up and see the Fathers of Confederation in the painting.

I've learned some things here today: this really great story about the Underground Railway. I knew it ended up in downtown Toronto in parts, but Sackville school was right near where I grew up in Regent Park. And I'm glad to see 56 Blythwood is still standing, because it was a fight from another day. I hope the owner will continue to keep that property in the way that it was originally built.

Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale): It's my pleasure to join the debate on Bill 60, the Ontario Heritage Amendment Act.

During the summer months, I had the opportunity to visit Spain, especially Granada and also Madrid. In Granada, I was able to visit the Alhambra. What a beautiful building. I was thinking that that building was built in the early 1500s, and what a heritage, what a history, what a culture, to preserve.

Bill 60, if enacted as put forward by the minister, will help us to keep our culture, it will help us to keep our history, and it will help us to preserve the heritage buildings which our children will be proud of later on.

This bill helps the minister prohibit the owners from demolishing the heritage buildings. Presently, if an owner wants to demolish a building, he can apply to the municipality, and the municipality has to give a refusal within 180 days. If that owner specifies certain amendments or certain conditions, he can still demolish the building. But this act, if enacted, will stop him from demolishing the heritage buildings.

I wholeheartedly support this bill, and I look forward to further debate on it.

Mr Jerry J. Ouellette (Oshawa): I'm privileged to respond to the comments made on Bill 60. As mentioned by the members earlier, it's certainly a privilege and an honour to serve in such a majestic venue, here at Queen's

Park, with the carvings, the marble, the stone and the history. It certainly adds to the character of the province of Ontario when people come in and we have the privilege of meeting dignitaries from other jurisdictions.

In regard to the bill, it's certainly very warranted. I'm not sure exactly how I'm going to vote, nor is my complete decision made as of yet.

I should say that recently, as of last night, I was at a great facility in Oshawa, Parkwood, the McLaughlin heritage building, a long history in Oshawa. When they were redoing it, they had to go right back to the original quarries where they got the stone from to redo the gardens and the fountains at Parkwood. Certainly, it's a phenomenal building. If anybody has the opportunity to tour it, they would gain a part of Ontario's history from an Oshawa perspective.

Some of the difficulties, though, are the cost of maintaining and getting those stones from a number of the states, the millions of dollars to get the stone up and to keep it up to the level, and where does that cost come into play, and how is it going to play out when they can't afford to maintain that?

Not only that, but I know, for example, that a mill was shut down, because it's a heritage site—I think it was built in 1846 or 1856—and they wanted to replace some parts. Nobody can manufacture those parts now so that they can use the mill, so the functioning aspect of the mill has shut down. That's a strong concern. How do those individuals who purchased it as a functioning mill continue on to utilize that opportunity? Because they have to use original or manufactured parts in the same fashion. Those are the areas where I have concerns.

As we mentioned earlier on, the landowners' rights must be respected. I know of other properties as well, where the family who built the house—I actually know the family who built it. The other generation has moved out. They don't want it as a heritage building. Locally, I know that the individuals who have moved into it say it should be declared one. How do you decide? I guess it's up to the municipality to make those decisions.

I thank you for the comments.

The Acting Speaker: In reply, the Chair recognizes the member from Etobicoke Centre.

Mrs Cansfield: I'd like to thank the members from Beaches-East York, Oshawa, Bramalea-Gore-Malton-Springdale, and Don Valley West for their comments regarding the heritage bill.

Mr Dunlop: Simcoe North.

1630

Mrs Cansfield: And Simcoe North. How could I forget Simcoe North?

One of the challenges we have is finding ways and means to protect, but I can tell you that that wonderful entrepreneurial spirit is alive and well in Ontario. A very good example is Ottawa Hydro where, in fact, they took some extraordinary heritage buildings and incorporated them into what they do in producing hydro. So it can be done. If there is a will, there is always a way.

I understand and respect the fact that you need designated criteria, and you need to have a reasonable appeal process. I believe Madam Meilleur has put all of that in place in the bill. But at the same time, it's also incumbent upon us not just to say no. I think it's really important to say, "How can we make this work? What is it we can do to make a difference in order to protect that history?"

That's an important part of what this bill is all about. Too often you tend to take the path of least resistance because it's often the easiest path. What we need to do is find ways to work together to make a difference in protecting that heritage which, in our case, is really very young yet. I had the fortune to be in China—it's 6,000 years old and they've managed to protect their history. I think we can protect ours in the same way. This is just the beginning of a lot of steps that we will take. The minister has managed to put in place a process whereby we can protect those assets which we consider very important for our future and our children's future. We can make a difference if we choose to make a difference.

The Acting Speaker: Further debate.

Mrs Julia Munro (York North): It is a pleasure to be able to rise this afternoon and join in the debate on Bill 60. As many would know, in the previous government I was the parliamentary assistant who did the consultations that formed the basis of much of the legislation we're looking at today. I want to speak for a moment a little bit about those consultations because, as many have recognized here in the debate today, this was something that people recognized as a process that needed to move forward. The act had not undergone any major change or consultation. There had been some changes made in the Government Efficiency Act in 2002, but largely this act had remained as it was in 1975.

When we undertook the consultations, it was very interesting, because we recognized there were a number of groups of stakeholders that had a very crucial role to play. It was an opportunity, then, to hear some of the issues that municipalities had to raise, particularly around the issue of demolition and how to organize themselves—sometimes, for smaller municipalities, limitations on expertise. Certainly an area that gained a great deal of conversation was the very new and popular notion of a conservation district and the kinds of roles municipalities would play in those kinds of designations.

We obviously wanted to hear, and did hear, from the heritage groups that have been mentioned here already today, as well as the professional associations who provided the kind of expertise that any government needs in order to move forward.

But I just stop and talk a moment, too, about a third group that we consulted with, and that was the people who were particularly interested as the real estate group and the kinds of concerns they had, and also the entrepreneurs. I think that many people have recognized the fact that there might be some issues with regard to designations that landowners may have difficulty with, and I'll speak to those in a few moments. But I think the

most important message that came from those consultations was the opportunity that changes in this act would bring to develop particularly viable commercial areas and the kind of response that some of these people already had in different parts of our province. It was really heartening to hear from those people, who were able to demonstrate through projects they had undertaken that then became very successful commercial undertakings. I think it speaks to several of our earlier speakers who talked about the importance of understanding your heritage and particularly, in this case, built heritage.

These entrepreneurs were able to find a ready market, people who want to rent sections or parts of these refurbished buildings because they are attractive, because they make good commercial sense. I think it's really important to balance our discussion and the study of this bill, knowing there are those people who recognize the opportunity that they present.

There are several issues. Obviously, one is in terms of the power of the minister, which was in the previous bill and is in this bill, to identify a provincial interest. I think it speaks to the need for that kind of oversight within the province, because there are opportunities that may not present themselves as easily, particularly when you are looking at smaller communities. I think that's certainly one particular aspect to this bill that is valuable for people.

The question of demolition is dealt with here. It's certainly one that has caused a great deal of angst and is also a problem in terms of balancing the needs and the rights of landowners and the community interest, or if you like to refer to it as the heritage interest. The position taken in this bill allows the owner to go to an OMB hearing. I would just suggest that given the changes to the OMB that are contemplated through the amendments to Bill 26—obviously we are in need of seeing provincial policy statements that would provide for the kind of guidance that an OMB hearing would take. Under the amendments as they are currently, Bill 26 "shall be consistent with" the provincial policy statements. It would seem to me that this ministry is going to have to look at the provincial policy statements in light of the changes they're suggesting in Bill 60.

The other area that I think is particularly important in providing support for this piece of legislation is the previous legislation on brownfields. We certainly see some examples in the province where creative entrepreneurs have been able to use the benefits that accrue from the brownfields legislation in terms of taxable benefits, and use those areas where buildings have sometimes been out of use for years and years to make those kinds of investments. I think those kinds of initiatives certainly bode well for the future in terms of protecting the built heritage that we have.

There are other areas that I think we need to identify as areas that are particularly important. A few moments ago I mentioned the heritage conservation districts. I think providing uniformity and guidelines and things like that which will allow communities to encourage and in-

crease the number of conservation districts is an important initiative in this piece of legislation. We see so many of them in Toronto, and when you look at other jurisdictions where they have been very successful in making specific conservation districts actual destinations in terms of tourism, I think those are extremely important initiatives this legislation would serve to encourage.

1640

The bill also has included an important addition in the area of provincial protection of marine heritage sites. In the last government, we had Toby Barrett as the person who brought forward a private member's bill in this area. The kind of education, if you like, the kind of discussion and the public hearings that were held on his private member's bill provided all legislators an opportunity to better understand the issue and the importance of identifying the marine heritage sites, and at the same time as protecting identified ones being able to encourage a quite vigorous tourism opportunity for many communities, particularly in the Great Lakes areas. So that kind of recognition that we have in this bill is also particularly important.

I want to speak for a moment on the importance we all recognize of making sure that we have a strong legislative framework in order to protect our heritage. As many before me have said, it is a reflection of who we are and where we came from. More and more, through the efforts of things like Doors Open and the work of the Ontario Heritage Foundation and other groups—I think of my own historical societies in my riding and the efforts they make to bring awareness to local history and the kinds of things that serve to give people that sense of the fact that they are part of their heritage.

I know that in my riding there are several groups that are particularly active. For instance, we have a very small but important hamlet in Ontario history, as well as Canadian history, Lloydtown, which was the starting point of the Lloydtown rebellion. As well, a national historic site is the Sharon Temple. So we have some very significant demonstrations of our ongoing efforts to maintain our heritage.

It becomes very clear as time passes that preserving and showcasing our built heritage is extremely important. When you see the kind of work that's done on some of these commercial developments that use heritage buildings, it demonstrates how important it is in contributing to the revitalization of the downtown core in some communities, the brownfields in others, and certainly in terms of local economic development.

Going back to some of the other areas in my own community, it's the work of many volunteers. Actually, tomorrow night I'm joining the members of the Georgina historical association in their annual village walk, which of course has a lot to do with Halloween and the kinds of historical past one might develop on a particularly haunted evening. So it's an ongoing work done by hundreds of volunteers.

I know, as a former teacher, that I used to organize a walking trip in downtown Toronto for students who

might or might not necessarily be familiar with the downtown core area. The tour was designed for them to find and identify the façades and the architectural ornamentation of downtown buildings that reflected classical Greek architecture. It fit in with the work they were doing in class and in their course of study.

One of the most interesting things was to watch the adults in the downtown core who would suddenly be aware that there would be a group of four or five students—because they were all divided up into little teams to do this—and would be trying to figure out what these students were actually looking at. The kids would be standing there looking at pillars and then discussing whether they were Corinthian or Doric pillars, and things like that. It always served to give them the sense of the connection, of the fact that 2,000 years, approximately, after these styles of architecture had been first developed, there they were in downtown Toronto. There they were alongside the skyscrapers, the subways and so forth.

It always served to give them that sense of connection. It's that sense of connection that obviously is behind making these changes to the Ontario Heritage Act. You never know when you will find out what connection you have to something that might have happened a long time ago unless you have the opportunity to visit and see these buildings and understand some of the built heritage.

On a personal note, about six months ago, in March, my neighbours and I celebrated the 200th anniversary of the piece of land, which we have a very small part of, that was granted to Jacques Baby. It was originally 1,800 acres; that was the crown grant to him. If you look in the hall at the east door, you will see a picture of Jacques Baby as Speaker in the first part of the 19th century.

I offer those couple of anecdotes simply to demonstrate how important it is for all of us to see the value of our heritage, and also to be able to talk about it, to be able to make sure that subsequent generations understand and appreciate where they have come from. I look forward—I'm assuming—to the committee hearings that will take place subsequent to this second reading, which I think will provide the opportunity for many of the people who have an interest in this particular bill to come forward. I am sure they will then be able to provide us with any further insight that we need to consider on this bill.

The Acting Speaker: Questions and comments?

Mr Marchese: I want to congratulate and thank the member from York North for her work in this field and helping to update the heritage act. It reminded me of the work I did when I was a minister in 1990 and hearing from the heritage communities, which had a strong desire and urge to update the act, which hadn't been updated in a long time.

Many of those people in the heritage community have aged quite a lot in the last 15 years in their attempt to bring this bill up to date. My only disappointment is that I helped to start the review of the act but, unfortunately, we didn't succeed to actualize that initiative. I wanted to thank people like Julia from York North, and Mr Barrett

from Haldimand-Norfolk-Brant for his work in marine heritage as well.

She raised a couple of good points and talked about the fact that there are economic opportunities in preserving our heritage. Quite apart from the inherent value of our heritage buildings and heritage sites, we can, by helping to repair some of those buildings that have not been held up to the standards, stimulate economic activity. It takes a great deal of skill to be able to keep those buildings up, and there are economic opportunities. They told me that 15 years ago; it's still valid today.

She also talked about the whole issue of the Ontario Municipal Board, and I congratulate the government for maintaining or including the fact that the Conservative review board members will be able to sit on the Ontario Municipal Board. That's a good thing, because many in the heritage community are quite concerned that members of the Ontario Municipal Board may not have the interest and/or the expertise to deal with some of these issues, and perhaps they could use some help, if not re-training, in the field as they review your guidelines. So these things are very helpful.

I remind the government that there are a lot of people interested in the cemeteries, and the fact that there are heritages that we need to protect. So hopefully in the review, through the hearings and not-too-long hearings, we will get to that as well.

Mr Mike Colle (Eglinton-Lawrence): Talking about cemeteries, every morning, I jog through Mount Pleasant Cemetery and jog right by the burial site of one of Canada's great Prime Ministers. That's a quiz for you, the mayor of East York. He was buried in Mount Pleasant Cemetery. It's William Lyon Mackenzie King, our great Prime Minister during the 1920s, a long-serving Prime Minister who had very little fanfare. If this were an American President, there would be a huge monument. All we have is a little Canadian flag there and a small, discreet tombstone. But that's us being Canadians. I don't think that's bad, but I don't think we take our heritage as seriously as we should—I think we can all agree with that.

This bill begins to address that from an Ontario perspective. To me, this is a no-brainer. We have to proceed. We're so far behind. We're losing buildings as we speak. This bill was first introduced in April. It's an imperative. I heard the Conservatives yesterday talking about, "I'm worried about property rights." Let's get out of the 1970s.

The people of the world appreciate and know the economic value, the cultural value, the educational value of preserving heritage. This minister, Madam Meilleur from Eastview—she doesn't like to talk about Eastview, because that's the historical neighbourhood in her riding—is putting forth very good legislation that all the stakeholders in preserving heritage agree has to be done. Maybe we need a few more refinements, but we've got to get on with this. It's really, as I said, an imperative. But yesterday I heard her seatmates saying that this is an attack on property rights. Give me a break. Let's get on

with doing the job of preserving the heritage of this wonderful province, this wonderful city and this wonderful country. Let's move on.

The Acting Speaker: We are. The Chair recognizes the member from Durham.

Mr John O'Toole (Durham): I'm very pleased to respond to the member from York North, because I know her passion and commitment to Bill 60, An Act to amend the Ontario Heritage Act. In fact, Town Hall 1873 is celebrating their opening in Port Perry this Saturday night. It's a very significant thing, because that ministry right there, actually, the heritage conservation group, provided funding for the completion of the restoration of that building, which is a national heritage site.

It reminds me of the time I spent on LACAC, the local architectural conservation advisory committee, where I became, first of all, sensitized to the issue and appreciative of the work those volunteer groups do. So I do want to thank them for identifying, inventorying and characterizing the architecture in our various communities, and making those references and recommendations to municipal councils in terms of planning.

I look at my riding of Durham and think of the great number of heritage properties—it was really virtually a mill town. I think of Tyrone Mill, one of the oldest operating mills in Ontario. That mill still presses apples into apple cider, using water power, and also cuts various timber into reusable lumber. I also think of Vanstone Mill, which is not an operating mill today. I think it was sort of wiped out in Hurricane Hazel some 50 years ago. It's that type of character and heritage that we must protect.

If I drive down the country roads this time of year, it's the landscape architecture as well that needs to be preserved and protected. There's work to be done at MPAC, the Municipal Property Assessment Corp, which needs to look at property values that have been affected by being designated.

Mr Prue: It is indeed a privilege again to stand for a two-minute comment on the very capable speech by the member from York North. She touched on an issue that has not been raised, at least not today and not in my understanding of what has been said in this bill; that is, the many historical societies that exist around the province, and probably in all our communities, that are bent upon trying to tell the story of the first people, or at least the first people they know, and what the history was and why their communities came into being and the magnificence of some of the buildings. I think we need to salute those historical societies.

We also need to salute the people who run the little local museums, of which there are many in this province, because they are the repositories of the collective artifacts of the communities. It's in those small museums that you have an opportunity to witness first-hand the Ontario of ages past. All too often these small museums are forced to close.

Even in a big city like Toronto, we had a museum called The Pier, which was located on the harbourfront. It

opened with huge fanfare probably about 10 years ago and closed with a whimper five years after that. It was funded by the city of Toronto. The city had great hopes for it, but when the city fell upon hard times, it was the very first thing that went on the chopping block. You will be saddened to know that many of the artifacts related to Ned Hanlan and his Olympic prowess—we all had a chance to cheer our Olympians here yesterday—have been removed from that building and are placed in various locations around the city of Toronto, where they are not observed and not seen, and people no longer understand that. We need to get those back on public display so we can be proud of our city and our province.

1700

The Acting Speaker: In reply, the Chair recognizes the member from York North.

Mrs Munro: Thank you very much to the members for Trinity-Spadina, Eglinton-Lawrence, Durham and Beaches-East York. I appreciate the comments. I certainly forgot about the Conservation Review Board and the ability to cross-appoint. Certainly a valuable thing that I learned early in this was that you need the opportunity for that expertise to be shared.

The member from Eglinton-Lawrence referred to the fact that we seem not to take heritage as seriously as we should. I would just remind him that the fact that the bill has not undergone any major revision—I think what we need to look at, as the member from Trinity-Spadina has said, is that there was an effort made by his government. The bill we have before us today is definitely very familiar to me, similar in many respects. So I think there is a general understanding, as other speakers have mentioned this afternoon, that we took it for granted, we thought we were too young, we didn't have something that was 800 years old so did we have something worth preserving?

Historical societies and community museums—people like that—and the volunteers the member from Beaches-East York referred to, all reflect a growing understanding that we do have a heritage, we do have a history, we have a reason to be proud of it and we must move forward in making sure that the future knows about the past.

The Acting Speaker: Further debate?

Mr John Milloy (Kitchener Centre): It's a great pleasure for me to stand today and speak in favour of Bill 60. At the outset, I want to notify the Chair that I'll be sharing my time with the member from Scarborough Centre.

As one of my colleagues just said, this is a bit of a no-brainer. The bill that has come forward is perhaps one of the most popular bills to come along in the past few months, and I want to begin by complimenting the minister on bringing forward a piece of legislation that I think a lot of different groups and organizations throughout Ontario have been waiting for. As you know, Mr Speaker, this is the first change to the Ontario Heritage Act since its introduction in 1975, and the minister should be congratulated for an excellent piece of work.

At its core, obviously, this bill is about preserving our past. I think it's fitting that we're debating this bill today, the day that two of our colleagues, the Minister of Public Infrastructure Renewal and the Minister of Municipal Affairs and Housing, came forward with two important pieces of legislation that will preserve part of our natural heritage in this province.

There is concern everywhere about our past and about making sure that decisions we make today will not be ones we regret. As we stand here in this beautiful, historical Queen's Park, we can think about the history that's here, and the idea of ripping down Queen's Park seems ludicrous. Yet in how many communities across this province can people point to buildings and beautiful heritage sites that were destroyed because of people not thinking it through, not thinking the ramifications through in previous years?

In my own community, we boast so many beautiful heritage sites. Perhaps the most famous is Woodside, the childhood home of Mackenzie King, former Prime Minister of Canada. And yet when you speak to people about the history of Woodside, it remained in private hands for many years. People remember it through different phases of its existence, and thank goodness it was rescued and turned into a federal park where people, both local and tourists, can come and enjoy it. So I think you can't overstate the importance of preserving our heritage.

What's interesting is that despite this thirst for preserving the past, the law as it stands right now is inadequate. As someone mentioned to me, it makes no sense. Under the current act, a municipality, if it's confronted with a situation where it has to deal with a building that is seen to have historical value and seen to want to be preserved for heritage reasons, can delay that process, if someone comes forward who wants to demolish it, but cannot prevent it. The importance of this bill is that, at its core, it gives municipalities the right to prohibit the demolition.

At the same time, I know some of my colleagues over here have raised issues about property rights and other red herrings. That does not mean that the individual who owns the building and wants to demolish it doesn't have a right to appeal.

Mr Gilles Bisson (Timmins-James Bay): How do you know the herring is red?

Mr Milloy: I meant way over on the far left.

But what it does is finally give municipalities an act with some teeth in it, which is going to allow people to move forward.

Of course, we have an inherent interest in preserving our heritage but, at the same time, as I think a number of other speakers in the Legislature have pointed out, there is an economic benefit to our heritage. When I look around at communities, including my own, development can no longer take place in terms of just expanding the limits of a city. We're going to have to go to the downtown core and undertake brownfield development. We're going to have to look at older buildings and have them turned into functional uses.

Recently, for example, I was in Cambridge, where the University of Waterloo has opened its new school of architecture. Again, they took an old factory, an old building, and transformed it into a work of beauty, while still maintaining its historical integrity. It's these types of transformations that are the way of the future, as we see land and green space as a real priority.

I want to congratulate the minister for bringing forward this bill. I think it's a fair and balanced bill. As I say, it's the first one since 1975, and it's going to allow the province to move forward in terms of preserving its heritage. It complements much of the other work we're doing in terms of the greenbelt. I stand here today to express my unqualified support for it.

The Acting Speaker: The Chair recognizes the member from Scarborough Centre.

Mr Brad Duguid (Scarborough Centre): I want to begin by commending the Minister of Culture on what is a very effective bill that she has brought forward here today. She may be petite, but when it comes to protecting heritage, she's darn tough. I think that's what this legislation is about. It's about allowing municipalities to protect heritage.

Having served on a municipal council, I remember time after time when properties would come to our attention that we felt we wanted to preserve. You had that 180-day period where you could try to work something out before it was going to be demolished. You'd work really hard to try to find something, but sometimes the till would be empty and you just couldn't save the property. The time would run out.

Now, if this bill passes, municipalities will have the ability to preserve some of those properties, and that's a big step forward. That's really taking heritage seriously, and I commend the minister for doing that. It's a very important step forward.

It's also recognition of the value this government has for municipalities. We recognize them as bona fide levels of government. We recognize them as responsible, elected individuals who will do the appropriate thing and will use this kind of legislation appropriately.

While I'm up, I'd like to talk a little bit from a local perspective. My community of Scarborough celebrated its bicentennial, I guess it was in 1994. Our community was very proud of that. The member for Beaches-East York was mayor of his city, East York, when they were celebrating their bicentennial at the same time. So I know how much he appreciated it because we did a lot of events together back then. Our community took great pride in our 200-year history. A lot of it takes place in my very own riding of Scarborough Centre. When I look at where the first people in Scarborough settled, the first settlers, it was right on St Andrews Road in the middle of my riding—David and Mary Thomson. One of the earliest churches in Toronto, certainly I think the second-oldest church in Scarborough, is located at that very address on St Andrews: St Andrews Presbyterian Church. There's a building there that was the first school in Scarborough. Later, I think, it was turned into a library; well over 100 years old.

If you go down the road a little bit from that, you'll come to a farmhouse that used to be David and Mary Thomson's farmhouse. A lovely couple live there now. They've kept it up for many years. They cherish it; they look after it. I want to commend them today and people like them who take on these historic homes, who move into them and preserve them for all of us and look after them so that many levels of government that can't afford to be keeping up these buildings can be given a break, and they can actually be looking after those buildings for us.

If you go south of there, to Thomson Memorial Park, there is the Scarborough Historical Museum, just a wonderful place to immerse yourself in the history of Scarborough, the history of settlers, the people who settled much of the lands in Scarborough and throughout Toronto.

But these weren't the first people who walked these lands. I think it's important to acknowledge our native people, who spent a lot of their time on these lands. Certainly in Scarborough, we have one of the most historic sites in all of Canada, Tabor Hill, which the member for Scarborough West will know well. He and I have spent a lot of time up on Tabor Hill at the crack of dawn celebrating sunrise ceremonies with our native community that are totally moving.

1710

One of the things I find absolutely moving about this is that we had a problem a number of years ago. There's a big rock up there commemorating our native community on this historic site, and somebody desecrated that rock, which upset our native community greatly. Not only did it upset our native community, it upset our local community just as much. We all banded together. What amazed me was how our native community and our residential community felt exactly the same amount of pride in this historical native site. I was very proud as a representative of that community. I was very proud of the residents, how they took ownership of this area and how they've worked with the native community to preserve it. I think it spoke extremely well of the residents.

At first, we thought we were going to have a problem with the native community wanting to put a fence around it, and it was nothing of the sort. It was people caring about our heritage, working together. I think that speaks well of how all Ontarians feel about their past. We want to preserve our past. That's exactly what this legislation will help us to do. I thank the minister for bringing it forward. I think it will go a long way to preserving the heritage and the history of our towns, our cities and our province.

The Acting Speaker: Questions and comments?

Mr Marchese: It was good to hear from the two Liberal members. I'm happy they're very supportive of their bill. I'm pleased that the member from Scarborough Centre also supports the bill. I'm not quite sure where he might have been on the vote to tear down the Concourse centre because I suspect he might have supported Mayor Mel in tearing it down. But it is good for the member

from Scarborough Centre to pronounce himself in preserving our heritage. There's a certain amount of epiphany that happens when you get here. So that's a good thing.

The other point I want to make is a point that I touched on when I made my speech—and my friend, as well, made the same remarks—and that has to do with how we deal with the transition provisions. I tell you, this is serious. When the city of Toronto passed their bylaw where owners of trees that were privately owned, which had nothing to do with the city, couldn't cut down their trees, the day before, one developer said, "Got to cut down all them trees and start building." I think there were 60 trees that were felled the day before that bylaw was going to come into force. I understand why some of us are concerned about the minister wanting or needing to take some measures now, soon—and in the past—in taking care of that eventuality because it does happen, and we know it.

The third point I want to remind people about is that we need to protect our cemeteries. This law does not do it. We need to have hearings—and I'm not saying long hearings—where we can hear from people who have an interest in preserving cemeteries as the heritage I believe they are. I hope we'll see that in the amendments that will be made.

Mr Frank Klees (Oak Ridges): I'm pleased to participate in this debate, and I want to commend the government for bringing this bill forward. We all, I know, take great pride in the heritage of this great province. I'm particularly proud of the role that Conservative governments historically have played in heritage, in ensuring we have a legislative framework around which our heritage can be protected.

It was indeed the Davis government that initially enacted the Ontario Heritage Act. We also know that the Peterson government and the subsequent Rae government attempted to do some consultation around this, but never did make any changes to the act. It was under Ernie Eves as Premier that we then, through work done by David Tsubouchi, made some additional substantive changes to the act.

I had the opportunity to be in Stouffville just last week. It was an opportunity to honour volunteers in the community with the Whitchurch-Stouffville Museum for the good work they do, and much of what they do is to help preserve historical buildings. I want to take this opportunity here in the Legislature to commend the good work of the Whitchurch-Stouffville Museum, the board that oversees their good work and all the hundreds of volunteers who contribute to that effort.

I'm pleased to commit to supporting this legislation because it means so very much, not only to us today but to generations to come.

Mr Wayne Arthurs (Pickering-Ajax-Uxbridge): I'm pleased to enter into this debate for a minute or so. Each of us, I guess, has experiences in their professional career, their personal career, their lives, that reflect on the need to preserve our heritage, and I no less than others.

I come from a municipality, as a mayor and a councillor, that some 32 years ago had 43,000 acres of property within the jurisdiction abutting it expropriated by both the provincial and federal governments. I've watched over the past 32 years as building after building has been destroyed, has been left to neglect, has been torn down and lost—a tremendous amount of heritage during that period of time. Thus, the members of my community, my constituents, are certainly well aware of what happens when one doesn't pay any attention to one's heritage.

During that time there was a community-based museum that had to be relocated in its entirety from the village of Brougham, on Brock Road and Highway 7 in Pickering, to the village of Greenwood, some three or four kilometres away. The entire museum was relocated so that those buildings could be preserved and so that the heritage of the community, the nature of the community, would have an opportunity to continue so that young people and families could have the opportunity to experience what life was like 150 years ago in rural Ontario, although close now to an urban environment. Within that context, the museum continues to survive and flourish.

The opportunity for municipalities to protect heritage buildings is important, and we haven't had, to the extent that we will have, the opportunity for that to occur. Each of us has many examples—I've got more than one—about buildings that we've lost as a result of the lack of the powers and capacities to protect our heritage buildings.

Mr Prue: It is again a privilege to stand and comment, particularly on the speech by the member from Scarborough Centre. We served together as colleagues for some five years—or at least I was there for five years; he was there close to six—on the new megacity council of the city of Toronto. We often—

Mr Lorenzo Berardinetti (Scarborough Southwest): You forgot about me.

Mr Prue: But I'm speaking about him. You were there too. I'll speak about you later.

Mr Marchese: You didn't make a speech.

Mr Prue: You make a speech and I will talk about you too.

We would often have issues that came forward like this. I am very refreshed and thankful for what I am hearing today. I know we were not always in agreement in the old megacity around such issues as saving the Pier Museum and the Concourse Building and a few other things, but he is saying all the right things today and I commend him. It must be the air in here. Perhaps Madam Meilleur has finally convinced him that this is a bill worth saving, or maybe he just sees that things have changed, and that had he had those tools in the old municipal days, he might have done something very different. But I am very glad that he wants to save our history today.

He said a couple of important things that need to be touched on. Yes, our aboriginal history is all too important. One of the things that amazed me when I went into

estimates and questioned the Minister of Municipal Affairs last week was the swap of the ecologically sensitive lands of the Oak Ridges moraine for the Pickering lands, which are archeologically sensitive. I was very impressed, I have to tell you, that before those lands can be developed they are literally going to dig up 1,600 acres of land, down a foot, to make sure there are no settlements from our aboriginal peoples, and if there are, they are going to swap those lands in turn again, in order to protect that heritage. I think that should be commended and known as well.

1720

The Acting Speaker: In reply, the Chair recognizes the member from Scarborough Centre.

Mr Duguid: I want to thank the member for Kitchener Centre for his comments in conjunction with myself earlier, and the members for Trinity-Spadina, Oak Ridges, Pickering-Ajax-Uxbridge and, of course, the member for Beaches-East York, whom I've known for many years. He really is a history buff. He loves his history and is very passionate about it, as you can tell.

I'm going to tell you a little story about him. When he was mayor of East York, I remember him inviting me—I was a councillor in the city of Scarborough at the time, and we were both very proud cities back then before anybody got a piece of us and ripped us apart, but that's another story.

I remember being invited to East York. He made me put elf ears on and he put them on himself. We put little elf boots on. We had to go on a shopping spree as part of their bicentennial year. It was probably one of the most embarrassing moments of my life, because it ended up on the front page of the paper. What that tells you is that Mr Prue will do anything to promote history and heritage, and I think that speaks well of his passion and his commitment to it.

One little part I want to talk about—it's not little; it's important—is that this bill also talks about designating property standards maintenance for heritage properties. That is really important, because if you don't do that and you just use regular property standards compliance on these properties, you may well end up losing some of these properties just by poor maintenance alone. This will give municipalities some additional tools to ensure that these historic properties, these heritage sites, are better maintained. It will give them the tools to be able to do that. I think that's another good reason for this.

I will close by saying this: If we don't know where we've been, we will never know where we're going. I think it's very important, and a number of members spoke previously about this. Probably more important than anything we do in this debate and through this bill is ensuring that our young people get that appreciation of their history and heritage. I think all members feel the same way about that.

The Acting Speaker: Further debate?

Mrs Elizabeth Witmer (Kitchener-Waterloo): I'm very pleased to join the debate on Bill 60, the Ontario Heritage Amendment Act, 2004. If I take a look at the

purpose of the bill, it is to amend the current Ontario Heritage Act, which of course was enacted by the government of Premier Davis in 1975. What this bill will do is update municipal and provincial powers to identify and protect Ontario's cultural heritage resources.

I would certainly echo the comments that have been made by previous speakers. I believe this is extremely important. We are a young province. We are a young country. Regrettably, much of our history and our cultural heritage has been lost. I hope that with this expansion, this amendment, to the act, we are going to ensure the protection of that heritage in order that future generations can appreciate and learn from the past, because it is from the past that we learn about the present and plan for our future.

If we take a look at this act, which, as I said, was first enacted by Premier Davis in 1975, we know that all governments of all stripes have expressed an interest in rewriting the original act. The Peterson government between 1985 and 1990 and the Rae government in 1990 to 1995 both consulted. They were planning to rewrite the legislation. Regrettably, there was never any action taken on the recommendations that resulted.

There was action taken in 2002 when our government clarified, updated and improved the consistency of the provisions in the act. At that time what the amendments did was to ensure that maritime heritage was specifically covered by the act, which of course is very important. It also improved the protection of the architectural heritage. Again, this had certainly been an oversight. It also increased the fines for illegal demolition of designated buildings.

Now, I would hasten to add that there was further consultation during the time of Premier Eves, in 2002 and 2003. Of course, the minister of the day, David Tsubouchi, did introduce legislation. Regrettably, with the calling of the election, the bill was not passed.

I want to compliment and congratulate the member from York North, Julia Munro, because she was the individual who actually undertook a great deal of the consultations. She spent many hours making sure that the stakeholders in this province who had an interest in the legislation had the opportunity to express their views.

I'm pleased to say that the bill that has been introduced by the current minister really, in many ways, is a reflection of the bill introduced by Minister Tsubouchi—however, there have been some changes made to the act—and I want to congratulate the minister for bringing this forward. I think it's a very important bill.

Having said that, I think what I find the most interesting in this particular debate is to hear some of the members in this House who represent ridings all across Ontario speak to some of the history in their own communities. It's certainly been a learning experience for me.

In fact, when I was first elected as a member, during my first term between 1990 and 1995, I remember that part of what I enjoyed more than anything else was travelling to some of the communities that I served at that

time, when part of my riding was rural, and learning more about the heritage of those different communities.

I remember one particularly interesting Saturday when I was asked to dress up in period costume and participate in celebrating the anniversary of the date of the arrival of the slaves. Apparently—and this was totally unbeknownst to me, and I think it's unbeknownst to most of the people in Kitchener-Waterloo—part of the Underground Railroad that came from the United States to Canada actually ended in Hawkesville. Now, Hawkesville is a very tiny community outside of Kitchener-Waterloo. Most people in this House will never have been to Hawkesville. In fact, I dare say that until I became the member, I had never been to Hawkesville. It's not on any main road; it's on a little side road.

Anyway, I was asked to dress up and I was asked to participate. Apparently, in the middle of that river, on an island, was the end of the Underground Railroad for some of the slaves who were able to make their way to Canada. I learned that, at one time, this little community of Hawkesville had been almost totally populated by this particular community of slaves who had come via the Underground Railroad. Now, if you go to Hawkesville today, I don't think you would find one person remaining in that community. I think most people, when they think of the region of Waterloo, when they think of Kitchener-Waterloo, think of the Mennonites who supposedly were the people that came to settle in that community. I'm very pleased to say that Hawkesville has a rich heritage. In fact, it also has a home that at one time was inhabited by one of our Prime Ministers, John Diefenbaker.

I would certainly agree with the member from Eglinton-Lawrence, who spoke earlier. We have a lot of history in Canada. We have a lot of history in Ontario—places where our Prime Ministers were born, lived and died—but unlike the United States, we do very, very little to make sure that this is appropriately marked, that people in the community know of the historical significance of those buildings.

1730

I can always remember one time taking our children on one of our trips, as we did every summer, to see the sites in Ontario. My husband and I both have a keen interest in history. I remember going to Kingston one time and thinking that we would show our children the grave of, of course, the first Prime Minister of Canada, Sir John A. Macdonald. We had a lot of trouble, I would add, in even trying to find the cemetery. Once we found the cemetery, we had a lot of difficulty in actually finding the grave. We had, before that, travelled to the United States and had actually, of course, spent some time at some of the historical sites that commemorated past Presidents. What a difference there is. I really think in our own province and in our own country we really do need to do more to make people aware of the contribution that our Prime Ministers and other people have made to our province and to our country.

I want to go back to the history of my own community. I've mentioned Hawkesville and the slave

population that it had at one time. Our community does have a very, very rich history. Our community was settled by Mennonites and Germans. In the case of both of those groups of people who came here, there is quite a bit in our community that has been set aside in order that we can remember the contribution of those individuals. In fact, we have what is called the Schneider Haus, which is a home where the first Schneider family lived when they came to Canada.

Many of the original Mennonites who came to Kitchener-Waterloo actually came from Lancaster, Pennsylvania. I'm very proud to say that my husband's ancestors, the Witmer family, were part of the original movement of Mennonites who came from Lancaster, Pennsylvania, and moved to Kitchener-Waterloo. So you see in our community a lot of people who are of Mennonite origin. As I say, I think they've certainly made a good effort in making sure that some of that cultural heritage is preserved. Certainly the Schneider Haus is one example. It's a place where our children can go during summers, during spring breaks—I know my own children did—and learn a little bit about the way of life of some of our ancestors.

As far as the German community is concerned, of course, Kitchener at one time was called Berlin. Again, the proud heritage of the Germans is evident in our community as well. We have many German clubs, and we're soon going to be celebrating the German Christmas.

I think it is important that this bill do what needs to be done in our province, because we do need to make sure that we protect our very, very valuable cultural heritage. If I take a look at this bill, I see that it does move forward in a way—as I said, it builds on what minister Tsubouchi introduced—and it's going to do a better job of safeguarding our Ontario heritage properties for future generations.

We need to make sure that we protect our museums. There are many small museums throughout Ontario that need protection. We also need to make sure we protect our archival institutions, archaeological sites and of course our heritage buildings. We need to promote and preserve our heritage streets in Ontario. This bill does move forward in a way that does provide more protection.

The one thing this bill doesn't do is rein in the power of the OMB. That's something I see here that is perhaps lacking. I know that in opposition and in their platform, the Liberal government always argued that the OMB had too much power to overrule decisions of municipalities and did promise to overhaul it.

Something else that appears within this bill, in section 28, is that the government is going to exempt itself from the act by stating that the heritage conservation district designation provisions in part V of the act do not apply to government properties.

I also understand that Toronto had sought some substantial tax breaks for heritage buildings, but I see here in an editorial in the Toronto Star of April 23 that

that's not in the legislation. However, "the new rules do give the land or building owners the right to appeal to the Ontario Municipal Board any heritage decision by city council." The Toronto Star on April 23 also said the city of Toronto welcomed news of the bill but there was also disappointment that several other changes the city wanted, including these enhanced tax breaks for heritage properties, were not included: "If we don't have the carrot to encourage owners to retain and restore their heritage properties, we will continue to have demolition applications." This is a quote from Kyle Rae, the councillor for Toronto Centre-Rosedale, and also a member of the Toronto preservation board.

If we take a look here, we certainly are making progress, we are making forward movement. It builds on some of the amendments we made to the act. It makes clear that the removal of archaeological artifacts is not permitted without a licence. It makes demolition controls consistent across Ontario, another amendment to the act that we imposed. We increased the maximum fine for illegal demolitions from \$250,000 to \$1 million. It allowed the municipalities to prosecute offences without first having to obtain the minister's consent. It allowed municipalities to expand the mandate of their heritage advisory committees to advise on other heritage issues.

I want to conclude my remarks by congratulating people on all sides of this House who have made a commitment to protect the cultural heritage, the resources, in the province of Ontario. I pointed out at the outset that although this bill was originally introduced by Premier Davis, both the Liberals and the NDP in the past have taken a look at making amendments. There was recognition that there was a need to do so. However, it wasn't until the year 2002 that any amendments were made to the legislation. I also indicated that since that time Minister Tsubouchi, with the support of his PA Julia Munro, the member for York North, who did the consultation, was able to bring forward a bill. I'm pleased to say that the present minister has built on that legislation and made some appropriate changes to the legislation. I hope this bill will be able to move forward to committee. I hope there will be public hearings.

1740

Certainly there are people in my community of Kitchener-Waterloo who have expressed an interest in this bill. They look forward to having an opportunity for expressing their opinion. By and large, however, I would say that the communications I have received have been very supportive of the legislation. However, there are always a couple of changes that people would like to make.

I have appreciated the opportunity to speak to Bill 60. I hope we can move forward and at some point in time send this to committee, and also send this forward to public hearings.

If I look around the assembly here I know that, based on what I've heard from my colleagues, there are many people who take a very deep and abiding interest in the history of this province, in the history of their com-

munities. I know that if we have the opportunity for additional input, this bill can go nowhere but get even better than it is today in protecting our very valuable Ontario cultural heritage resources.

The Acting Speaker: The Chair recognizes the member from Beaches-East York.

Mr Prue: It is again a pleasure to stand and comment on the very capable speech from the member for Kitchener-Waterloo. She spoke about many things, but three of them grabbed my attention.

The first was about the Mennonite community that exists around Kitchener-Waterloo and indeed in much of southwestern Ontario. I'm sure we've all had an opportunity to go into those communities and see a lifestyle that is a little different from our own. It's not nearly so fast-paced. It is predominantly based around farms, although people are moving away from those as well.

It intrigued me because just this year I had an opportunity on vacation to go to a place that probably not many Canadians have been to, and that is the small country in Central America called Belize. I was on a tour of Belize, and I was going into the interior to look at some of the archaeological ruins of the Mayans, in particular one very large pyramid, where we had to traverse a waterway to get to it. There were all these beautiful farms, just row after row of farms and farm country. I asked the cab driver who was taking me there, "Who runs all these farms?" I was absolutely surprised when he told me it was all a Mennonite community and that the Mennonites had taken over this whole central part of Belize, had established wonderful, absolutely amazing farms. Sure enough, there by the side of the road I saw a couple of guys selling watermelons from their cart, and they were dressed just like the Mennonites one would find in Ontario. It was almost like déjà vu. So they have really prospered and done well around the world. I spoke too long on that. The archaeological ruin, by the way, was magnificent.

In the last couple of seconds, the power of the Ontario Municipal Board: I am a little bit nervous about that as well. I'm not sure I want to give them more power, but there has to be an appeal. I leave that to the minister—if you think that that too might be worth looking at.

Mr Mario Sergio (York West): J'aimerais offrir mes congratulations à notre collègue l'honorable madame Meilleur pour l'introduction de la Loi 60. I will end my French speaking here, otherwise I may be accused that I speak French. Instead of doing that, I would really like to say that it's very timely, that it's a wonderful piece of legislation. I can see that it's being supported by the members of the House, and why not?

If we read the French version, it has a wonderful tone to it, la Loi 60, that our minister has introduced. While we say in English that it's the Ontario Heritage Act, in French we say « patrimoine de l'Ontario ». I think it's a wonderful word when we say « patrimoine ». It makes us more proud. It makes us think more of our physical, material past so that we can send it to our future. The lesson here is, "What are we sending to our kids in our

schools?" If we don't do it today, what are they going to remember tomorrow? Last week there was a wonderful article in the paper about a town in, I think it was Goderich or Tiverton or Kincardine, where this beautiful old home was burned down. It was destroyed, it was finished if it wasn't for the people of the area who said, "This is worth keeping." And they did. They managed to keep it, to restore it. It's a beautiful piece of Ontario history, of Canadian history. That shows why this bill is important, and that's why it has to be supported, to do exactly that.

Mr Dunlop: I'm very pleased to rise this afternoon to make a few comments on the great speech by my colleague from Kitchener-Waterloo, who is under some medical condition today, with I think a bit of laryngitis. As always she's had a great comment and a great speech. I liked the part of her remarks where she referred to the history of Kitchener-Waterloo and the Mennonite connection to that community.

Some of my comments are somewhat similar to Mr Prue's. I'm a person who has travelled a lot to St Jacobs and the Mennonite country and have always been intrigued by what I've seen in that area. I know that even today there's a Witmer's Garage just outside of St Jacobs. I took a picture to show Mrs Witmer. I can tell you, as we talk about heritage and culture, if you go into some of those little communities across our province—I'm not going to offend anybody but I'm going to say, for example, St Jacobs, Niagara-on-the-Lake, Cookstown. There's a lot more than that.

Mr O'Toole: Port Perry.

Mr Dunlop: Port Perry, Campbellville, there are lots of them around.

With some of the beautiful old homes, one of the things I'm most intrigued by is that in a lot of cases they have made them into bed and breakfasts, and they are very important tourist draws. Someone said earlier today how important it was that we keep our cultural heritage, not only for the fact we want to pass it on to our young people, but it's a great tourism draw as well as we look at the prospects of developing our great province even further down the road. I know there are literally thousands of beautiful bed and breakfasts across this province, and that was just the beginning of some of the comments I wanted to make on Mrs Witmer's great remarks.

Mr Marchese: It should be noted that I congratulated the member from York North, and I want to do the same for the member from Kitchener-Waterloo in terms of the role she played as well in helping to update the Ontario Heritage Act. You notice I'm being generous. But I did have one small observation. When the member from Kitchener-Waterloo talked about what you all did in 1992, you failed to mention that I, as the former minister in 1991, initiated the review of the Ontario Heritage Act.

Applause.

Mr Marchese: No, it's not necessary. It's just that when I am generous, you expect some generosity in return. It's like a reciprocity kind of treaty that we have

among each other, right? I recognize that the Liberals are refusing to acknowledge that all of you or many of you did some work, and that you in fact had introduced a bill—much of this bill.

So I want to recognize and thank you. I know that all they want to do is attack some of you who are in the business of simply saying, "We want to protect property rights." There are some among you, that's true. But the majority of you Conservatives are very supportive of this bill. Not one Liberal has stood up to say thank you for that. Why can't people be generous when you can be generous? We're having a love-in, almost, in terms of what the Tories did and what you are doing—failing to recognize what we did, but it's still a love-in, right? So please, be generous when you can.

1750

The Acting Speaker: In reply, the Chair recognizes the member from Kitchener-Waterloo.

Mrs Witmer: Let me begin by acknowledging my oversight to the member from Trinity-Spadina. My notes did not indicate that you had initiated the review. But I thank you and I congratulate you for doing that.

I also want to thank my colleagues from Glengarry-Prescott-Russell, Beaches-East York and Simcoe North for their comments.

I'm pleased to have had the opportunity to participate in this debate. I actually do have a touch of laryngitis, I will confess. Somebody has come to bring me some Halls, and I do appreciate that too.

I wanted to participate in this debate because, as I say, I have always had a keen personal interest in the history of our province, in the history of the communities in which I've had the pleasure to live over the years, whether it's Exeter, where I spent my childhood, or London, where I spent some time as a teacher and a student, and now in Kitchener-Waterloo.

We have very important historical heritage treasures in each one of our communities. If this bill is going to allow us to protect our past and do it more effectively, I think all of us in this House would certainly support that.

Hon David Caplan (Minister of Public Infrastructure Renewal): On a point of order, Mr Speaker: In light of the unprecedented co-operation that we have, I seek unanimous consent to have an immediate second reading vote on Bill 60.

Interjection: No.

The Acting Speaker: I heard a no.

The member has sought unanimous consent for second reading of this bill. Is there unanimous consent?

Interjection: No.

The Acting Speaker: No. Is there further debate?

Ms Laurel C. Broten (Etobicoke-Lakeshore): I want to comment on the comments from across the House. Certainly, our government does acknowledge the work everyone has done, because the heritage of this province belongs to all of us. It's great that there have been discussions on all sides of the House talking about why we need to protect the heritage of this province.

I want to highlight for Ontarians so they can know a little bit about what this heritage act does. In my own community of Etobicoke-Lakeshore, there have been some issues with respect to designation. The amendments to Bill 60, the amendments to the Ontario Heritage Act, deal with the issue of designation criteria by changing the existing act, which enables municipalities to designate property as cultural heritage, and as a result we don't have consistency across the province. One very good development in this new legislation will be the fact that we will now have objective, transparent criteria that will allow designations across the province so that each of us can feel a comfort level in our own community that those protections exist across the province.

Our Minister of Culture will develop standard designation criteria in consultation with stakeholders. I certainly look forward to having a consultation in my own community of Etobicoke-Lakeshore with those who have worked hard to protect the heritage in our community and to protect some very old buildings. Recently, in Etobicoke-Lakeshore we had a development of an old assembly hall. For those of you familiar with the community of Etobicoke-Lakeshore, we have the old psychiatric hospital, which is now the grounds of Humber College in south Etobicoke. If you have an opportunity to come to Etobicoke to see how those old buildings have been protected, it's a beautiful old community with a new community centre called the Assembly Hall. An organization that I have been long part of, the Gatehouse, which is the old gatehouse of the psychiatric hospital, is now a child abuse advocacy centre— all on the grounds of Humber College.

Certainly in Etobicoke we have a long history. We have participated in the events at the Gatehouse, for example, with Doors Open Toronto, where people have been able to come back and see the old historical buildings renovated. We've had some wonderful discussions with people who were nurses years and years ago at the psychiatric hospital, who have come forward and told us stories of what the old assembly hall and the Gatehouse were and how important it is to them to create that protected history in the community of Etobicoke.

Another significant issue for all of us concerned about protecting heritage is having control of demolition and being able to step in when we need to. Bill 60 also allows municipalities to have demolition control. Currently, demolition control can be delayed, but not prevented. Those of us familiar with the issues in the city of Toronto have heard of circumstances where that delay was not significant enough to protect historical buildings. The current allowance is a delay of 180 days, after which the owners may proceed. Unfortunately, we in our city have lost some historical buildings that were delayed, but not prevented. So 180 days is not always enough. Those of us who have been involved in community organizations and worked with communities, when you have a community coming forward to work together, 180 days may seem like a long time. But for volunteer groups to get

organized, find legal counsel, work to try to get the owners' co-operation, that is not always available there.

The new proposed amendments, if passed, will give municipalities the power to prohibit rather than delay demolition of the property. That would apply to all properties that have been designated and all new designations. It allows municipalities to have greater control over important community buildings and preserve that history in all our own communities. It provides an ability for the landowners to appeal decisions refusing demolition, but the burden now lies on them, rather than on some of our community groups who have worked hard over the past but were not able to act quickly enough to deal with the 180 days they were allowed.

Also, there are important proposed amendments in the legislation that allow the Minister of Culture to exercise powers similar to the municipalities to designate cultural heritage property of provincial significance in consultation with our Ontario Heritage Foundation. Again, these powers would allow the minister to step in. In those circumstances where it was felt that the province needed to intervene, an appeal process, again for the landowners, would be in place.

In light of the heritage in our province, I do want to spend a few minutes speaking to those in our community who have French as their primary language and talk a little bit about—I know my colleague has already talked about the name of this statute in French, but I want to highlight some of the important provisions that I see when we read the French explanation note in Bill 60.

« L'article 27 est modifié pour prévoir que le registre des biens que tient une municipalité conformément à cet article peut comprendre des biens qui n'ont pas été désignés par la municipalité aux termes de l'article 29. » Alors, pour moi c'est quelque chose de très important, que le patrimoine de notre province va pouvoir être prévu et protégé.

ADJOURNMENT DEBATE

HYDRO PROJECT

The Acting Speaker (Mr Joseph N. Tascona): It being 6 of the clock, pursuant to standing order 37, the motion that this House do now adjourn is deemed to have been made.

The member for Oak Ridges has given notice of dissatisfaction with the answer to a question given today by the Minister of Energy. The member has up to five minutes to debate the matter, and the minister or parliamentary assistant may reply for up to five minutes.

Mr Frank Klees (Oak Ridges): I am most disappointed that we have to be here at this hour but I do so because I am appalled at the conduct of the education minister when I put a very important question to him during question period today.

I want to start my remarks by reading a letter from Sue Fusco, who is the chair of a parent organization in York region called Stop Transmission Lines Over People, STOP.

1800

She wrote:

“Please relay to Mr Klees that I too was very disappointed with Minister Kennedy’s response today and what has been offered in writing to concerned residents.

“His letters state that he will be referring this issue to the Minister of Energy since it is not in his mandate. I find it appalling that an education minister does not feel the health, safety and well-being of students he is also responsible for educating are not in his mandate. Just as he deflected this issue in correspondence, he repeated the performance today. I find this offensive and irresponsible.

“The parents of St Monica students may offer the healthiest lunch possible, but an apple a day will never keep the doctor away under the above-typical exposures that the students and staff will be subjected to if this proposal is approved.

“Please find attached the school board’s new policy with regard to the distance that will be accounted for in siting new schools in the future.”

It’s interesting that even the school board has made the allowance now and introduced new policies that would ensure that a school is not sited closer than 200 metres from a corridor.

I am here today on behalf of the students, on behalf of the parents, on behalf of the staff of this school. I am challenging the minister not to interfere with the process but to assume his responsibility as Minister of Education to become involved in this process, to inform himself of the potential threats to the children who attend this school, to ensure that he becomes engaged in this process, to ensure that the Minister of Energy fully understands and that Hydro One fully understands, and to ensure that he brings to bear every authority he has as minister to ensure that these children are safe. No one is denying the issue of the need for additional energy supply to York region. This is simply all about ensuring that we have the safest way of providing that additional supply.

I’m calling on the Minister of Education to put aside his unwillingness to become engaged here and say, as minister, “I will use every authority I have to ensure that the facts are on the table.” Whether it’s Hydro One; whether it’s the Minister of the Environment, who ultimately will also have to make a decision about whether to respond to a call for a bump-up of the environmental assessment; whether it is York region, which has now been handed the responsibility of making the final decision about whether this corridor will be followed—regardless of who, at the end of the day, is going to make this decision—this Minister of Education has the responsibility to stand with the students and staff and

ensure that, first of all, the health and safety of those children are kept in mind.

None of us in this place ever wants to look back and say we can be accused of having turned a blind eye to something that can be so important to the future lives of these children who are attending these schools. There are studies available that call into question and clearly say that the effect of that corridor, the EMF that results therefrom, is responsible for doubling the chances of young people getting cancer—leukemia. Why should we deflect that? Why would the Minister of Education not assume his responsibility to become engaged in this debate? I challenge him to do that.

I know we’re going to hear from the parliamentary assistant, and I know that the parliamentary assistant will not give the same kind of trivial response that the minister gave earlier today.

Mrs Donna H. Cansfield (Etobicoke Centre): I’m pleased to respond, but I am responding on behalf of the Minister of Energy, Dwight Duncan.

First of all, I’d like to say thank you to the honourable member from Oak Ridges for his support for his community.

I want to start by indicating that the Independent Market Operator has a responsibility for determining the supply in an area. They’re charged with that responsibility. Hydro One is then charged with the transmission of that supply. Both of those boards have extraordinarily competent people, CEOs and chairs. I know you have as much confidence in the CEO of Hydro One as I do, because the previous government appointed that particular person, to fulfill their responsibility in terms of how they go about addressing that supply issue.

They have put in place discussions and consultations within that local community. They have very clearly articulated that they will not go forward with any of the proposals—and that’s all this is at this time, a proposal—unless the York council determines that they wish that proposal to go forward. They also can call for a full environmental assessment, and that is the responsibility of York council.

For us, it’s particularly important that those organizations, which the previous government had put in place, are depoliticized in terms of how they work with local governments. It’s important that they listen to the local government and those local constituents, and there is a process in place to do that.

So remember, first of all, that it is a proposal. It is not a done thing unless the York region itself asks for it and Hydro has articulated their position. But it is Ontario Hydro’s responsibility. They have a board quite capable of making those determinations. As I said, we have every confidence in the chair and the CEO of that board, as I’m sure you do because you put them in place.

The other thing is that they can call for a full environmental assessment; all they have to do is ask. The consultations are happening at the local level. The discussions are taking place. My understanding is that there was still another to take place. I don’t know if it has

occurred or will be occurring in Newmarket in the not-too-distant future.

I also truly believe that local people have the right to state their position in a local venue, to be able to make their determinations. That's why this government put in place the greenbelt legislation that is proposed and Places to Grow, because we need to understand what local democracy is all about. That is the kind of thing we want to do.

Really, it's not deflecting. It belongs within Hydro One and York region—and the people that it's impacting and affecting. It is a proposal. There is a process. What I suggest to you is that that process in fact can occur in a way that involves the people themselves. That's the part that's really important in all of this: that there can be a full understanding of the issues; not some of the issues but a full understanding. People have a right to that.

That is why, again, we passed a bill about openness and transparency, an opportunity for people to actually have a conversation—sometimes I get so distressed over the word “dialogue” or “consultation”—for people to just talk to each other about what is impacting their community and how they can go about resolving it, so that it's not always a decision out of what we used to call the Pink Palace but in fact it's a decision that's made locally, involving the companies there.

Again, I applaud you for bringing the issue here. I don't disagree that it is an important issue, but it really belongs within Hydro One and York council. They have the opportunity to discuss this proposal, to move forward with the community, to do a full-impact environmental assessment. I think we should be able to allow that local democracy to take place.

We have talked how many times about allowing the municipalities themselves to have more autonomy in what occurs in their area. Again, we could interfere, but we've really worked at depoliticizing, because it isn't our issue. It belongs to the two organizations that the previous government put in place to handle both supply and distribution issues. Then it works with the local utility.

So the process is there. I think we can allow that process to occur. I'm sure Hydro One will do due diligence, as they always have in the past.

I thank the member for raising the issue.

The Acting Speaker: There being no further matter to debate, I deem the motion to adjourn to be carried.

The House stands adjourned until 6:45 pm this evening.

The House adjourned at 1809.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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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
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Guelph-Wellington	Sandals, Liz (L)	Niagara Falls	Craiton, Kim (L)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Nickel Belt	Martel, Shelley (ND)
Haliburton-Victoria-Brock	Scott, Laurie (PC)	Nipissing	Smith, Monique M. (L)
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		Oak Ridges	Klees, Frank (PC)

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Oshawa	Ouellette, Jerry J. (PC)	Stormont-Dundas- Charlottenburgh	Brownell, Jim (L)
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Oxford	Hardeman, Ernie (PC)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
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Perth-Middlesex	Wilkinson, John (L)	Trinity-Spadina	Marchese, Rosario (ND)
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Sault Ste Marie	Oraziotti, David (L)	Windsor-St Clair	Duncan, Hon / L'hon Dwight (L) Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
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Simcoe-Grey	Wilson, Jim (PC)		
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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.

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