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Monday 22 November 2004

Lundi 22 novembre 2004

Speaker
Honourable Alvin Curling

Président
L'honorable Alvin Curling

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 22 November 2004

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 22 novembre 2004

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

TORONTO ARGONAUTS

Mr John O'Toole (Durham): It's a pleasure to rise in the House today to salute our heroes, the Toronto Argonauts, who yesterday defied all the odds to become the champions of the Canadian Football League in the 92nd Grey Cup, played in Ottawa. Last night in a packed Frank Clair Stadium, 51,242 fans watched as the timeless Damon Allen led the Toronto Argonauts to their first Grey Cup in seven years, winning 27-19 over the BC Lions. An estimated five million Canadians watched the game on television. The win was also historic in that Argos head coach Michael "Pinball" Clemons is the first black coach to ever lead a CFL team to a championship.

Closer to my riding, starting Argo wide receiver Andre Talbot, who attended Paul Dwyer High School, and his family, who still reside in Oshawa, had a strong game pride. He represents Durham region proudly. Congratulations are also in order to co-owners David Cynamon and Howard Sokolowski, who have done a remarkable job over the last year to improve the fortunes once again of a proud football team. As my daughter-in-law, Rebecca O'Toole, said—by the way, my daughter-in-law is manager of corporate relations—this season has been a Cinderella story. I might also add that our leader, John Tory, as a former CFL commissioner, shares in the pride of the comeback of the CFL.

I'd also like to note that our Premier has finally picked a winner and will be the recipient of grade A British Columbia beef, salmon and lamb. This truly is a momentous day for our Premier. However, the irony of Mr McGuinty's victory is not lost on those of us from the GTA who realize that he only had to pick a team from Toronto to be a winner.

Mrs Donna H. Cansfield (Etobicoke Centre): I too, on behalf of all the members of this House, join the member from Durham to say congratulations to the winners of this year's Grey Cup, the Toronto Argonauts. This is the fourth Grey Cup in 14 years, and it was won in spectacular fashion against the BC Lions last night in Ottawa. I was one of thousands of people who watched that game. I know there were over 51,000 folks in the stadium, but there were a lot of folks watching the game, sitting at home. Some of them should have been studying for exams but were watching the game anyway.

It was an incredible score, a rousing 27-17. Yay, Argonauts. It was just fantastic. So warm congratulations to the game MVP, Damon Allen, for his stellar quarterbacking, and also to head coach "Pinball" Clemons. I don't know if you've ever heard him speak. He's an incredible speaker, often to young people, and gives just a rousing speech to encourage young people to go ahead in the face of adversity and win, which is exactly what he did.

There is no question that the Premier will have to share some of that fine BC cuisine with caucus, I would suggest, since it's all of us who were together on behalf of the Toronto Argonauts. Congratulations again.

OMA AGREEMENT

Mr Garfield Dunlop (Simcoe North): I rise today to challenge the McGuinty government to start showing results when it comes to improving access to health care for all Ontarians.

During the election, the Premier asked people to, and I quote, "Choose change. Choose the health care you need." But what has the Premier delivered instead? He's failed Ontarians by introducing a health tax. He's failed Ontarians by delisting chiropractic, physiotherapy and optometry services. His latest health care failure is his government's inability to reach an agreement with the province's doctors. This is not what Ontarians expected from the man who crowned himself the king of health care during the last provincial election.

The McGuinty government lost significant ground on health care this weekend when their \$6.9-billion, four-year offer was rejected by nearly 60% of Ontario's doctors. Without an agreement in place, the Premier will find it very difficult to move forward on his so-called health care agenda; the "transformation" is what he calls it. An air of conflict will develop, forcing the Premier's focus away from keeping his health care promises—as if anybody would believe he'd actually keep a promise now.

So I urge the Premier and his health minister to clean up their latest health care mess by sitting down immediately with Ontario's doctors to hammer out an agreement that works for everyone. I think the citizens of this province are sick of paying more and getting less.

AFFORDABLE HOUSING

Mr Michael Prue (Beaches-East York): Today is National Housing Day, and today in cities and towns

across this country, people are standing up to voice their concerns about the lack of affordable housing. In fact, you don't have to go very much farther than the footsteps of Queen's Park here to see a couple of hundred people protesting the lack of government action and the fact that so many of our citizens are forced to sleep on the mean streets every night.

In communities across Ontario, citizens are calling upon this government to keep their promise to address the crisis of affordable housing in Ontario. Housing and homelessness issues go beyond those living on the streets, and housing advocates across the country have brought this to your attention. Over 158,000 families are on waiting lists for affordable housing in Ontario; that number has gone up under your mandate. Families are on long waiting lists and have to wait one to five years, in most circumstances. One out of every five persons is facing the frightening prospect of losing their home because of high rental costs.

It's time for the government to do something. There's a lot of talk about the deficit and about reduction on the government side of the House. Let's add the deplorable deficit of affordable housing to that list and make this the need and the priority that you should be embracing.

GILLER PRIZE

Mrs Carol Mitchell (Huron-Bruce): I'm very pleased to rise today to congratulate Alice Munro, who is regarded as one of Canada's best authors of short stories.

On November 11, she received for the second time the coveted Giller Prize, for her short story collection *Runaway*. The Giller award is given to outstanding authors who write Canadian fiction. Alice Munro is a world-famous author who happens to be from Ontario and lives in my riding. Ms Munro is only the second person to win the Giller Prize twice, and this short story collection has also been nominated for a Governor General's Award, Canada's highest literary prize.

Ms Munro often writes stories which reflect rural southwestern Ontario, and it is truly wonderful to have such an excellent author reflect the rural way of life in her stories.

Once again, let me congratulate Alice Munro on being such a successful author and a strong voice for Canadian literature.

1340

OMA AGREEMENT

Mr Jim Wilson (Simcoe-Grey): The competence of the McGuinty government is once again in doubt as members of the Ontario Medical Association voted to reject an offer proposed by this untrustworthy Liberal government. Our doctors have articulated an understandable vote of non-confidence in the McGuinty government's health care plan which has seen waiting lists soar and patients pay more as the government moves to privatize essential health services.

The majority of family physicians, older long-practising doctors, medical specialists and an overall 60% of Ontario's physicians rejected the government's OMA tentative agreement. Clearly, Ontario's doctors felt that this deal was bad for them and bad for the patients they serve.

With over a million Ontarians without a family physician, this vote of non-confidence by our reliable and accomplished doctors has to be seen as a defeat and a complete rejection of the Liberal health care plan. This government is making incompetent choices that are hampering their ability to attract and retain doctors. The defeat of the OMA agreement further proves that Premier McGuinty and Minister Smitherman are out of touch with the needs of our front-line health workers.

I congratulate our doctors for recognizing how hollow the Liberal health policy actually is and for remaining committed to providing Ontarians with the best access to health care and the best possible care. This government would be well advised to observe the concerns of our doctors and act quickly to ensure that Ontario continues to be an attractive place to practise medicine.

Bulldog Smitherman has been sent to the pound, where he belongs. You can't trust this government to deal fairly with Ontario's doctors, and they've sent this government a very strong message in that regard.

PIT BULLS

Ms Judy Marsales (Hamilton West): I have received many impassioned e-mails from various members of the general public regarding the pit bull issue. However, I am very, very concerned about some recent attacks, and I think these e-mails fly in the face of the reality.

Last week, we heard about a 12-year-old boy in Cambridge who was delivering newspapers with his mother. Both were victims of a savage and unprovoked attack. The boy's face was mauled, and his lip was almost bitten off and left dangling. The mother needed stitches and staples, and the boy, reconstructive surgery.

Today, we learned of another savage and unprovoked attack over the weekend in Hamilton. A nine-year-old boy was playing with the family dog, a pit bull, when it snapped and, in the words of the boy's mother, "went psycho." The boy was bitten on his ear, thigh, shoulder and buttocks and needed stitches. The boy's mother said it best when she said, "I've been defending pit bulls tooth and nail and saying it's the owner's fault, but not any more."

These are not isolated incidents. It seems that every week there's another attack. The solution is clear and it's before this House: Bill 132 would ban pit bulls. Over time, it would mean no more pit bulls and no more attacks like this one in Hamilton. Both of these attacks involve dogs covered by the definition proposed in Bill 132.

It's never been easy to make difficult decisions, but that's the essence of good leadership. I would ask the opposition to get on the side of these victims, and I

would ask them to get on the side of the community and community safety. And I would ask you to support Bill 132.

HEALTH CARE

Mr David Oraziotti (Sault Ste Marie): Our government has made record investments in numerous areas of health care in Ontario. We are working to improve our health care system so that it can better respond to the needs of Ontarians. That is why we're investing in nurses, home care, long-term care, public health and mental health. That is why we're moving on disease prevention and internationally trained medical graduates.

Let's not overlook what leaders in our health care community are saying. The executive director of the Registered Nurses Association of Ontario, Doris Grinspun, on funding for 1,000 nurses: "It's given them hope. I believe we are going to become the magnet province in this country."

The CEO of the Ontario Community Support Association, Joe McReynolds: "The government is to be applauded for not accepting the status quo in home care and for actively searching to see how clients can be better served in their local communities."

The executive director of the Ontario Federation of Community Mental Health and Addiction Programs, David Kelly: "We're ... excited that after 12 years the Minister of Health and the government of Ontario have recognized the need to support addiction and mental health programs ... in the community. It's fantastic."

The president of the Association of International Physicians and Surgeons, Uday Shankardass: "The establishment of IMG Ontario represents a significant step toward creating more opportunities for Ontario's internationally trained physicians to integrate into the health care system."

It's clear that, unlike the past two governments, our government is making significant progress in transforming our health care system to better serve Ontarians.

DANIEL IANNUZZI

Mr Mike Colle (Eglinton-Lawrence): It is with great sadness that I rise today to mark the passing of Canada's multicultural champion and media pioneer, Danny Iannuzzi.

Born in Montreal, Daniel Andrea Iannuzzi lived in Toronto for the last 50 years and died suddenly on Saturday, in Rome.

Mr Iannuzzi was the founder of the *Corriere Canadese*, the Canadian-Italian daily newspaper that just celebrated its 50th anniversary. He was the founder of the world's foremost multilingual television station, CFMT, in 1979.

Mr Iannuzzi, a third-generation Canadian, was a staunch and fierce voice for Toronto's and Canada's Italian community, but his contributions were not limited to the Italian community. He was a pioneer in multicultural communications. He was relentless in his efforts

to promote Canada, its people and its accomplishments. As his motto for his newspaper said, "Fiercely Canadian, proudly Italian."

His efforts to help bring Canadians of all walks of life together has often been celebrated, and he was honoured by being inducted into the Order of Canada in 1989. He became a member of the Order of Canada in 1990.

Dan, you accomplished so much. You helped make Canada a better place for us all, no matter what our country of origin. To your family, on behalf of the Premier and the entire Liberal caucus and all the members of the Legislature, our sympathies are with you. With a heavy heart, we say, "Arrivederci, Dan."

REPORTS BY COMMITTEES

STANDING COMMITTEE ON ESTIMATES

The Speaker (Hon Alvin Curling): Standing order 62(a) provides that "the standing committee on estimates shall present one report with respect to all of the estimates and supplementary estimates considered pursuant to standing orders 59 and 61 no later than the third Thursday in November of each calendar year."

The House not having received a report from the standing committee on estimates for certain ministries on Thursday, November 18, 2004, as required by the standing orders of this House, pursuant to standing order 62(b), the estimates before the committee of the Ministry of Transportation, the Ministry of Agriculture and Food, the Ministry of the Environment, the Ministry of Community and Social Services, the Ministry of Economic Development and Trade, and the Ministry of Northern Development and Mines are deemed to be passed by the committee and are deemed to be reported to and received by the House.

INTRODUCTION OF BILLS

BUDGET MEASURES ACT (FALL), 2004

LOI DE 2004 SUR LES MESURES BUDGÉTAIRES (AUTOMNE)

Mr Sorbara moved first reading of the following bill:

Bill 149, An Act to implement 2004 Budget measures, enact the Northern Ontario Grow Bonds Corporation Act, 2004 and amend various Acts / Projet de loi 149, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2004, édictant la Loi de 2004 sur la Société d'émission d'obligations de développement du Nord de l'Ontario et modifiant diverses lois.

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

Mr Sorbara?

Hon Greg Sorbara (Minister of Finance): During ministers' statements.

MOTIONS

HOUSE SITTINGS

Hon Dwight Duncan (Minister of Energy, Government House Leader): I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm till 9:30 pm on Monday, November 22, 2004, for the purpose of considering government business.

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

All those in favour of the motion, please say "aye."

All those against, please say "nay."

I think the ayes have it.

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

The division bells rang from 1350 to 1355.

The Speaker: Mr Duncan has moved government notice of motion number 228. All those in favour, please rise one at a time.

Ayes

Arthurs, Wayne	Flynn, Kevin Daniel	Racco, Mario G.
Baird, John R.	Fonseca, Peter	Ramal, Khalil
Bartolucci, Rick	Hardeman, Ernie	Ramsay, David
Bentley, Christopher	Jackson, Cameron	Rinaldi, Lou
Berardinetti, Lorenzo	Jeffrey, Linda	Ruprecht, Tony
Bountrogianni, Marie	Kwinter, Monte	Sandals, Liz
Broten, Laurel C.	Leal, Jeff	Scott, Laurie
Brownell, Jim	Marsales, Judy	Sergio, Mario
Bryant, Michael	Martiniuk, Gerry	Smitherman, George
Caplan, David	Matthews, Deborah	Sorbara, Greg
Chambers, Mary Anne V.	Mauro, Bill	Takhar, Harinder S.
Chudleigh, Ted	McMeekin, Ted	Tascona, Joseph N.
Colle, Mike	McNeely, Phil	Van Bommel, Maria
Cordiano, Joseph	Mitchell, Carol	Watson, Jim
Crozier, Bruce	O'Toole, John	Wilkinson, John
Delaney, Bob	Oraziotti, David	Wilson, Jim
Di Cocco, Caroline	Ouellette, Jerry J.	Witmer, Elizabeth
Dombrowsky, Leona	Peterson, Tim	Wong, Tony C.
Duncan, Dwight	Phillips, Gerry	Wynne, Kathleen O.
Dunlop, Garfield	Pupatello, Sandra	Zimmer, David
Flaherty, Jim	Qaadri, Shafiq	

The Speaker: All those against, please rise.

Nays

Bisson, Gilles	Hampton, Howard	Marchese, Rosario
Churley, Marilyn	Kormos, Peter	Prue, Michael

The Clerk of the Assembly (Mr Claude L. DesRosiers): The ayes are 62; the nays are 6.

The Speaker: I declare the motion carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

FALL BUDGET

BUDGET DE L'AUTOMNE

Hon Greg Sorbara (Minister of Finance): A few moments ago I introduced our government's fall budget

bill. That bill is designed to implement a number of key initiatives in our government's first budget.

As you will recall, our budget set out a comprehensive plan to transform health care, education, the economy and the business of government itself. We committed ourselves then, and we remain committed today, to a new era of openness and transparency in government, to renewed investment in essential public services, to stimulate a new generation of economic growth, and to build a stronger, healthier and more prosperous economy in this great province.

Nous sommes toujours engagés à établir une nouvelle ère d'ouverture et de transparence au sein du gouvernement, à effectuer des investissements renouvelés dans les services publics essentiels, à stimuler une nouvelle génération de croissance économique, et à bâtir une économie plus forte dans cette province extraordinaire.

1400

Earlier this month, I presented our fall economic statement and fiscal review. There were three main themes to the statement: first, that our plan to restore this province to financial health is right on track; second, that the Ontario economy is now gaining strength; and third, that the need for restraint is essential if we are to modernize public services, and indeed the economy itself.

This fall budget bill completes the legislative work to implement our plan to promote prosperity and improve public services. It provides for a number of investments in economic growth, including the phase-out of the capital tax, beginning on January 1, 2005. I should tell you that by 2008, more than 13,000 medium-sized corporations will no longer pay capital tax, and the tax would be fully eliminated by January 1, 2012.

We're investing in innovation. We're proposing to create the Ontario commercialization investment funds program. That program would provide some \$36 million in assistance to leverage up to \$120 million in new pools of seed capital for spinoff technology companies.

We're investing in our workforce. In the budget, I announced our plan to transform the Ontario apprenticeship system. We're proposing now to invest \$11.7 million annually by 2006-07 to expand the number of young people registering in apprenticeships to 26,000. Today, I am pleased to introduce the new apprenticeship training tax credit. That credit is going to encourage employers to hire and train apprentices in certain skilled trades. It would pay up to \$5,000 of an eligible apprentice's salary each year for three years. In short, that means good jobs and a better future for our young people.

We're investing in the north. The fall budget bill provides for the creation of the Northern Ontario Grow Bonds Corp. If passed, we will soon see emerging entrepreneurs from the north get access to the capital they need through low-interest loans that they can use to create more jobs in the north.

We're investing in seniors. This bill proposes the first increase to the Ontario property tax credit for seniors

since it was created 12 years ago, an increase of \$125, or 25%.

Ce projet de loi propose la première augmentation du crédit d'impôt foncier pour les personnes âgées de l'Ontario depuis sa création il y a 12 ans, soit une augmentation de 125 \$ ou, en d'autres mots, 25 %.

That, by the way, is \$125 more in the pockets of low- and middle-income seniors this year and every year. An estimated 685,000 seniors would benefit from the program, including approximately 33,000 seniors who do not currently benefit from that property tax credit program.

Finally, we are investing in the modernization of government itself. A couple of weeks ago, I announced that we would be working with the federal government to design a single federal tax collection system for both Ontario and federal corporate taxes. Today, I am proposing further modernization efforts with the elimination of some nine tax incentives.

For many years, we've seen a variety of tax credits and incentives designed to support various groups, individuals or areas of the province. Their goals are respectable. But too many of these tax credits are no longer serving their intended purpose, they have little uptake, or are not in line with our current priorities. Eliminating these tax credits will save the province some \$85 million over the course of the next four years.

Four of them—the graduate transitions tax credit, the workplace child care tax incentive, the workplace accessibility tax incentive, and the education technology tax incentive—together returned only \$1 million to Ontario businesses. In fact, when you do the accounting, it costs us almost as much to administer these tax credits as it puts funds in the pockets of those businesses.

In other words, the usefulness of these credits was wildly exaggerated by our predecessors, and we have better ways of supporting these goals. For example, while we intend to eliminate the graduate transitions tax credit, we're proposing to enhance the Ontario commercialization investment funds program. In other words, instead of paying companies to hire recent graduates, we'll be using the brainpower of those graduates to help create spin-off technology companies.

I want to tell you that underlying all of these initiatives will be a single, unifying commitment: our plan to build a stronger, healthier economy.

The fall budget bill represents a significant milestone toward achieving that plan. It's a long bill, admittedly. It's the first fall budget bill in two years. It has a number of technical measures to improve the efficiency and clarity of our tax system. I believe that every government should engage in that kind of renewal and clarification.

In fact, the bill has some 31 such measures in it that were left over from the previous administration because they were not able to pass their last budget bill. I want to assure the members of this House that we will be working with them to enhance everyone's understanding of all of the provisions of this bill. I would ask members of the House to give the bill due consideration and, when

it comes time, to cast a vote in favour of restoring Ontario's financial health and in favour of a much stronger economy.

The Speaker (Hon Alvin Curling): Responses?

Mr Jim Flaherty (Whitby-Ajax): The minister says at the end of his statement, "We will work with members ... to enhance their understanding of its many provisions." This is what he's talking about. This is the bill that he just introduced in this Legislature. My staff called his office about an hour and a half ago and asked for the decency of a review of the bill in the last hour and a half. We were told, "Oh, you know how the game is played." That is, you'll see it when you come into the Legislature. This is the openness, the transparency, the arrogance of this group opposite. This is the way they treat members of the Legislative Assembly.

He's right about one thing: It's a long bill. He said that it's a long bill; it has 31 measures in it. We'll have more to say about those measures as we go forward.

It is a serious matter. The economy of Ontario is a serious matter. This minister, this government, has now had a fall economic statement last year, a budget in the spring of this year, and another economic statement in the fall of this year. What do we hear? We hear that there is a plan. We look for the plan. Where is the fiscal and economic plan for the province of Ontario?

1410

Hon Mr Sorbara: Read the budget.

Mr Flaherty: Oh, I read the budget. The Minister of Finance says, "Read the budget." He says he's going to review programs, including the LCBO—read your budget, Minister—on page 27. We haven't seen it yet. Where is the review? Where is the plan? Where are the appointments? When are we going to see this review happen?

We're already in November 2004. You've been the government for 14 months. What have they done during the 14 months? Increased taxes by \$7 billion, the largest tax hike in the history of the province of Ontario. What is the result? He says that the economy is strengthening. Retail sales tax is down by more than \$150 million in his own fall economic statement. A strengthening economy: lower house sales; new housing starts are down. The Royal Bank says that new housing starts will be down 12% next year. This is what the Minister of Finance is proud of.

The people of Ontario do need a plan. They need a plan with respect to health expenses, a plan with respect to education expenses, a plan with respect to social services. But we don't see the plan. We hear platitudes, but we don't see the plan.

In health care, which takes up almost half the operating side of the budget, what do we see? We see a failed agreement with the physicians of Ontario. We see confrontation with the hospitals and the volunteers who serve on the boards of those hospitals across the province. We see conflict. That's what we see in health care in Ontario. We also see fewer services for the people of Ontario. Pay more, get less in health care after 14

months of this Minister of Finance, this Minister of Health, this Premier in Ontario.

In education, what do we see? We see a proposed hard cap of 20 students per class through grade 3—wasteful. We need literacy. We need numeracy. We need enhanced computer skills in Ontario. Where is the plan to accomplish what the parents of Ontario want?

In social services, what do we see? We see a decision in the Supreme Court on Friday saying that it's up to the politicians to address the very serious issue of our children with autism. Do we see anything happening here, any plan there? No.

There's failure at every important level of government, and those three—health, education and social services—are where the big part of the budget is. The Minister of Finance must know that. But what does he do? Of 31 proposed measures, none, that I can tell—I've only been able to look at this for about 10 minutes—deal with those fundamental issues to the people of Ontario. It would be something worth getting angry about were it not so sad, were it not such a letdown. The broken promises and then the incompetence, the failure to address the needs of the people of Ontario—these are very serious matters.

What about the border issues? Nothing has been done to help us at Fort Erie, Windsor and Niagara. What about the housing issues? What about our infrastructure? We must have infrastructure improvements if the economy in Ontario is to grow. Surely, that's part of this plan in the budget that the minister talks about. But there's no meat on the bones. It's just talk. It's just platitudes. The people of Ontario need more.

The Speaker: Before I ask for responses from the third party, I'd ask the government side to be a little bit more co-operative and let me listen to the third party's response.

Mr Michael Prue (Beaches-East York): I walked in here today and saw a little package on my desk, and I thought, "There must be a statement about to be made." It was the first that I had heard of it. So I went into the backroom and asked, "Do you have the full compendium of the bill, with all of the amendments?" This is what they handed me. So I've listened to the minister now for a few minutes, and I guess I'm going to have to respond. I'm a pretty quick study, I think.

I opened it up to a couple of the 35 or so things that are being changed. The first one that grabbed my attention was section 32.

This is a real beauty for anybody who thinks that your property is your own property. Section 32 says that the province of Ontario can now seize people's property from the Province of Ontario Savings Office under the privatization act of 2002. What this says is that if you have a safety deposit box that has now gone to Desmarais, that can be seized by the government if it is deemed to be inactive, and the contents of unclaimed safety deposit boxes from the Province of Ontario Savings Office can go directly to general revenue of the province. Talk about a cash grab. This is the most blatant

tax grab I have ever seen. Someone who does not, perhaps due to old age or infirmity or being outside of the country, even understand that the Province of Ontario Savings Office has been sold off and is now part of Desmarais is about to lose the entire contents of their safety deposit box to the Ontario government. That's just one section.

I had a chance to read a couple of others while I was listening to the minister, and I tried to listen to his speech. Here's another beauty: He's going to eliminate four what he calls tax incentives. The first one he wants to eliminate is the workplace child care tax incentive. This is the government that ran on a platform of having thousands and tens of thousands more child care centres. Instead of giving incentives for workplaces to have child care centres in them, which is very progressive, they take away the very money that is intended to do it; they do away with the program. Now, I know the amount was pretty small, but it could have been made bigger. That was the alternative: to make it better and keep the program in place. Instead, you get rid of the program on something you ran on in the last election.

The same thing is true of the workplace accessibility tax incentive. These are people who want to build and put in platforms so people in wheelchairs can get to work, who want to put in various devices so that the blind are able to read. This is an opportunity for people who are hearing-impaired to actually be able to work. This is an opportunity for progressive employers to do something about it. Now, I know the money is small, but what you chose to do was to do away with this instead of augmenting it. I sat here and I listened to member after member talk about the Ontarians with Disabilities Act and how that was going to help over 25 years, but here's something that can help right now, and it's being done away with. I can't believe you're doing this.

I went on to read some more. There are 31 tax measures which were left over from the previous government, and you say this; you blatantly say it. You condemn the Conservatives, but then you say there were 31 such measures in it that were left over from the previous government because they failed to pass their last budget bill. So instead of them acting like Tories, you act like Tories, because what you've done is you've adopted the Magna budget. You've adopted the Magna budget, right down to the very point. I stood in this Legislature, in this House, four times in the last several weeks—

Interjections.

The Speaker (Hon Alvin Curling): The member from Simcoe North.

Mr Prue: —documenting what is happening to a family in eastern Ontario, where they applied for a program to outfit their van for their disabled child. They did that, and I looked in here. You know, the government waffled all over and was deciding whether the computer was wrong or the program was wrong. Well, I want to tell you—

Ms Marilyn Churley (Toronto-Danforth): They didn't put it back in?

Mr Prue: No, they didn't put it back in. It's gone for good.

That's all I could find in 15 minutes, but I'll tell you, we're going to read this. There has to be a lot more horror in this bill than I've been able to find in five minutes.

Mr John O'Toole (Durham): Mr Speaker, on a point of order: I would seek unanimous consent to name the bill the Bart Maves bill.

The Speaker: Do we have unanimous consent? I heard a no.

DEFERRED VOTES

AUDIT STATUTE LAW
AMENDMENT ACT, 2004
LOI DE 2004 MODIFIANT DES LOIS
EN CE QUI CONCERNE
LA VÉRIFICATION DES COMPTES
PUBLICS

Deferred vote on the motion for third reading of Bill 18, An Act respecting the Provincial Auditor / Projet de loi 18, Loi concernant le vérificateur provincial.

The Speaker (Hon Alvin Curling): Call in the members. There will be a five-minute bell.

The division bells rang from 1420 to 1425.

The Speaker: Mr Sorbara has moved third reading of Bill 18. All those in favour, please rise one at a time and be recognized by the Clerk.

Ayes

Arthurs, Wayne	Fonseca, Peter	Pupatello, Sandra
Baird, John R.	Hardeman, Ernie	Qaadri, Shafiq
Bartolucci, Rick	Hudak, Tim	Racco, Mario G.
Bentley, Christopher	Jackson, Cameron	Ramal, Khalil
Berardinetti, Lorenzo	Jeffrey, Linda	Ramsay, David
Bisson, Gilles	Kennedy, Gerard	Rinaldi, Lou
Bountrogianni, Marie	Kormos, Peter	Ruprecht, Tony
Broten, Laurel C.	Kwinter, Monte	Sandals, Liz
Brownell, Jim	Leal, Jeff	Scott, Laurie
Bryant, Michael	Marchese, Rosario	Sergio, Mario
Cansfield, Donna H.	Marsales, Judy	Smith, Monique
Caplan, David	Martiniuk, Gerry	Smitherman, George
Chambers, Mary Anne V.	Matthews, Deborah	Sorbara, Gregory S.
Chudleigh, Ted	Mauro, Bill	Takhar, Harinder S.
Churley, Marilyn	McGuinty, Dalton	Tascona, Joseph N.
Colle, Mike	McMeekin, Ted	Van Bommel, Maria
Cordiano, Joseph	McNeely, Phil	Watson, Jim
Crozier, Bruce	Milloy, John	Wilkinson, John
Delaney, Bob	Mitchell, Carol	Wilson, Jim
Di Cocco, Caroline	O'Toole, John	Witmer, Elizabeth
Dombrowsky, Leona	Orazietti, David	Wong, Tony C.
Duncan, Dwight	Ouellette, Jerry J.	Wynne, Kathleen O.
Dunlop, Garfield	Peterson, Tim	Zimmer, David
Flaherty, Jim	Phillips, Gerry	
Flynn, Kevin Daniel	Prue, Michael	

The Clerk of the Assembly (Mr Claude L. DesRosiers): The ayes are 73; the nays are 0.

The Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Interjections.

The Speaker: Order. I'd like to hear the point of order.

ORAL QUESTIONS

OMA AGREEMENT

Mr John R. Baird (Nepean-Carleton): My question today is to the Minister of Health. It concerns the competence of his government, and it also concerns the abject failure of his understanding of and his relationship with Ontario's physicians. The overwhelming rejection of your health deal with Ontario doctors is a huge vote of non-confidence in you and in the McGuinty Liberals. The Liberal plan has been soundly rejected by the people whom Ontario families trust: our local physicians. Your health scheme is in ruins. Minister, will you now table your plan B in this House so that the people of Ontario can regain some amount of confidence in your ability to manage your department?

Hon George Smitherman (Minister of Health and Long-Term Care): I think the honourable member, instead of asking a question like that, should turn around and speak to the gentleman who sits behind him. What he'll find is a very quick lesson in history. The lesson in history that he would find is that doctors voted 75% against the first agreement that they came to a conclusion on with their government.

The fact remains that we're disappointed that the nine long months of negotiations that resulted in a unanimous agreement with the Ontario Medical Association bargaining team did not result in favour this past weekend as the results came forward. But our government, on behalf of Ontarians, remains very committed to the principles we fought for in that agreement: to drive more doctors back to underserved communities, to address the critical wait-time priorities that we have worked to do, and for the kind of comprehensive care that can assist people with chronic diseases to manage those diseases. We'll continue to fight for those principles in any arrangement.

Mr Baird: I say to the minister, the last time physicians in Ontario voted on such an agreement brought forward by that woman, they got 66% to vote in favour, so I wouldn't be too smug.

This is less a question of how our doctors will be paid and more a question of whether doctors can trust you and the McGuinty government. It's a question of trust and a question of credibility.

1430

Your motive, in attempting to back-end-load your secretive deal, was clear. You wanted to be able to brag and bully our nurses and health care workers into low-wage settlements at the same time as you were making a back-end-loaded deal with our physicians, with some

doctors getting as much as 36%. When you told Ontario doctors that the cheque was in the mail next year, they didn't believe you because they don't trust you.

Now that you've been caught saying one thing to our nurses and another thing to our doctors, would you now admit that honesty would have been the best policy?

Hon Mr Smitherman: What is an important message to send to Ontarians is that this gentleman is not a voice for Ontario's doctors. Ontario's doctors were at their posts on Friday, they were at their posts on Saturday and Sunday, and they're at their posts today, doing the hard work that they do on behalf of Ontarians, which we have a considerable degree of respect for, evidenced by the fact that we put significant resources on the table to address the nature of that work.

Our government's agenda with respect to health care is a comprehensive one. We're moving forward on a considerable number of fronts: reform to long-term care and more resources for community care in the form of home care. Primary care reform is an essential element of that, and we will continue to work with Ontario's doctors and others who are interested in reforming the nature of practice to address the realities. The reality, clearly, is that the status quo is not the acceptable circumstance, although it's what they campaigned for, and we're working hard to address it.

Mr Baird: Ontario's physicians don't need anyone on the opposition side to speak for them; they've spoken very loudly and very clearly about your competence and your government's trustworthiness.

The worst thing for working families in Ontario about the overwhelming rejection of this deal is that it shows just how out of touch you and your government are about the reality of health care on the front lines. We desperately need to train and attract new physicians to Ontario. Far too many patients and their families lack physicians, but your failed scheme clearly failed to recognize this reality. It's clear that you don't understand that one in 10 doctors in Ontario is over the age of 65. Minister, one in six doctors is facing retirement imminently, and your failed scheme failed to recognize the reality of their practice in Ontario.

Minister, don't you think you owe experienced, well-trained physicians, who have given so much to this province, an apology for your failure to acknowledge their reality in this scheme?

Hon Mr Smitherman: It sounds passing strange that the honourable member, who was part of a government that oversaw the growth in the number of communities in the province of Ontario underserved for physicians growing from 62 to 133 on their watch, should lecture us about training and attraction.

The reality is that as a result of our government's funding initiatives, the Northern Ontario Medical School will see 56 students go into classes next September. Incredibly, on our watch in just one short year we have managed to triple the number of spots for international medical graduate training to drive doctors into communities.

Interjections.

The Speaker (Hon Alvin Curling): The member from Simcoe Grey and the member from Durham, could you just come to order and stop shouting across the hall.

New question.

Mr Baird: To the same minister: I say directly to the minister, your review of history from the last millennium in Ontario isn't going to help one physician or one patient who desperately needs a family doctor in the province of Ontario.

Minister, I don't think it was, at the end of the day, a question of the bottom line in financial terms that caused your deal to crash and burn so badly this past weekend. Do you know what it was, Minister? It was the very professionalism of our physicians in Ontario that was an obstacle to this agreement.

Even the OMA has formally acknowledged what many physicians have already said publicly: that the language surrounding your secret side deal aimed at reducing prescription drugs for the frail elderly, for the disabled and for poor Ontarians was wrong, unethical and bad health care policy. Will you stand in your place and say that this scheme to go after our most vulnerable was wrong, and will you say that it will be dead on arrival when you rejoin the bargaining table with our physicians?

Hon Mr Smitherman: Here again, the honourable member doesn't take advantage of resources that are so close to him. If he would dare to speak to his seatmate, he'd find that the honourable member beside him is the one who first made the claim that Ontario's seniors in particular are the most overmedicated to be found anywhere in the universe.

In the preface to his question, the honourable member said that there's nothing in this agreement to address the realities for local communities. Why is it then that rural doctors voted 70% in favour of this agreement, and that 94% of medical students voted in favour of this agreement? As a government, we are working harder than that government did in providing more results in addressing the critical shortages of doctors. Evidence is there. International medical graduates—when we came to office, Ontario had the capacity to produce 65 IMGs annually and put them into practice in Ontario. On our watch, that tripled to 200.

Mr Baird: This all comes down to your competence and the competence of the McGuinty Liberals. You had no strategy to reach out to physicians other than to continue the bully, tough-guy approach that has been the hallmark of your tenure as Minister of Health.

Furthermore, one of the big reasons this deal crashed and burned was because physicians were concerned about the waiting times for their patients. Right in the middle of the ratification debate among physicians and providers in Ontario, your wait times guru, Dr Alan Hudson, let the cat out of the bag. Your chief waitlist guru said, "I can't promise that the McGuinty Liberals will get waiting times down by 2006."

Will you now admit that your failed scheme to reduce waiting lists was a big part of the failure of this agree-

ment, and that the agreement contained nothing to get waiting lists down in Ontario? Will you do us all a favour and take that to the bargaining table when you try to re-engineer this failed policy?

Hon Mr Smitherman: I think the honourable member would be wise to acknowledge that the \$107 million investment in wait times last week for 2004-05 has the very immediate effect of reducing wait times for Ontarians. For those Ontarians who have been waiting for cataract surgery, they immediately gain the benefit of a reduced wait time, from the fact that we're funding 2,000 additional surgeries this year alone for people with cataracts. It makes the point rather well that as a government we're working not only to address wait times by increasing volumes, but we're also doing the hard work that you failed to do as a government, and that was to build the capacity to properly manage wait times. Not only will we build that capacity; we'll put that information on a Web site and make it available to Ontarians, because in working with Ontarians and health care providers, we are committed to an agenda which drives more resources to wait times and gets doctors back into local communities.

Mr Baird: Physicians work in hospitals. Physicians see the scheme that you brought forward last week. You see, here's the math. Health care services in Ontario hospitals will be cut back by \$600 million, and your lame attempt to put in \$107 million will still see a reduction in hospital services by upwards of \$493 million.

The London Health Sciences Centre, with a 0.2% budget increase, is going to have to lay off nurses. These doctors need to work with those nurses.

The 1.8% budget increase in Ottawa is going to lead to closing emergency rooms. It's going to lead to closing surgical rooms.

That's why physicians voted so heavily against your deal. Will you now admit that this has been a complete failed policy, and will you table the full cost of this failed attempt so that we can have some transparency as we pick up the pieces from this mess that you've created?

Hon George Smitherman: It's interesting to watch the member, who so garbled the math of fiscal realities in the province when in government, continue the same theme now.

1440

Here are the facts on hospitals: \$700 million more from our government than their budget proposed for hospitals; the London Health Sciences Centre—Tony Dagnone, last week, after my speech to the Ontario Hospital Association, himself acknowledged that we are going to be able to do better than the projections that had been made in the London community; more than \$1 billion invested in Ontario hospitals since we came to power.

Only the honourable member opposite could portray a \$469.5-million investment, a half-a-billion-dollar investment, as a cut. That's the Tory math. That's the kind of math that resulted in Ontarians facing an enormous budget deficit, and that is what we're working hard as a

government to confront. The people of Ontario will not fall victim again to the kind of math that the honourable member brings forward.

Mr Jim Wilson (Simcoe-Grey): On a point of order, Mr Speaker: I want an apology from the health minister. I don't recall any deal by the OMA being rejected under the previous government—

Interjections.

The Speaker: Order. That's not a point of order.

Interjection.

The Speaker: Order, the member for Eglinton-Lawrence.

Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): Where's my apology? You closed two.

The Speaker: Order, Minister.

New question. The leader of the third party.

HEALTH CARE

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. My question concerns the mess your government, the McGuinty government, is making of our health care system.

This weekend, you completed your botching of the OMA deal with the doctors. Your health minister's arrogance, bullying and incompetence led physicians to reject the OMA deal decisively. Now ordinary Ontarians worry about the McGuinty era of health instability and what it means for them. With your doctors' deal in tatters, your high-sounding promises to reduce the doctor shortage and to reduce waiting lists and waiting times will be the next failure. Premier, what is your plan B? Is it the same as plan A?

Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): Let me just say at the outset how absolutely pleased I am with the efforts that are continuing to be made by our Minister of Health, George Smitherman, on behalf of the people of Ontario. In his words, nobody ever said this was going to be easy. But we are not defenders of the status quo, as the member opposite most assuredly is. We have a very comprehensive plan to transform the delivery of health care in Ontario. One part of that plan has to do with a new arrangement with Ontario's doctors. We look forward to continuing to work with our doctors in that regard. But we have a very broad, very comprehensive plan, and we will continue to move forward on the entirety of that plan.

Mr Hampton: Your new arrangement with doctors? They just voted it down, Premier. Hello. Here's your plan as it's been unfolding:

First, you whack lower- and modest-income people with a regressive and unfair health tax. Then you cut chiropractic, physiotherapy and optometry. Then you underfund our hospitals so that they start looking at cuts to basic health services. Then you boast about your plan with Ontario doctors, but it is decisively rejected.

Premier, do you have a plan to fix the health care mess that your government has created? If you have a plan, please tell us what it is. Is it the same as plan A, which just failed?

Hon Mr McGuinty: One of the concerns that Ontario's doctors continue to rightly express is the shortage of physicians in the province of Ontario. Here is what Dr John Rapin, president of the OMA, said just a couple of weeks ago: "As the OMA predicted at the time, 10 years later this decision in itself"—he's making reference to the NDP decision to cut medical school spaces—"bears much of the blame for the current shortage of all types of physicians in Ontario, including the one million patients who do not have access to a family physician."

If the member opposite would care to listen, I will tell him that we are opening up a new medical school in northern Ontario, so we'll have more medical school graduates in the province. I will tell him as well that we are more than doubling the number of spaces in residency programs for our international medical graduates, from 90 to 200. So if he wants to know what we are doing to move ahead to create more opportunities for doctors to be trained in the province of Ontario, that is what we are doing.

Mr Hampton: So far, you've talked about a medical school in northern Ontario. The Conservatives announced and reannounced that twice. That's nothing new. That is simply a repetition of what the Conservatives had as their scheme.

But your plan is in shambles. You boasted about it, your health minister boasted about it, and now the doctors have overwhelmingly defeated it.

Premier, what's your plan? Plan A didn't work. What's plan B, or is it the same as plan A? What's your plan?

Hon Mr McGuinty: The last time I checked, the sun is still rising in the east and setting in the west and families today are still accessing primary care and services being provided by hard-working Ontario doctors. But since they are interested in the balance of our plan, Speaker, I'll take the opportunity to enlighten them just a bit more in that regard.

We have funding in place so far for 2,400 new full-time nurses under our plan. We have a plan to create 150 new family health teams. We've already received applications, unsolicited, from 90 communities for those kinds of teams. We have a brand new vaccination program that will vaccinate more than two million children, saving families \$600 per child. We're expanding home care coverage in the province of Ontario. This is proceeding, by the way, notwithstanding the lack of an agreement with doctors, to cover 100,000 more Ontarians. We're improving care in our long-term-care centres, in our nursing homes. We'll make sure we have a nurse there on a 24/7 basis. When it comes to public health, we're increasing the provincial share of funding from 50% to 75%. We're expanding community health opportunities to cover 78,000 more adults and 7,000 more children.

I could go on at considerable length.

PRIMARY CARE REFORM

Mr Howard Hampton (Kenora-Rainy River): To the Premier, this is about primary health care reform. Remember when you and the Minister of Health used to boast about your plan for primary health care reform? This is what it amounted to: You were going to have a backroom deal with the doctors; meanwhile, you were going to ignore all of the other primary health care providers. It failed. It didn't work. The doctors said no. They rejected it.

My question to you is, do you recognize that if we're going to get real primary health care reform, you have to talk to the nurse practitioners, you have to talk to the nurses, you have to talk with the community health centres? Are you prepared to put together a plan where you talk to all the people and work with all the primary health care providers, or is plan B the same as plan A: talk to the doctors in a backroom and hope that that will work?

Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): It's obvious that the member opposite is not familiar with our concept of family health teams. I'll take the opportunity to enlighten him in that regard.

We have a plan to put 150 family health teams in place. As I just mentioned, we've received unsolicited requests on behalf of 90 separate communities so far with respect to family health teams. A family health team is a multidisciplinary team consisting of doctors practising in a team with nurse practitioners, nurses and other health care professionals. That's the whole idea behind our family health teams. As I say, we've already received 90 requests. We can and will proceed on those, regardless and independent of what we do with the OMA through our agreement with them.

Mr Hampton: Now you're talking about family health teams. These are the same family health networks that Mike Harris and Ernie Eves used to talk about. They're the same thing. They didn't work then, and now changing the terminology a bit isn't going to work.

Are you prepared to sit down and talk with the nurses and the nurse practitioners? Are you prepared to work with the pharmacists, nutritionists and mental health professionals? Are you prepared to work with the full range of primary health care providers, or is plan B the same as plan A: go back to the backroom with the doctors and hope that somehow that will work? What's your plan? Is plan B the same as plan A? Plan A has been rejected.

1450

Hon Mr McGuinty: I know the Minister of Health is anxious to get in on this.

Hon George Smitherman (Minister of Health and Long-Term Care): The honourable member obviously has a difficult time grasping that family health teams find their ideological roots in the community health centre movement—something that under our government in the last few weeks we've increased funding for by \$21 mil-

lion, with 10 new community health centre satellites formed in the province of Ontario—and that community health centres have helped to inform family health teams, which will be interdisciplinary. Last week, I had the opportunity to speak to nurse practitioners, to meet with Patricia Agnew, who endorses our government's agenda with respect to that.

As relates to the agreement that was up for ratification: Yes, certainly, it didn't enjoy the favour we had hoped, but 78% of doctors who work in community health centres supported it; 84% of doctors who work in health service organizations supported it; 94% of doctors who are medical students—doctors of tomorrow—supported it; 80% of doctors age 26 to 30 supported it.

The fact of the matter remains that in favour of the model of primary care reform that we are moving forward with, 150 family health teams will be built in Ontario. Already, 90 communities in Ontario have said, "We want to be part of this action."

Mr Hampton: I swear I just heard Ernie Eves talking about how wonderful the Conservative family health networks were going to be.

Minister, here is your record as Minister of Health: You've attacked hospitals; you've attacked chiropractic, physiotherapy and eye care; you went after the disabled, the poor, the frail and the elderly, and tried to take \$200 million out of their prescription drug coverage; and you said that you had the ingredients of a transformative deal with doctors, but now the transformative deal with doctors is gone.

I simply want to know from the McGuinty government: Does anybody over there have a plan? Plan A did not work. Does anybody in the McGuinty government have a plan B for working out an agreement on primary care reform?

Hon Mr Smitherman: It's always good in this House when the honourable member can stand up with enough amnesia intact that he forgets about the record of his party while in government. What was that?

Interjections.

Hon Mr Smitherman: Oh, apparently I've touched a nerve, because that party's record in government continues to haunt communities all across Ontario. Our plan is clear: family health teams, 150 of them. And 90 communities in the province of Ontario have already stood up and said, "We want to be part of this."

Interjections.

Hon Mr Smitherman: What are they? Not doctors working alone, not doctors working—

Interjections.

The Speaker: Order. I'm going to warn the member for Nepean-Carleton. The next time I may have to name you.

Hon Mr Smitherman: —not doctors working alone; doctors working in practice. In practice with whom? With nurse practitioners, with nurses and with pharmacists.

This is the plan that we're working to bring to the province of Ontario. Before fiscal year 2004-05 ends, we

will announce the first 45 of these, and communities all across Ontario will be the beneficiaries.

HEALTH CARE

Mrs Elizabeth Witmer (Kitchener-Waterloo): My question is for the Minister of Health. Today, a senior Liberal adviser from the Premier's office said that the rejected OMA deal was only part of your McGuinty health plan and that this overwhelming rejection doesn't change your plan. In fact, that person said plan B is the same as plan A.

Now, if that is the case, Minister, your government is dangerously out of touch with the challenges and the realities facing front-line health care providers in this province, as well as with what patients need and deserve. They need better access to care. They need shorter waiting times.

Starting with Bill 8, to the ongoing war that you have with hospitals, and now with the rejection of this OMA offer, your McGuinty health plan has been an overwhelming failure. I ask you today, what steps are you going to take to regain the trust of the health care professionals and the patients and get back in touch with what is needed in this province?

Hon George Smitherman (Minister of Health and Long-Term Care): The honourable member was the longest-presiding Minister of Health in the government. It's interesting that a party that was repudiated by the public, in part as a result of their efforts in this essential public service, now seeks to create the impression that they did well. The sad and pressing reality of their watch is that the number of communities in our province that were underserved grew from 62 to 133. We're working to address that, and we're working with vigour.

What is our agenda? Our agenda is the first investment in mental health in 12 years, \$65 million; our agenda is a \$103-million investment in home care to dramatically expand our capacity to address that; our agenda is to move from crisis to confidence in long-term-care homes, after you left those in a very, very sorry state indeed—

The Speaker (Hon Alvin Curling): Thank you. Supplementary?

Hon George Smitherman: —our agenda is primary health care reform—

The Speaker: Thank you. Supplementary?

Mrs Witmer: Minister, you don't have a response. By the way, the reason there are more underserved communities is because we expanded the designation to southern Ontario as well.

You know, you just don't seem to understand that your health plan has been a failure from start to finish. First you introduced Bill 8, a draconian bill, without any consultation—

Interjections.

The Speaker: Order.

Mrs Witmer:—which is an affront to physician independence. Then you introduced your health tax, despite promising people in the election that you wouldn't do so.

Then you said you would not privatize health services; today, we have chiropractic, eye tests and physiotherapy privatized. In fact, people are paying more today for less services. Then you promised to cut wait times and improve access to care—

The Speaker: Question.

Mrs Witmer: —instead you're in a war with the hospitals. Now we have this deal. I ask you again, Minister, this deal was rejected on Saturday. What steps are you now prepared to take to restore the trust and make sure you respond to the needs of the health care professionals and patients in this province?

Hon Mr Smitherman: I say, first off, that I'm incredibly proud of Bill 8. I think that Bill 8 will be seen, in the full light, as a bill that has dramatically altered our ability to protect medicare, to end two-tier and to keep outside our borders American providers who sought to come in and prey on our most vulnerable. I think Roy Romanow's comments stand in sharp contrast and with much more credibility than those of the honourable member. The member has made the point that on Saturday we had a result and today is Monday. Today is Monday, and across Ontario, doctors have returned to do the work they do. We appreciate the excellent work they do. We have commitments to return doctors to service in communities and to address wait times, and we will continue to advance these priorities on behalf of patients in the province of Ontario.

AFFORDABLE HOUSING

Mr Michael Prue (Beaches-East York): My question, in the absence of the Minister of Municipal Affairs and Housing, is to the Premier. Today is National Housing Day. People across this province are protesting the lack of affordable housing. In fact, you don't have to go any further than out to the front steps of Queen's Park to see many people from across Ontario reminding you that adequate shelter is a human right. They are devastated by your broken promises on housing.

I'd just like to remind you, Premier, of what you promised. You promised 20,000 new affordable housing units, but they are not being delivered. You promised rent supplements for 35,000 families; you haven't delivered on those. You promised 6,600 more supported units for people with mental health needs; you haven't delivered on that.

The Speaker (Hon Alvin Curling): Question.

Mr Prue: Meanwhile, 158,000 families are waiting for affordable housing. Mr Premier, when it's so clearly needed, why do you continue to break your promises?

Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): After the previous government abdicated responsibility for support of affordable housing for eight years, I'm glad to report that this government is back in the business of affordable housing. I want to commend any Ontarian who is sincere in their efforts to heighten the profile of this issue and to help us all understand that we have a shared responsibility when it comes to building affordable housing.

1500

Let me tell you what we've announced so far, because I'm sure my colleague opposite missed it. In Waterloo, 597 units have been announced; London, 104 units; Wellington, 94 units; Toronto, 895 units; Peel, 384 units; York, 118 units; Hamilton, 60 units; Peterborough, 90 units; Ottawa, 300 units; Kingston, 105 units. And we've just begun.

Mr Prue: Mr Premier, those announcements have been made not once, not twice, but at least 20 times in the last couple of years. Nothing has been built. That's the problem.

Almost three years ago, the federal government said they would match provincial dollars. I know you weren't there for the whole time, but they put forward \$700 million. To date, as far as I know, the province has spent \$1.2 million of that. People are sleeping outside. There were people sleeping outside last night in front of city hall, and in fact they sleep there every night. They want to know when you're going to keep your broken promises. When are you going to match the federal dollars that you committed to, when are you going to create rent supplements for those who need them, and when are you going to create supportive housing for people with mental illness or other special needs? If you won't announce it today, on National Housing Day, when will you announce it?

Mr Rosario Marchese (Trinity-Spadina): Where's the pecunia?

Hon Mr McGuinty: Again, my friend opposite asks, "Where is the pecunia?" We've invested \$65 million so far, announcing 2,747 units. I can also say that we are actively negotiating with the federal government when it comes to a joint effort to build more affordable housing in Ontario.

But in addition to housing—I know my friends opposite understand that this is a broader issue than just affordable housing itself—I'm pleased that we've been able to increase the minimum wage for the first time in nine years. I'm pleased that we've increased ODSP and welfare rates for the first time in a decade. I'm pleased that we've established a rent bank, as well as an emergency hydro fund. I'm pleased that we've ended the lifetime ban on welfare, in keeping with the Kimberly Rogers inquest. I'm pleased that we've restored the nutritional allowance for expectant mothers who find themselves on welfare in Ontario. I'm pleased as well that we've made the first investment in a dozen years in community mental health services. We have moved forward in those areas and will continue to move forward in those areas, as well as in the area of affordable housing.

EDUCATION

Mr Peter Fonseca (Mississauga East): I have a question for the Minister of Education. This past week you made an announcement about a new initiative, the Parent Voice in Education project. The purpose of this

project is to determine the best means by which to establish an independent body in order to give parents a stronger voice with regard to education issues.

The McGuinty government is committed to increasing transparency and accountability in government. Under the previous government, many groups felt excluded from the decision-making processes of the government. Can you tell me how the new Parent Voice in Education project will help rectify these accessibility deficits?

Hon Gerard Kennedy (Minister of Education): It is indeed a pleasure to acknowledge that for the first time in a number of years, parents will have control over their own voice in education. There was, it should be noted, an Ontario Parent Council in the previous government, but it consisted of the parents that the previous government was prepared to listen to. Instead, what we have said is that the parents in this province deserve better. They are an integral part of whether or not we will succeed with students in the future, and we have given them resources. We have taken parents who already represent thousands of other parents, and within a few months' time they will make a recommendation for a permanent council that will be representative of all parents in this province and will not have the guiding hand of government about who sits and speaks on behalf of parents in this province.

Mr Fonseca: I'm glad to hear that this new initiative will give Ontario's parents a voice at the table on education issues and concerns. My riding of Mississauga East is part of the Peel region school boards. Peel region is unique in many ways, and I'm particularly glad that many of their concerns will be addressed through this group.

Can you tell me what steps your ministry is taking to ensure that the selection process for the members of the Parent Voice in Education project properly represent all regions and demographic groups in the province?

Hon Mr Kennedy: It is important that we have representation from around the province. This is just a project group to start with, but it is one of the tasks that we put them to. We have a number of diversities in this province. One is geographic. So we have Anita Srinivasan from Mississauga, for example, to make sure that some of the faster-growing areas that have unique education challenges are directly represented.

We've also put to people that we need to have all parents to be part of this. So we deliberately made sure that there are parents representing some of the groups like recent immigrants, people with lower incomes, to make sure that we are truly trying to engage parents in their children's education.

We don't have any illusions that getting this started is going to solve this problem that has been around for some time, but it is more difficult, parents are busier, and the challenge for students is greater. We do believe that we have a tremendous talent here that finally is going to be tapped into, and that is the wishes and ambitions of parents on behalf of their children, working on a framework that really does represent them for the first time.

OMA AGREEMENT

Mrs Elizabeth Witmer (Kitchener-Waterloo): My question is for the Minister of Health and Long-Term Care. I was disappointed that you didn't share with us in this House, and people watching, your next steps: how you're going to make sure that you do develop an agreement that is going to go far enough to ensure that patients will have the health care they deserve, because Dr Rapin, the president of the OMA, said on Saturday, "This agreement does not go far enough to ensure patients will have the health care they deserve."

He went further and said, "The agreement contained no real incentives to keep the one in six physicians who are planning to retire in the next five years from retiring now." He said, "We need actions that will reduce wait times and improve access to diagnostic tests and treatment today."

My question to you, Minister, is extremely simple. There's a lot of anxiety in the province today, and I ask you today, can you make a commitment today that you will return to the bargaining table for further discussions in order that we can put the needs of patients first and foremost?

Hon George Smitherman (Minister of Health and Long-Term Care): The member, in her question, suggested that there was a lot of anxiety today in Ontario, and I'd like to suggest that her tone and temperament might have something to do with that, and that of her party.

The fact of the matter is—and I think it's important to remind Ontarians—that doctors were at their jobs yesterday and the day before and Friday, as they are today. Of course, we've got some work to do, and we'll get down to that.

The first step, as I've clearly indicated in the media over the weekend and I indicated very directly to Dr Rapin on Saturday morning, is that he and I will have a chance to have a dialogue about this—I'm not sure that is established yet, but it's our full expectation that that will take place this week—and it's a conversation that I look forward to.

Mrs Witmer: That answer is not totally reassuring. I think part of the problem, Minister, has been your lack of willingness to listen while you're doing consultations. In fact, you have usually acted before consulting. You failed to consult with health care professionals when you introduced Bill 8; you failed to consult with hospitals when you cut their funding and forced them to cut services; you failed to consult with chiropractors, optometrists and physiotherapists when you delisted their services; you failed to consult with Ontarians when you imposed your health tax; and now you are failing Ontarians by not delivering on your promise to improve access to health care and reduce wait lists.

I ask you one more time. This is a very important question, Minister. You can't continue to bully and be obstinate. Will you acknowledge that you should put patients first? Will you commit today that you will

continue discussions with the OMA and come back to the table as soon as possible?

Hon Mr Smitherman: For the honourable member to somehow pretend that the agreement that was on offer to doctors in Ontario didn't come as a result of consultation is a little bit absurd, particularly because the reality is that, for nine months, two negotiating teams—one from the province of Ontario and one from the Ontario Medical Association—worked together. The Ontario Medical Association negotiating team unanimously endorsed an agreement, and they took that to the board of the OMA, which put it out on offer to Ontario's doctors.

1510

Further, the honourable member asked me a question that I answered in the earliest question. She said, "Will you be in conversation with the Ontario Medical Association?" I clearly indicated that yes, it was my full expectation that, through the course of this week, Dr Rapin and I are going to have an opportunity to sit down face to face, and that's the opportunity I'm very much looking forward to.

Ontarians will know in that process that we continue to move forward with the agenda we have outlined: delivering doctors to local communities, addressing chronic disease management and making real progress on wait times.

ADOPTION DISCLOSURE

Ms Marilyn Churley (Toronto-Danforth): My question is to the Premier. Premier, November is Adoption Awareness Month. I want to read an excerpt from a letter you sent to the Coalition for Adoption Records, dated September 10, 2003. You wrote how you had voted in favour "of the proposed changes to adoption disclosure procedures"—that's my bill.

"I believe that, in the majority of cases, both adult adoptees and birth parents who have given their children up for adoption should be allowed access to their records.

"In my view, it is a question of human rights."

Your letter also referred to how there has been an almost unanimous show of all-party support for changes to adoption disclosure procedures.

Premier, given all of that information, will you agree today to act on that support and open up adoption records? Call Bill 14 for third reading and a final vote now.

Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): I can say that I have asked the Minister of Community and Social Services to closely examine this bill so that we can consider our options on this. It is no secret that I have been supportive of the direction that the member opposite has taken in the past, and we're going to find the best way to give expression to that support.

Ms Churley: The work that has been done by myself and members of the adoption community over the years—we have come up with the best system. There is no need to re-examine this. It has gone to committee. It is

time to move. As you know, because of its outdated laws, Ontario continues to violate the UN Convention on the Rights of the Child, which Canada ratified in 1996.

Current laws continue to put the lives of adoptees and their children at risk. Under this system, adoptees cannot get their family medical history until they show symptoms, when it's usually too late. Thus, it is impossible for adoptees and their children to take preventive action. People are dying, as we speak, as a result of those outmoded laws. My bill has just about been passed in the past.

Hon Dwight Duncan (Minister of Energy, Government House Leader): It's not about you, Marilyn.

Ms Churley: It's about the adoption community, I would say to the House leader who's screaming over there.

This bill has been up time and time again. Minister, it is just time to get on with it. It has been to committee. It has been brought back to the House under previous governments. Will you please just go ahead, stop this nonsense, House leader, and pass the bill?

Hon Mr McGuinty: The member opposite has some real history connected with this issue. I do not for a moment doubt her sincerity and commitment to this issue.

What I've asked our Minister of Community and Social Services to do as well is to take a look at the experience of that policy thrust in other jurisdictions, to see what lessons we might draw from that experience, to see if there's any way that we might improve the bill that was introduced.

Here's the good news: We're going to move forward with this. What we're trying to do is move forward in a way that is thoughtful and responsible.

GROWTH PLANNING

Mr Tony C. Wong (Markham): My question is for the Minister of Public Infrastructure Renewal. On Thursday, October 28, the McGuinty government announced the greenbelt protection plan. This proposed legislation would protect and preserve 1.8 million acres of land within the Golden Horseshoe. The need to protect our green space is immediate if we are to leave an environment that cannot only maintain but also sustain healthy communities for our children.

Markham is one such community. Markham is one of the fastest-growing communities in the GTA, with its current population of 230,000 expected to grow to 348,000 within the next 20 years. The rate of growth for Markham exceeds the national and provincial averages. As a result, there is tremendous pressure on Markham and a number of communities for the development of land. Will the greenbelt legislation consider, in tandem, protection of land and growth planning?

Hon David Caplan (Minister of Public Infrastructure Renewal): I want to thank the member for Markham for the question. I had the opportunity to attend in the town of Markham back at the end of July to talk about our

growth plan. We had over 300 residents of the town of Markham come and talk to us and say it was about time someone finally got on with the job of ensuring that we protect our environment and that we have an infrastructure plan that is going to meet the needs of some of those growing communities; it's time we had a provincial government that took a holistic approach. So absolutely, we are developing a plan.

In fact, we have proposed Bill 136, the Places to Grow Act, which, if adopted, would enable the province to develop and adopt these types of growth plans. If the plan is endorsed by this House, we intend to partner with the municipal sector, with our partners in the development industry and with NGOs in the environmental area. I'm going to expand much more in the supplementary, Speaker, but I can tell the member for Markham that this type of planning creates jobs, attracts investment and protects the environment, but most importantly, it improves quality of life.

Mr Wong: Attempts to curb urban sprawl do not have to mean an end to new communities. Specifically, what efforts will your ministry provide to assist communities such as Markham in achieving an environmental, social and economic balance so that business and growth will not be discouraged within our communities?

Hon Mr Caplan: An excellent supplementary. I've had a chance to meet with Don Cousens, the mayor of Markham. You will be very interested to know that we have identified, in our draft discussion paper Places to Grow, in downtown Markham a brand new town centre for the city of Markham as one of the emerging areas within the greater Golden Horseshoe plan. We plan to work to strengthen communities in which we live. We're going to develop real, positive change that will make Ontario strong, healthy and prosperous now and for future generations. The growth act takes a regional approach to growth planning that considers existing local opportunities and challenges like the one I mentioned in the Markham downtown core. It's a different kind of approach; it's holistic, and it's cross-ministry. But more importantly, where we're going to succeed, and where initiatives like the Toronto centre region failed under previous governments, is that we're working with municipalities to make sure we realize the kinds of communities that will ensure that Ontarians have a quality of life that is second to none.

HEALTH CARE

Mr Tim Hudak (Erie-Lincoln): A question to the Minister of Health: There is a growing stench of incompetence surrounding your handling of the Ministry of Health. By way of example, your health premium—one day a premium, one day a tax—doesn't flow directly to health care. You raised the tax and cut services to chiropractic, physiotherapy and optometry. You're strangling hospitals for funding, and your main tactic for stakeholder relationships is a choke hold. Hospital expansion projects are lining up outside your door all the way down

the hallway. And this weekend, the hallmark of your reforms, the big, keynote piece of your re-structuring, went down in flames, probably the biggest bungled file in recent memory. That fire didn't start yesterday; it started some time ago.

From your response to the member from Kitchener-Waterloo about when you're resuming negotiations, it sounds an awful lot like you took the weekend off. Tell us, are you returning to the negotiations immediately, as I understand the OMA is requesting, to get a deal and move forward?

Hon George Smitherman (Minister of Health and Long-Term Care): I can assure the honourable member that I didn't take the weekend off. Speaking about the word "incompetence," which was used in the honourable member's very, very language-laden introduction, I want to just read a comment. This is from Bill Murdoch: "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've been very, very clear: The Ontario Medical Association president and I had a conversation on Saturday morning. I indicated to him then, in a fashion that seemed very acceptable to him, that we would have an opportunity to sit down and meet this week. and that's what we're going to do.

1520

The fact of the matter remains that doctors in Ontario are at their jobs today doing the hard work they do on behalf of patients, for which we're appreciative. We do have some work to do, and we'll get doing that work. But it's only the honourable member who seeks to turn something into something that it's not.

Mr Hudak: Clearly, in question period, the minister's strategy is that a good offence makes a good defence. But you're not answering the basic question that's been asked of you time and time again: When are you going to sit down, sir, and enter into negotiations with the OMA? I understand the OMA is now calling for an immediate resumption of negotiations with the Ministry of Health.

You characterize it as all sunshine and smiles across the province of Ontario this morning. Sir, that is a most bizarre depiction. Doctors are continuing to find it attractive to practise in other provinces and other states. They're making their training decisions based on current agreements and contracts. Underserviced area communities are feeling greater and greater pressure. Doctors near retirement are finding no comfort in your words that you had a phone conversation in response on your weekend off.

Tell us, beginning tomorrow. Respond to the OMA that you'll resume negotiations immediately.

Hon Mr Smitherman: I'm pretty sure I wasn't involved in a weekend off when I toured the Ottawa Heart Institute on Saturday. I'm pretty sure I wasn't involved in a weekend off when I participated in a panel that was a think-tank that was working hard on health issues Saturday afternoon. I'm pretty sure I wasn't involved in a

weekend off when I attended the fundraiser in Ottawa for St Vincent hospital to celebrate the successful end of their capital campaign. And I would say to the honourable member that I did cheer rather loudly for the Argos last night. I make no apology for the work that I do in support of the great community of Toronto.

It seems to be the honourable member's agenda to try and create a crisis. We know that manufacturing those was the stock and trade of his party while in government. We will not participate in that.

The challenges that we must confront in Ontario's health care system are great, and we have a very, very good plan, a comprehensive plan. Many elements of it are already invested and others with more work yet to do. We're the first to acknowledge it. We're a hard-working government, and we will—

The Speaker (Hon Alvin Curling): Thank you. New question.

ACCESS TO LEGISLATIVE BUILDING GROUNDS

Mr Peter Kormos (Niagara Centre): A question to the Premier: You know that homeless people, their advocates and their friends protested yesterday evening in the front yard, the courtyard, of city hall. It's no surprise that, after having slept the night there, they arrived here at Queen's Park today assembled with the intention of pitching makeshift tents and spending the night so as to draw attention to the crisis and tragedy of homelessness. Half a dozen or so of those people have just been arrested, including Cathy Crowe of the Toronto Disaster Relief Committee. They've been charged with trespassing by Toronto police and taken into custody, it appears, at the instructions of somebody, because the police didn't act unilaterally.

Why are you, as the Premier, not making it clear that the environs of Queen's Park are open and available to those who will peacefully protest?

Hon Dwight Duncan (Minister of Energy, Government House Leader): On a point of order, Mr Speaker: Any arrest on the precinct would not be the responsibility of the government; it would be the responsibility of the Speaker. Therefore, it's impossible—

The Speaker (Hon Alvin Curling): The point of order is well taken. I hope that the question you're addressing is pertinent to the Premier. As the government House leader has indicated, the precinct of this place is governed by the Speaker. So I want to hear the final part of this question.

Mr Kormos: Premier, will you please stand and indicate that as Premier of this province, you expect citizens of Ontario to have access to the front of this building and the grounds in front of it for peaceful, democratic protests—

The Speaker: Order. Again, that question should not be directed to the Premier.

Interjections.

The Speaker: Order. The member for Toronto-Danforth, do you have a point of order?

Interjections.

The Speaker: Order. Member from Toronto-Danforth, on your point of order?

Ms Marilyn Churley (Toronto-Danforth): I understand my House leader has a point of order, but I rise on a point of order and that is directly to you, Mr Speaker: I'm asking you, the Speaker, to review the procedures of this place to make sure that the front of this building is open to the public. I know I can't ask you a direct question, but we've just had the modern-day—

The Speaker: Order. Order.

Interjections.

The Speaker: I'd appreciate that if you have a concern about that, you could address it after question period. I will not accommodate that as a point of order at this moment.

I'm going to have a new question. The question was out of order.

Interjections.

The Speaker: Order. Could you start the clock for me, please? It's much easier—

Interjections.

The Speaker: Order. It's much easier if you allow me to preside over the House. Quite often, members are indicating how it should be proceeding. I have just ruled on a point of order and I've just stated that that question is out of order. I'm going to take the next question of the rotation.

IMMIGRANTS' SKILLS

Mr Tony Ruprecht (Davenport): I have a question for the Minister of Training, Colleges and Universities. Over the last 12 months we've seen a flurry of activities emanating from your office, trying to help foreign-trained professionals gain access to trades and professions. In fact, over the last year, this government has done more in terms of opening the door than any previous government in the history of Ontario.

Employers play a particularly important role in this equation to get jobs for foreign-trained professionals. While many employers have a strong track record of recruiting highly qualified trained professionals, I've heard reports of several other employers who have failed to take advantage of this opportunity. Minister, what are you doing to engage employers as part of our strategy to reduce barriers for internationally trained individuals?

Hon Mary Anne V. Chambers (Minister of Training, Colleges and Universities): I thank the member from Davenport for that question and his acknowledgement of all of the work we're trying to do on the file for internationally trained individuals. There is no question that employers play a very important role in this file. There is no question that we need employers to be progressive in their thinking, in providing internships, and in fact in providing permanent positions.

We hosted a breakfast at the board of trade. I'm pleased to say it was a sellout. Over 250 employers were

there and are offering their support to our government in this regard.

We have also increased the funding for a program called Career Bridge. It's up to \$1.2 million in funding for internships, and I'm very pleased to report that they have increased the number of internships by more than 50% over their target for this year.

Mr Ruprecht: It's good to hear that the time is over when foreign-trained professionals are driving taxis or cleaning offices or delivering pizzas. I want to personally thank the minister for her personal role in this, because she has made a commitment to try to ensure that adequate jobs are for the having.

Minister, as you know, employers are part of our solution, as you just indicated. If an employer is interested in learning more about how they can take advantage of the skills of highly qualified professionals, can you tell us more information about how they can access those employers? How are those employers going to open the door so that these specifically trained individuals can actually get adequate and good jobs?

1530

Hon Mrs Chambers: My ministry has actually improved the Web site that we have for internationally trained individuals. The section is called Opening Doors and it's part of the Web site, edu.gov.on.ca. I would encourage them to look at that Web site and to get in touch with us to see how they can participate in this very worthwhile cause. Because this, in fact, is going to strengthen Ontario's economy for all Ontarians, not just for internationally trained individuals.

The Speaker (Hon Alvin Curling): That's the end of question period.

ACCESS TO LEGISLATIVE BUILDING GROUNDS

Mr Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: I seek unanimous consent for this House to entertain an emergency resolution debate and closure on that resolution at 6 pm that would direct the Speaker to permit peaceful assembly on the lawns of the Legislative Assembly.

Interjections.

The Speaker (Hon Alvin Curling): I was about to ask for unanimous consent, but I heard a nay.

Mr Kormos: On a point of order, Mr Speaker: With all due respect—and I'm going to be brief—you know now that people who had peacefully assembled on the front lawns of this precinct have just been arrested by metro police, clearly on the instruction of authority, and not unilaterally on the part of the police.

The Speaker: I thought you just addressed that and I had ruled on that. What's your point of order?

Mr Kormos: My point of order is that these people weren't committing any crime. They were peacefully assembled—

The Speaker: That is not a point of order.

Interjections.

The Speaker: Order. I'm going to ask the member from Niagara Centre to come to order, or else I'll have to name him.

The member for Nepean-Carleton on a point of privilege.

Mr John R. Baird (Nepean-Carleton): On a point of privilege, Mr Speaker: This is a point of privilege arising from the proceedings. You just mentioned a ruling that you gave, and I don't take issue with that ruling. As I recall, sir, that was a ruling with respect to a question asked in question period; it wasn't a ruling with respect to the right of people to peacefully assemble on the grounds of the front lawn of the democratic institution we know as Queen's Park. It was about question period, and it was about whether a question could be posed to the Premier.

I think the member for Niagara Centre brought up a serious and legitimate concern that followed your ruling that said that you, sir, in fact are the one who is ultimately responsible. We can't ask you questions in question period. I believe this is somewhat unprecedented with respect to people not being allowed to peacefully assemble on the grounds of Queen's Park.

The Speaker: I have ruled on that point. Will the member sit down, please. The member had asked for a point of order, which I have ruled out of order. There is no point of order of asking about a question to be asked at that time.

Ms Marilyn Churley (Toronto-Danforth): Mr Speaker, on a point of order—

The Speaker: Order.

Ms Churley: I'm sorry. I thought you were through with that. I'll wait.

The Speaker: No, I'm not through.

Interjection.

The Speaker: I'm going to ask the member again—I'm going to warn him one more time.

As I have said, I've ruled on that, and if there's a concern that you have, I don't think you have been denied any privilege whatsoever in this regard, and I would not rule it as a point of privilege.

The member from Toronto Danforth on a point of order.

Ms Churley: On a point of order, Mr Speaker: I'm listening carefully to your rulings, I really am. I'm just trying to sort out the best way to proceed with this.

Mr Speaker, I think you would agree with me that we're in a very serious situation here, and I would ask therefore for your direction in terms of your previous rulings around how we, as legislators from all of the parties, deal with this very serious issue where we have a nurse, who crawled into a makeshift tent, non-violently, and is arrested, along with others of the coalition, and dragged off to the police station.

There is something very, very wrong with this picture, and we need your direction then, Mr Speaker, as to how we as an assembly can properly deal with this. I hope that you will therefore, since you've ruled it out of order and we can't ask you questions, direct us as to how we can

deal with this immediately so we can take steps to, first of all, get the barriers off the front of the lawn, where they shouldn't be—I was noticing that today—but secondly, to make sure that this doesn't happen again and there can be peaceful assemblies on our front lawn.

The Speaker: On your point of order: I am available, immediately after this question period, to see me in my office in this regard. That's the proper way to deal with it, not to raise it in the House here and ask it directly to a member or a minister whose responsibility it is not. So if you have a concern about that, please see me in my office.

Mr Baird: Point of order, Mr Speaker: This is substantially serious for those of us in both opposition parties. I'd like to ask for a 15-minute recess of the House so that this matter can immediately be discussed.

The Speaker: Order. I thought I just stated the way in which we can resolve this. I've said that if you want to convene a meeting with me in my office, I'm quite available to do so, and the matter may be able to be resolved in that light. It's not a matter for the House to resolve.

Mr Baird: Point of order, Mr Speaker: I have asked for unanimous consent for the House to adjourn for 15 minutes so we can get some answers.

The Speaker: You ask for unanimous consent for the House to be recessed.

Do we have unanimous consent? I heard a no.

PETITIONS

CHILDREN'S HEALTH SERVICES

Mr Garfield Dunlop (Simcoe North): I have a petition to the Legislative Assembly of Ontario:

"Whereas there are approximately 23,000 children and youth in Simcoe county and York region who have special needs; and

"Whereas approximately 6,000 of these children have multiple special needs that require a range of core rehabilitation services; and

"Whereas children with multiple special needs (and their families) throughout the province access ongoing rehabilitation services that are critical for their development at children's treatment centres in their area; and

"Whereas there is no children's treatment centre in Simcoe county or York region. For families that can travel, the closest services are in Toronto; and

"Whereas Simcoe county and York region is the only area left in the entire province that does not have access to children's treatment centre services in their own area; and

"Whereas the Ministry of Health and Long-Term Care provided funding to the Simcoe York District Health Council for implementation planning for an integrated children's rehabilitation services system in December 2001; and

"Whereas the implementation plan was submitted to the Minister of Health and Long-Term Care in December 2002; and

"Whereas the proposal was reviewed and approved by the appropriate ministries in 2003, and in August the Ministry of Health advised the Simcoe county and York region district health council that the funding had been committed and would be available shortly;

"We, the undersigned, petition the Legislature of Ontario to release the funding for the children's treatment centre in Simcoe county and York region so that core rehabilitation services can be delivered to the children and youth in Simcoe county and York region."

I'm pleased to sign my name to that.

CHIROPRACTIC SERVICES

Mr Shafiq Qaadri (Etobicoke North): I have a petition here 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, Speaker, via page Eric.

1540

GASOLINE PRICES

Mr John O'Toole (Durham): "Whereas gasoline prices have continued to increase at alarming rates in recent months; and

"Whereas the high and unstable gas prices across Ontario have caused confusion and unfair hardship to Ontario's drivers, while also impacting the Ontario economy in key sectors, such as tourism and transportation;

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

"That the province consider an immediate gas price freeze for a temporary period until world oil prices moderate; and

“That the Dalton McGuinty provincial government petition their federal Liberal cousin to step up to the plate and lower gas prices by removing the GST on gasoline products and fix the federal Competition Act to ensure that consumers are protected and that the market operates in a fair and transparent manner.”

The member from Barrie-Simcoe-Bradford has a bill on this. I'm going to sign it.

HISTAMINE TREATMENT

Mr Michael Prue (Beaches-East York): I have a petition to the Legislative Assembly of Ontario. There are many people in the gallery here today to watch this. It reads as follows:

“Whereas the College of Physicians and Surgeons of Ontario retains their ban on histamine treatment, and continues to prosecute doctors who administer the treatment in contravention of Bill 2, amendment to the Medicine Act, 1991, of the province of Ontario, as well as chapter C-6 of the Canada Health Act, we request the intervention of the Legislative Assembly of Ontario;

“We, the undersigned residents of the province of Ontario, hereby petition the Legislative Assembly of Ontario to honour our rights to histamine treatment for our allergies, asthma, chronic fatigue syndrome and related immune dysfunction diseases by enforcing the above-mentioned laws on the College of Physicians and Surgeons of Ontario.”

I am in agreement with this petition, and I will affix my signature thereto.

TUITION

Mr Phil McNeely (Ottawa-Orléans): I submit this petition on behalf of the minister from Ottawa West-Nepean, Minister Jim Watson. It's for the students at Carleton University.

“To the Legislative Assembly of Ontario:

“Whereas the Ontario Liberal government took an historic step forward by funding a tuition fee freeze for two years; and

“Whereas a majority of Ontarians support increased public funding for colleges and universities, as well as reduced tuition fees; and

“Whereas increasing student debt through income-contingent loan repayment schemes or raising loan limits only increases the cost of post-secondary education for students from modest means; and

“Whereas per student investment in Ontario still lags gravely behind the vast majority of jurisdictions in North America;

“Therefore, we, the undersigned, supporting the Canadian Federation of Students' call to increase funding for colleges and universities and reduce tuition fees for all Ontario students, petition the Legislative Assembly of Ontario to reduce tuition fees for all students in Ontario, increase public funding for post-secondary education to at least the national average, and implement an upfront,

needs-based grant system for Ontario full-time and part-time students.”

I support this petition.

FREDERICK BANTING HOMESTEAD

Mr Jim Wilson (Simcoe-Grey): I have a petition to save the Banting homestead.

“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 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 endorse Simcoe-Grey MPP Jim Wilson's private member's bill, entitled the Frederick Banting Homestead Preservation Act, so that the homestead is kept in good repair and preserved for generations to come.”

I've received thousands of signatures from people in my riding and, of course, I endorse this petition.

CHIROPRACTIC SERVICES

Mr Jeff Leal (Peterborough): “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 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 and the government of Ontario.”

I present Evan, the page, with three petitions.

CHILDREN'S HEALTH SERVICES

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):

I'm very pleased to present a petition to the Legislature of Ontario which reads as follows:

"Whereas there are approximately 23,000 children and youth in Simcoe county and York region who have special needs; and

"Whereas approximately 6,000 of these children have multiple special needs that require a range of core rehabilitation services; and

"Whereas children with multiple special needs (and their families) throughout the province access ongoing rehabilitation services that are critical for their development at children's treatment centres in their own area; and

"Whereas there is no children's treatment centre in Simcoe county or York region. For families that can travel, the closest services are in Toronto; and

"Whereas Simcoe county and York region is the only area left in the entire province that does not have access to children's treatment centre services in their own area; and

"Whereas, the Ministry of Health and Long-Term Care provided funding to the Simcoe York District Health Council for implementation planning for an integrated children's rehabilitation services system in December 2001; and

"Whereas the implementation plan was submitted to the Minister of Health and Long-Term Care in December 2002; and

"Whereas the proposal was reviewed and approved by the appropriate ministries in 2003, and in August the Ministry of Health advised the Simcoe county and York region district health council that the funding had been committed and would be available shortly;

"We, the undersigned, petition the Legislature of Ontario to release the funding for the children's treatment centre in Simcoe county and York region so that core rehabilitation services can be delivered to the children and youth in Simcoe county and York region."

I support the petition and sign it.

YORK CENTRAL HOSPITAL

Mr Mario G. Racco (Thornhill): On behalf of the residents of York region, I present today to the House a petition requesting that the Legislative Assembly of Ontario support provincial funding for the expansion and renovation of York Central Hospital. The petition reads:

"Whereas each year thousands of York region residents rely on receiving timely access to high-quality health at York Central Hospital;

"(2) The capacity of our hospital to meet the health care needs of local residents is falling behind;

"(3) York Central Hospital has a plan. A plan that is supported by the local community and the Ontario Ministry of Health and Long-Term Care;

"(4) The community has already donated \$30 million to making the expansion a reality;

"We, the undersigned, submit 959 letters and post-cards and this petition to the Legislative Assembly of Ontario to approve this year the funding for the major expansion and renovation at York Central Hospital."

I support this petition and sign my name to it.

ONTARIO DRUG BENEFIT PROGRAM

Mr Gerry Martiniuk (Cambridge): To the Legislative Assembly of Ontario:

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

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

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

CHIROPRACTIC SERVICES

Mr Tim Peterson (Mississauga South): I have a petition from the people of Mississauga South.

"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 submit this to page Evan Odell, from Mississauga South.

1550

Mr Bill Murdoch (Bruce-Grey-Owen Sound): I have a petition 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 have signed this, and it comes from all over my riding.

AJAX-PICKERING HOSPITAL

Mr Wayne Arthurs (Pickering-Ajax-Uxbridge): I have some 235 petitions this afternoon.

“To the Legislative Assembly of Ontario:

“Whereas at the time the Centenary Health Centre and Ajax-Pickering hospitals amalgamated under the umbrella of the Rouge Valley Health System, a commitment was made by the Health Services Restructuring Commission that the communities of Whitby/Pickering/Ajax, according to the amalgamation agreement, would not lose a full-service hospital and would maintain all existing services; and

“Whereas municipal governments in the region of Durham have provided financial support to the Rouge Valley Health System on the understanding that Ajax-Pickering hospital would continue as a full-service hospital; and

“Whereas numerous service clubs and other organizations have also raised money in support of the expansion of the Ajax-Pickering hospital and services provided therein such as the maternity unit on the understanding that the Ajax-Pickering hospital would continue as a full-service facility; and

“Whereas the Rouge Valley Health System has changed its strategic plan without consulting its key stakeholders, such as the residents who use the hospital, the doctors, nurses and other professional staff that work within the system and the local governments and organizations that fund the hospital; and

“Whereas this has led to a decrease in the level of service provided by the maternity unit and the number of acute care beds;

“We, the undersigned concerned citizens of west Durham, petition the Legislative Assembly of Ontario as follows:

“That a full-service hospital with all the existing services at the time of amalgamation be maintained at the Ajax-Pickering site and new services added as the population continues to grow and age, as agreed to by the Ajax-Pickering General Hospital and Centenary Health Centre in the amalgamation agreement signed May 31, 1998.”

ORDERS OF THE DAY

ELECTRICITY RESTRUCTURING ACT, 2004

LOI DE 2004 SUR LA RESTRUCTURATION DU SECTEUR DE L'ÉLECTRICITÉ

Resuming the debate adjourned on October 20, 2004, on the motion for second reading of Bill 100, An Act to amend the Electricity Act, 1998 and the Ontario Energy Board Act, 1998 and to make consequential amendments to other Acts / Projet de loi 100, Loi modifiant la Loi de 1998 sur l'électricité, la Loi de 1998 sur la Commission de l'énergie de l'Ontario et apportant des modifications corrélatives à d'autres lois.

The Deputy Speaker (Mr Bruce Crozier): Pursuant to the order of the House dated November 17, 2004, I am now required to put the question.

Mr Duncan has moved second reading of Bill 100. Is it the pleasure of the House that the motion carry?

All those in favour, please say “aye.”

All those opposed, please say “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

The division bells rang from 1553 to 1603.

The Deputy Speaker: All those in favour, please stand one at a time to be recognized by the Clerk.

Ayes

Arthurs, Wayne	Fonseca, Peter	Pupatello, Sandra
Bartolucci, Rick	Jeffrey, Linda	Qaadri, Shafiq
Bentley, Christopher	Kennedy, Gerard	Ramal, Khalil
Berardinetti, Lorenzo	Kular, Kuldip	Ramsay, David
Bountrogianni, Marie	Kwinter, Monte	Rinaldi, Lou
Bradley, James J.	Lalonde, Jean-Marc	Ruprecht, Tony
Brotten, Laurel C.	Leal, Jeff	Sandals, Liz
Brownell, Jim	Marsales, Judy	Sergio, Mario
Cansfield, Donna H.	Matthews, Deborah	Smith, Monique
Caplan, David	Mauro, Bill	Sorbara, Gregory S.
Chambers, Mary Anne V.	McMeekin, Ted	Takhar, Harinder S.
Colle, Mike	McNeely, Phil	Van Bommel, Maria
Cordiano, Joseph	Milloy, John	Wilkinson, John
Delaney, Bob	Mitchell, Carol	Wong, Tony C.
Di Cocco, Caroline	Mossop, Jennifer F.	Wynne, Kathleen O.
Dombrowsky, Leona	Oraziotti, David	Zimmer, David
Duncan, Dwight	Peterson, Tim	
Flynn, Kevin Daniel	Phillips, Gerry	

The Deputy Speaker: All those opposed, please stand one at a time to be recognized by the Clerk.

Nays

Baird, John R.	Hudak, Tim	Ouellette, Jerry J.
Bisson, Gilles	Jackson, Cameron	Prue, Michael
Chudleigh, Ted	Kormos, Peter	Scott, Laurie
Churley, Marilyn	Marchese, Rosario	Tascona, Joseph N.
Dunlop, Garfield	Martiniuk, Gerry	Witmer, Elizabeth
Flaherty, Jim	Murdoch, Bill	
Hampton, Howard	O'Toole, John	

The Clerk of the Assembly (Mr Claude L. DesRosiers): The ayes are 52; the nays are 19.

The Deputy Speaker: I declare the motion carried.

Pursuant to the aforementioned order of the House, this bill is referred to the standing committee on finance and economic affairs.

STRONG COMMUNITIES
(PLANNING AMENDMENT) ACT, 2004
LOI DE 2004 SUR LE RENFORCEMENT
DES COLLECTIVITÉS (MODIFICATION
DE LA LOI SUR L'AMÉNAGEMENT
DU TERRITOIRE)

Mr Duncan, on behalf of Mr Gerretson, moved third reading of the following bill:

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

The Deputy Speaker (Mr Bruce Crozier): Mr Duncan.

Hon Dwight Duncan (Minister of Energy, Government House Leader): I'll be sharing my time with the member for Lambton-Kent-Middlesex and the member for Guelph-Wellington.

Mrs Maria Van Bommel (Lambton-Kent-Middlesex): I also am pleased to share my time with the member for Guelph-Wellington. I'm happy to be able to say a few words about Bill 26, the proposed Strong Communities (Planning Amendment) Act, 2004. This is a time for real, positive change in Ontario's communities, and our proposed legislation sets the foundation for that change. The proposed Strong Communities (Planning Amendment) Act, 2004, aims to strengthen our municipalities and create healthy and prosperous communities by, first, changing the Planning Act; revising the implementation standard for the provincial policy statement, which is our government's statement of its land use planning priorities; providing for the better protection of matters of provincial interest; and reforming an important aspect of the appeal process to the Ontario Municipal Board.

As you are aware, the Planning Act establishes the rules for land use planning in the province and describes how land uses may be controlled and who may control them. In December last year, this government took decisive action toward planning reform by introducing Bill 26, the proposed Strong Communities (Planning Amendment) Act, 2004. The bill proposes to make changes to the Planning Act that will improve the land use planning system by making rules clearer and more consistent, ensuring the process is more accountable and

transparent, and giving the public more of a voice. We are going to put the public first by opening up the planning process, allowing more time for public scrutiny, boosting environmental protection and better protecting the public interest.

1610

The public should have a voice in how their communities grow and prosper. They have let us know their concerns about uncontrolled development and gridlock. They have also told us there is a need for more protection of the environment and preservation of the province's water and food sources. They have expressed concern about the planning process, that it is not keeping pace with the reality of a shifting environment as a result of population expansion, immigration and land development.

We are fully committed to ensuring that the proposed changes address those concerns. The proposed changes will help address immediate concerns about where we live, the food we eat, the water we drink and the air we breathe. They will help address unwarranted gridlock and long-term effects on the environment, green land preservation and rural protection. They will help build strong, safe, livable communities for the people who live and work in those areas today and those who will live and work there in the future.

In some areas, development pressures have resulted in some applicants bypassing local councils and going straight to the Ontario Municipal Board. There have been concerns raised by the municipal sector, the general public and the media that local planning autonomy and the integrity of the local planning process has been compromised where the OMB has issued decisions which override the decisions of elected councils. Our proposed amendments to the Planning Act will prevent developers from launching OMB appeals on urban boundary expansions that are opposed by their local councils.

Municipalities and other stakeholders have asked that the OMB, as an adjudicator of appeals under the Planning Act, be reviewed. In discussions held this past summer, stakeholders and the public were asked for their thoughts on the role of the OMB in the land use planning process. Their suggestions will be useful as we work toward an enhanced framework for planning in Ontario.

Good planning is just as important to business and the economy as it is to the environment and to making communities more livable. The proposed reforms to the Planning Act are important components of planning growth.

The people of Ontario have let us know their concerns, and we are listening. They want livable neighbourhoods that offer them a choice of accommodation. They want to be able to walk to the corner store for everyday necessities or to a nearby subway or bus stop for a convenient trip to work. They want to be able to get to their destination without spending hours in traffic. They want a healthy lifestyle where they can walk along the waterfront on weekends or spend an afternoon in a nearby park with family and friends. In rural areas, investors and

farmers want to have planning consistency from township to township and county to county. They want to be able to plan for the long term with some surety.

Our government is proposing planning reforms that will make this vision a reality and shape how communities prosper and grow. The proposed Strong Communities Planning Amendment Act, 2004, is just the first step. We have a broad agenda for planning reform but, within that, our goal is clear. We want balance and we want fairness. We want certainty for our citizens and for all those who have a stake in land use planning, developers and environmentalists alike. We want certainty for Ontario's planning system to let everyone know what must be protected and what may be developed. This will make good sense for our communities and our economy.

Investors want to invest with confidence where there is a sense of stability and security.

This government is committed to providing Ontarians with safe, clean, livable communities.

The proposed changes to the land use planning system support those commitments. A strong land use planning system would first support strong communities by giving people the opportunity to participate in deciding how their communities will grow and prosper.

Second, it will enhance sustainable growth through a check on urban sprawl, gridlock and the loss of our valuable agricultural lands.

Third, we will provide certainty to development by changing the implementation standards to be consistent with provincial policies that the government and the public feel are critical for good planning.

And fourth, the act will protect the environment by allowing development only in areas where it can be sustained.

The McGuinty government is proposing the Strong Communities (Planning Amendment) Act, 2004, to manage the rapid growth occurring in many parts of the province and to provide the legislative framework for good land use planning throughout Ontario.

We want to be prepared for the growth and changes that will be happening, not only today, but well into the coming years. Over the next 30 years, we have been told that central Ontario is expected to grow by more than 3.5 million people. If this trend continues, much of that growth will consume the farmlands that now grow the food we eat. The government recognizes the cost of doing nothing to prepare for the growth that is coming to central Ontario.

In the past eight years, local land use plans have been ignored, resulting in urban sprawl.

We understand that well-planned, managed growth can only lead to strong communities. Strong communities lead to a strong economy. And a strong and prosperous economy depends on a government finally making the commitment and the determination to tackle urban sprawl.

If we don't do something now, we will have more cars and trucks on the road, longer commutes, more pollution and more gridlock. We know what damage these

elements will cause to the environment, to the quality of life we all aspire to and to our overall health and safety.

The proposed Strong Communities (Planning Amendment) Act, 2004, would give people a real voice in the way their communities grow and prosper. If the bill were passed, we would be strengthening the communities in which we live and taking a step toward providing Ontarians with a quality of life that is second to none.

This government knows how precious our wetlands, green spaces and rural areas are. We know their value to the well-being of our environment, to our health and to the character of our province. We all want and need to get involved in land use planning that is more than just short term and land use planning that takes into account the needs of all Ontarians.

In some sectors of this province, we are experiencing the consequences of uncontrolled development, and our communities have let us know this has to stop.

The proposed act also demonstrates this government's commitment to openness and transparency. We are delivering real, positive change that will make Ontario strong, healthy and prosperous. We are delivering the promise of safe, clean, livable communities and a quality of life that is second to none.

As part of the Strong Communities (Planning Amendment) Act, 2004, the government is proposing to change the implementation standards for the provincial policies. We are going to be providing municipalities the tools to control urban sprawl. And we are going to have more public input into the decision-making of planning.

1620

We need to protect our prime agricultural land. Draft policies will provide stronger protection for long-term purposes, and this is one of the things that we have heard many times, even through our discussions in the greenbelt. We talk about preserving lands for agriculture. Farmers need to be able to plan for the long term. So in order to do that, they need to have some surety that their governments at the provincial and municipal levels recognize that need for long-term planning.

We are trying to limit through this act the encroachment of settlement areas and urban sprawl on that agricultural land. The draft policies will offer high-level guidance on the potential impact of development activities. That would include development activities within the agricultural sector as well. Again, we hear about issues such as livestock operations, and so those too are taken into consideration within the new draft policies.

I would also like to speak for a moment on the issue of provincial interest. The province is accountable to its citizens, and the declaration of provincial interests is a means to ensure that the viability and strength of Ontario's communities are maintained. The declaration power is not new. It existed previously, between 1983 and 1995, and was rarely used. The government realizes that provisions of the bill would probably apply to matters already underway in order to protect the interests of the public.

As I said earlier, the bill here is intended to involve the public more in the issues of planning for their communities. We have heard repeatedly from people who are also very concerned about the impact of the Ontario Municipal Board on the decisions made by local councils. So in that respect, the Ontario Municipal Board and its abilities are also under review.

We are trying to develop a province that will be second to none, that will be livable for all those who want to be here, for those who are here now and for those who will come to us in the future. Thank you, Speaker.

Mrs Liz Sandals (Guelph-Wellington): I'm very pleased to rise to speak in support of Bill 26, the Strong Communities (Planning Amendment) Act. I'd like to speak for a while about a few of the items that are contained in this act.

I'd like to speak first of all about the issue of urban boundaries. I think we need to set the stage a little bit in terms of how things work. If somebody comes forward with a proposal for a large, dense subdivision, as things stand, quite properly, you can only build a subdivision inside what are known as urban boundaries.

In my riding of Guelph-Wellington, the city of Guelph is obviously an urban area. So if somebody comes forward with a proposal to the city of Guelph, it should be inside the boundaries of the city of Guelph—reasonable enough—or it could be in a settlement area within a rural municipality. In my rural municipality of Guelph-Eramosa, the village of Rockwood is designated as an urban settlement area. So if you want to build a subdivision in Guelph-Eramosa, it should be inside that settlement area of Rockwood.

The way things work right now under the existing Planning Act, a developer can speculate, can buy up land on the fringes of the urban area, on the fringes of the city, and say, "Well, this isn't really in the city, but I'd like to build a subdivision. It's next door to the city." The developer can come forward with a proposal to build a subdivision by extending the municipal boundaries, the urban boundaries, the settlement boundaries. If the municipality says, "No, we're not going to accept that. This is outside the urban area. It's outside the settlement area. No, you're not allowed to build this subdivision, even though you've speculated on the land," the way things stand right now, the developer can appeal to the Ontario Municipal Board, the OMB, and the OMB has the power to overturn the decision of the municipality and say, "Municipality, you're going to have to expand your boundaries and let this person, this developer, build their subdivision." We think that's wrong, because what that leads to is unplanned growth, on the fringes of urban areas, on the fringes of settlement areas within rural communities. We don't think the OMB should be allowed to overturn the quite proper decision of local councils. So one of the measures in Bill 26 will stop the practice of allowing the OMB to overturn quite proper local decisions about expanding urban boundaries just because some developer decided it would be a good way to make money. Bill 26 would remove the right of appeal to the

OMB by developers when they want the municipality to extend urban boundaries and the municipality has said no. That's one of the items in this act.

Another item that's in this act is the decision standard with respect to the provincial policy statement. What's in the provincial policy statement? Well, the provincial policy statement lays out within the Planning Act those areas which you might think of as provincial guidelines for good planning. It would cover things like managing growth properly, redevelopment of brownfields, intensification, protection of water sources, looking at protection of the most productive agricultural land from development, and in fact making sure that a municipality is required to have some land available for development. It covers a number of things that are provincial guidelines for how one should do appropriate planning right across the province.

The problem is this: While clearly it is the intent of this Legislature that the provincial guidelines for good planning for growth should be followed, that's not actually what the law says right now. What the law says right now is that municipalities "should have regard to" the provincial policy statement. Think about what that means. In law, "should" means something like, "It would be a good idea if you did this. It would be something that you could do," but it doesn't absolutely say that you have to do it. "Have regard to" means, "You should think about this, because it's a good idea." It doesn't say that you have to follow the guideline.

Essentially what the law says right now is that a municipality should think about paying attention possibly to the provincial guideline, which means that a municipality quite properly, the way the law is currently worded, can say, "Well, we have this proposal before us, and it doesn't follow the provincial guidelines. We sort of thought about it, but we decided not to follow the provincial guidelines." Under the current law, that's acceptable.

If Bill 26 is passed, the new wording is going to say "shall be consistent with." What does that mean? In law, "shall" means you have to. "Shall" means, "You must do this." Whatever it is you shall do, you must do it. "Be consistent with" means that you have to follow the guidelines. Whatever planning solution you come up with for the particular proposal needs to be consistent with, needs to be in compliance with the provincial guideline. What we're saying here is that instead of having the situation we have now, where we have a patchwork of compliance, where a municipality may follow the guidelines on some decisions and may ignore them on other decisions, what will happen if Bill 26 is passed is that every municipality must follow their planning process and the provincial policy guideline rules.

1630

We're also changing the timelines in the act somewhat to assist municipalities. Currently, the provincial Planning Act says that within 65 days of getting a proposal, a municipality must have a public meeting, and they've got to send out the notice for that meeting within 45 days.

Saying that there must be a public meeting about planning proposals and that you must give the public due notice of that are perfectly good ideas. The problem comes in with those deadlines, because what will often happen in a municipality is that they'll get a whole bunch of proposals that are tabled all at once and they simply don't have the capacity within their planning staff to deal with them all within those timelines set out in the act.

What we are proposing is that a developer can no longer appeal to the OMB just to move forward with the proposal if those deadlines are met. What we're saying instead, if Bill 26 is passed, is that the municipality can extend those deadlines to notify the public and to hold a public meeting. What we think is most important is that the municipality has an opportunity to do good planning, good preparation, a thorough examination of the proposal before they go to the public meeting. We think the important thing is not the timelines per se but the actual planning process and the public meeting where the public can get involved. So we're changing the wording around those timelines so a developer can't sort of go, "Gotcha," and move directly to the OMB.

Along with this and a number of other proposals which, as my colleague mentioned, will allow the province to step in when there is a provincial interest and will provide the minister with some authority to make regulations so that there can be a proper transition from matters being dealt with under the old rules to matters being dealt with under the new rules, Bill 26 will provide a more orderly process, which is in the public interest.

I think what is important about all this, regardless of whether or not you're somebody who needs to be concerned with the technicalities of the act, is that you need to be concerned with the principles of the act. The fundamental principle of the act is that we want to make sure our province grows in an orderly manner, that it is with due regard to important public interest, and that the public can get involved in the process, let their municipal councillors know what is going on, and give an appropriate level of autonomy to municipal councillors. So I will certainly be supporting Bill 26.

The Deputy Speaker: Questions and comments?

Mr John O'Toole (Durham): I do want to comment just for a moment before our party responds officially with our critic, Tim Hudak. I look at the Planning Act, having served on local council—it's really out of respect for the work that both local and regional or upper-tier governments try to bring to their people and to their constituents. It's long been a controversial issue, the policy statements by the provincial government. The NDP, in their planning, the Sewell commission report, started the debate some time ago, in the 1990s: the issue of the policy statement, what actions the local level of government had to take, and whether they would be consistent with the provincial policy statements or not.

Clearly, I think the current Liberal government is sort of social-engineering everything. I see this not only in this Bill 26, but in other bills, where they're sort of social-engineering, micromanaging, telling municipalities

and small-town Ontario what they can and cannot do. I see the same thing happening in the greenbelt legislation. There is no "one size fits all" for every small piece of property or municipality in Ontario. I still believe that this exempts the power of or threatens, certainly, the autonomy of local levels of government when it comes to following solid planning principles. Not to say that they shouldn't follow solid planning principles, but how can the minister sit in his big ivory tower in Toronto and tell small-town Ontario like Blackstock or other small communities—like Orono, for instance, is part of the greenbelt—and then refuse to give them any autonomy when it comes to what is inside the boundary and what is outside the boundary?

So I'm disappointed in this legislation. It's far too restrictive for government at the local level. It doesn't respond to the people's needs in the province of Ontario—once again, a government that tells you how to behave.

Mr Gilles Bisson (Timmins-James Bay): I have just a couple of comments. I guess one of the things that this bill does that I actually agree with and think is not a bad idea is that it undoes some of the harm that I think was done by the previous government around some of the changes to the Planning Act.

To my friends in the Tory opposition, I just want to say that I never liked the idea of shortening the amount of time that was required for the public to be able to indicate its displeasure or its pleasure with a particular aspect of the official plan of a municipality. The government of the day—and I understand why they did it—the Conservatives, said, "The Planning Act and everything around the Ontario Municipal Board takes way too long"—that was their thinking—"and what we need to do is to cut through the red tape. We've got to allow applications for development basically to just sail through the planning process as quickly as possible, so we can restore the economy of Ontario."

That sort of was the speech of Mike Harris; I remember those speeches. I understood what the government was getting at, if that's really where they were going, but the problem is that a lot of these planning issues are fairly complex and fairly controversial to municipalities. Often, people don't find out about these things until it's pretty late into the process. I've always been one who believed that at the end of the day you have to give people what is a reasonable and adequate amount of time to be able to present to their municipality or, if need be, to get to the Ontario Municipal Board. So far, of that part of the act, I think that makes some sense. Now, the thin edge of the wedge is how much time you should give somebody.

The other thing is, though, and I don't see it in this bill, and I'm not going to vote against it because of it, but the whole issue of introducing the threshold of what they call vexatious—what do they call it again? The Tory government put in place that if you made an application that was frivolous or vexatious, you would not have an opportunity to even get standing. You know, who the

heck is to determine what is frivolous and vexatious? Determined by one may not be the same for the other. I just thought that would have been something that could have been introduced in this bill.

Mr Wayne Arthurs (Pickering-Ajax-Uxbridge): I'm pleased to follow on the leadoff by the members from Lambton-Kent-Middlesex and Guelph-Wellington, and in particular, the comments around expansion of urban boundaries. I think it needs—I wouldn't say repeating, but can you add to the framework?

Let's understand, this involves primarily the developer-led official planned amendments that will expand or create new urban settlements. It doesn't in any way take away the rights of municipalities and their communities to propose through that process the opportunity, if they see it as appropriate, to expand their urban boundaries or to create new settlement area. That's led by the community. That's led by the local council or the regional council in a two-tier system or by a city in a single-tier scenario.

I want to give you just an example or two, in the bit of time we have, of situations where developer-led expansions and/or new settlement areas have cost municipalities hundreds of thousands, if not millions, of dollars. I want to go back a few years and use an example in the town of Whitby, where the town was not enamoured with the prospect of major expansion in Brooklin, at Highway 7 and Highway 12 in Whitby. They weren't enamoured by it because it would have demanded the delivery of expensive infrastructure, water and sewer capacity, so they turned down an application by a developer for growth of about 10,000 people.

The Ontario Municipal Board got hold of this, as a result of a developer-led proposal, and the OMB at that time actually approved a revised application for some 25,000 people without the engagement of the local municipality. Now, if there was an example of a pure abuse of the system, that was it. Brooklin is developing as a wonderful community, but the pressures on the local municipalities were substantive.

1640

Mr Michael Prue (Beaches-East York): I only got to see a few minutes of the comments, watching it on television downstairs, and I came running up, because I had expected the government to spend its full hour. Obviously, you didn't have an hour's worth of stuff, even combined among three people, to do that.

We have stated as a caucus in the past that, in fact, this bill is a good bill. I would commend the members for speaking in favour of the bill. But when it is my turn and opportunity to speak, I will be speaking of some of the reasons I am a little heartfelt about what went on in committee because, quite frankly, this could have been not just a good bill but a great bill. It would have needed only a few small, minor changes that would have protected the environment, that would have given municipalities a greater influence in how they handle the Planning Act, a few small changes to how the OMB might have operated, a few small changes that would

have decreased ministerial authority and brought the authority back into the bill and to those who are running the legislation.

Although I commend the government for its bill, I want to express again, and I will during my 20-minute speech that I hope to make later today, that I do wish to reiterate that the role of opposition is one of trying to make improvements, not always of opposing. The government should be spending a little more time, I believe, in listening to what those improvements or improved areas might be and, if they're in agreement, not necessarily voting them all down, as has been the case in far too many bills in this legislative session. I'm hoping they will listen and carefully act and do what is right, not only to have good legislation but to have great legislation.

The Deputy Speaker: Two minutes to reply, the member from Lambton-Kent-Middlesex.

Applause.

Mrs Van Bommel: I don't know what that clap was for, but I will jump to attention.

I want, first, to thank the members for Durham, Timmins-James Bay, Pickering-Ajax-Uxbridge and Beaches-East York for their comments. In particular to the member from Beaches-East York, I'm happy to hear any suggestions for improvement on this bill, and we are certainly open at this stage to continue to do that. I understand your concerns about the Ontario Municipal Board and can assure you that that is under review as part of the process that goes along with this bill.

I think one of the important things about this bill is the issue of consistency. As a farmer in my community, I have owned two farms in neighbouring townships. One of the issues that has always been a real problem for farmers was that when I wanted to do something on one farm, I had to check with the municipality because I couldn't be quite sure what the rules and regulations were going to be, compared to what I could do on another farm.

What that did in our area—and that's a consequence of the "shall have regard to" clause in the provincial policy statement—was that you had municipalities that were farmer friendly and you had municipalities that were not. What would happen was, farmers would all go to the farmer-friendly municipalities and you would have issues of a large number of livestock operations springing up in one municipality and not in another.

Consistency is very important for agriculture in terms of planning for the future. I see this bill, going back to the phrase "shall be consistent with," as giving us that.

The Deputy Speaker: Further debate?

Mr Tim Hudak (Erie-Lincoln): I'm pleased to respond on behalf of the official opposition as we set out on third reading debate of Bill 26.

I had the honour of addressing the Legislature on this bill, Bill 26, upon second reading. I don't have my notes on my desk of the exact date, but a few months ago this Legislature considered Bill 26 at its second reading and then went into committee to suggest improvements, which is right, as members of all three parties—my

colleague from Beaches-East York spoke about some amendments that he would have brought forward in his caucus to make an even better bill. I'd ask Beaches-East York if any of those amendments were accepted by the government.

Mr Prue: Not one.

Mr Hudak: So, sadly, not a single amendment from the third party to improve Bill 26, as it came back to the House for third reading, was accepted. I'm sure they had more than one amendment. They probably had a series, if I recall, of amendments to Bill 26, but unfortunately, every one of those amendments was voted down.

I'll ask Beaches-East York again, did you have any votes from the government members in support of the proposed amendments?

Mr Prue: Not that I'm aware of.

Mr Hudak: He indicates that he doesn't think so—not that he's aware of. Not a single member of the government found any of the amendments brought forward by the third party to be acceptable. I find it regrettable that there was no compromise at the committee. Surely there must have been one amendment, at the very least, that the third party brought forward that at least one member of the government caucus thought would improve the bill. I know Beaches-East York. I've served in the House with him and his colleagues for a number of years, and while I expect I wouldn't agree with all of their amendments, I would expect them to be reasonable amendments to the legislation.

Sadly, I need to say the same thing transpired with the amendments proposed by my colleague and then-municipal affairs critic, the member for York North. I do need to take the time, as part of my remarks, to commend the outstanding work of my colleague and actually my bench mate here, the member for York North. Certainly, York North had some personal challenges that we're aware of in the last year or so, and showed extraordinary strength and perseverance in her recovery and maintaining her duties as a legislator in this House and being on committee and bringing forward a series of very well-considered, well-worded and well-argued amendments to improve Bill 26.

My understanding of what happened at committee, though, was similar to the experience faced by Beaches-East York with his amendments: that while the members were polite enough to listen, which is appreciated to an extent, not one of the government members on that committee voted in favour of any of the amendments proposed by the official opposition to Bill 26. I know there were a considerable number of proposed PC motions and amendments. In fact, we have some copies of York North's arguments in support of those amendments. But as I said, not a single one was accepted by the members opposite.

I know my friend and colleague from Pickering-Ajax-Uxbridge—sometimes, with the Durham area ridings, which communities fall into which riding—

Mr Arthurs: Just think of it all as Durham.

Mr Hudak: We had the Durham Js, actually, as we used to call them, in the 1995 and 1999 elections. Well,

unfortunately, not all the Durham Js returned. A good number did return, which is appreciated by the official opposition. We lost an excellent colleague and friend who had represented that riding and served this province very honourably as our Minister of Finance, Minister of Education and Minister of Community and Social Services. I know she is doing very well in retirement, staying involved with politics but also probably enjoying some more time with her husband, Derek, and family.

But back to my point: I do appreciate that Pickering-Ajax-Uxbridge did vote in favour of one of my proposed amendments to Bill 27.

Mr Arthurs: The amendment to the amendment.

Mr Hudak: The amendment to the amendment. Sorry; he's right. He corrects the record. He amended my amendment, which we agreed to and put to a vote. While members of the opposition and the third party, if I recall, supported it, and Pickering-Ajax-Uxbridge did support it, sadly, the other members of the caucus did not. So I do appreciate the fact that he was helpful and tried to improve one of my amendments to then-Bill 27. But it's rare, and he's a bit of a rare creature in that caucus—I mean that in a very positive way.

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Mr Prue: He used to be a mayor.

Mr Hudak: Certainly, I think that because of the fact he was mayor of the beautiful community of Pickering for some time—I believe that's in Hansard from our discussions on estimates; the member talked quite a bit about his experience in municipal affairs. Maybe because of that background as a mayor and as a councillor, he understood that improvements needed to be made to Bill 26 and Bill 27 to better reflect the views of municipal politicians.

One sharp criticism that we in the opposition are making, and I believe it's supported by the third party, is the sad disrespect for municipal decision-making shown by clauses in a number of government bills.

Certainly there was a lot of lip service in opposition, from then opposition leader Dalton McGuinty, to support decision-making at a municipal level. There were certainly a number of promises, which we could enumerate, about enhancing the responsibility of municipal politicians, but actions to date in this Legislature—in bills, public comments and initiatives by the Dalton McGuinty Liberal government—have belied what they said in opposition.

They've done the opposite of what they committed to do. Sadly, that's a pattern. I think we ourselves have calculated about 37 broken promises, maybe more. You can go back to, "I won't increase your taxes," a broken promise. You can go back to "I'll stop all the housing on the Oak Ridges moraine," a broken promise, and reducing auto insurance rates by between 10% and 20%. We know all of these. We've talked about them in the Legislature. But if you pick out a theme among the broken promises, one such theme would be reducing, as opposed to empowering, the authority of municipal politicians.

I listened with interest to the comments by the parliamentary assistant from the riding of Lambton-Kent-Middlesex and her colleague the member from Guelph-Wellington, who seemed to indicate that this respects municipal authority. I'm going to argue the opposite: Bill 26 significantly restricts the authority of municipal decision-makers.

You made one point in terms of the urban boundaries of municipalities. Fair enough. I think that argument works in your favour. But the ability of the province, and particularly the minister, to declare a provincial interest in hearings before the Ontario Municipal Board without, if I understand and recall, any notice, without any reasons given, and bring those hearings back to Queen's Park to make a closed-door decision at the cabinet level runs completely opposite to empowering municipalities. I'll get into this in greater detail.

Certainly, when you change the language in Bill 26, with respect to the provincial policy statements, from "have regard to" to "be consistent with," this is almost a verbal straitjacket on municipal politicians and their flexibility, their ability to make decisions. I'll explore that a bit later. I spoke extensively about that in the second reading hearings of this legislation, and I know my colleague from York North did so similarly, but unfortunately there were no changes.

As I said, the member from York North brought forward a series of amendments—Beaches did as well—and not a single one was accepted by the government members, which means, in reality, that the Bill 26 we have before us at third reading is primarily the same creature that was before us a few months ago during second reading.

As such, I had a series of criticisms about the bill, as did my colleagues here and my colleagues in the third party. Seeing that these criticisms have not been responded to, not in a substantive way or in any way whatsoever, leads me to conclude that the government was not interested in listening to our suggestions on a bill that we criticized as being an inadequate response; a bill that is usurping additional powers from municipalities to take up the provincial level; and a bill, in combination with other bills like Bill 27, Bill 135 and Bill 136, that may have, whether it's intended or not, the consequence of significantly limiting development in the province of Ontario, whether that's on the housing side, whether that's on employment land, but limiting economic opportunities in municipalities, particularly small-town municipalities.

It's an interesting juxtaposition, too, in that the government has brought in Bills 26, 27, 135 and 136, sort of a series of bills, a family of bills, that take away power from municipalities, from municipal decision-makers.

Secondly, while the opposition proposed a series of amendments to both 26 and 27—and we will to 135 and 136 as well—not a single one was voted upon. I think that would make the average viewer at home, whether through Hansard or through television, who sees the government members voting unanimously—with the excep-

tion of Pickering-Ajax-Uxbridge on one occasion—against opposition amendments all the time, think that the votes were whipped, that members are not voting consistently with the views of their ridings. We don't think we've had a single Liberal member vote against a government bill on first, second or third reading, nor a single Liberal member vote against a government amendment, that I'm aware of, at committee, and, with the exception of Pickering-Ajax-Uxbridge, we're not aware of government members who have supported an opposition amendment to a bill.

The other day, Premier McGuinty and his Attorney General announced a democratic reform initiative to potentially change the voting system in the province of Ontario, perhaps, as the media reports indicate, as soon as 2007. Our leader, John Tory, and our critic, the member for Lanark-Carleton, I think responded rightly and said, "What really undermines people's faith in the democratic process is politicians who say one thing and then do something completely different when they're in office." We have certainly seen that from day one with the McGuinty Liberal government, that there is a series of broken promises. I know you'll have your reasons, explanations: It's not really a broken promise, or your hand was forced, or such. But I think if you ask the average woman or man on the street, whether it's in Beamsville or Fort Erie or Toronto or Kapuskasing, they're all going to say that one of the first things that pops into their mind about Dalton McGuinty is that he's a notorious promise-breaker, I think, the likes of which we haven't seen in this Legislature in a long time, certainly not in recent memory.

It's interesting that they're pulling authority away from municipalities under Bill 26, taking it to the provincial level, a level of government that has really not brought a lot of trust upon itself—in fact, probably the opposite, with all these broken promises. At the same time, they're launching a democratic reform initiative to try to get people more active in the political process. I suggest people would have more faith in the political process if politicians, particularly this group, kept their promises. If they saw some members of the Liberal government caucus occasionally voting against a piece of legislation, or occasionally voting in support of one of the amendments brought forward by the opposition or third party, they would say, "You know what? There's my friend from Peterborough. He's standing up for Peterborough, as opposed to toeing the party line." I don't mean to pick him out particularly, because I know there are a number of issues, including the floods in his area, that he's been fighting for.

I think there's a skepticism about the political system because they see, as some of my colleagues will say, the trained seals who will rise and vote, no matter what the occasion, in support of the Premier. A classic example of that was that a number of members said they were upset by the delisting of chiropractic care, physiotherapy and optometry under the budget, the infamous budget, where taxes were raised significantly under the guise of

improving health care. Certainly, people will be paying more for their health care and receiving less in services, particularly if they use a chiropractor, a physiotherapist or an optometrist. We had a number of members of the government caucus who said that they were opposed to that initiative, that they were going to fight that delisting, that two-tiered care that patients of chiropractic or physiotherapy or optometry now face. But despite that, when the vote was called, not a single member, not one single member of the government caucus, rose to object, to fight that proposal. So that's where the cynicism comes from.

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Certainly, I think a lot of municipal politicians, municipal leaders, are going to look with a jaundiced eye upon significant parts of Bills 26, 27, 135 and 136 and call into question whether they have faith in the current group of decision-makers to make the right call, when they have seen them backtrack on an enormous number of campaign promises and when they haven't seen any of the Liberal government members bucking the trend and voting for the ridings as opposed to the wishes of the party whip. If they really, truly were committed to democratic reform, to helping reform this institution to a greater extent, I would say that we would see members not always voting the party line. From this caucus, you've seen us express different views, depending on our personal perceptions or ridings, on different pieces of legislation before the House today. That's why, I think rightly so, AMO and municipal leaders have taken issue with large parts of Bill 26 and the overriding of powers of municipal leaders in favour of greater powers for the Minister of Municipal Affairs and his cabinet colleagues.

There's a number of areas that I will address in my remarks. First, the legislation is inconsistent with the goal offered during the campaign of empowering municipalities. In fact, it does quite the opposite in two—or more, but two—particular areas of great concern.

There's a concern expressed by some stakeholders to this bill, and it wasn't adjusted in any way that I'm aware of. By extending timelines for comments by municipalities, some stakeholders have said during public hearings, tension is removed from the system.

Third, the legislation, through the extraordinary powers of the minister, centralizes too much power in the hands of provincial politicians, at the loss of municipal politicians' making zoning or urban boundary calls. I think a grave concern is that this may result in the politicization of our urban planning system in the province. If local zoning issues or local bylaws are called up to the cabinet level, whether that's for a town the size of Mississauga or a town the size of Dunnville, a great concern is that it will be politicized at the provincial level and good decisions on local planning and zoning will not result because of these changes.

The fourth concern is similar: The legislation will take the openness of an OMB process, where there's a clear and open debate, discussion and decision—will take that more transparent process and put it behind the closed

doors of cabinet, where, if any information comes out, it's about 20 years later. So what went into a particular decision at the cabinet level will not at all be transparent to the stakeholders involved and, I think, unfortunately, will undermine the faith that active local municipal leaders, developers or citizens' groups have in our political system. Transparency, you would think, would be something this government would try to promote, but sadly, this bill takes that transparent process behind the closed doors of cabinet.

The fifth area of concern that we have expressed in debate in the Legislature and at the committee is that this is just another example of, "the provincial government knows best." Certainly, and I'll get into more detail, a number of bills show a very—what's a proper term for it?—interventionist approach that, if there's a problem in Ontario, then it can always be solved, first and foremost, by provincial legislation or action. I don't think the average person in Ontario agrees with that, that it is always the case that the province should act to address concerns directly, first and foremost, through legislation or regulation. There may be better spheres of decision-making; there might be better solutions to the problem.

Just a couple of examples that come to mind: In short succession, the Minister of Health came out and announced that he was banning sushi in the province of Ontario. That got a lot of strange reactions, not only here in the Legislature and in the press, but across the province, as to why it was a priority. That was followed, I think on the same day, by the Minister of Education coming out, beating his chest and saying he was going to ban gummi bears in the hallways of schools across the province, and of course the Attorney General's vehicle to get his face back on television was the pit bull ban which, by the way, like Bill 26, tramples on municipal decision-making and municipal authority. I'm not even clear that they have adequately answered AMO's concerns with this legislation. There are three examples of a paternalistic, sort of Dalton-knows-best approach to the issues of the day.

Many municipalities would simply say they have handled dangerous dog legislation for some time. Regional or county upper tiers could talk, I think very eloquently for a long period of time, about their ability to enforce public health guidelines. Certainly the important role of parent councils in determining what goes on inside or outside schools and what kind of activities to encourage seems to have been ignored by this government for a more activist, Dalton-knows-best approach. Bill 26 certainly fits that particular theme.

Another item I don't recall being addressed by my colleagues the parliamentary assistant or the member for Guelph-Wellington is the retroactivity of this legislation and impacting decisions that have already taken place and are moving before the OMB. Retroactive power is probably the strongest, and only to be used in extreme circumstances. So it's not at all clear why the government has moved in a number of pieces of legislation, including the so-called Adams Mine Lake Act, with such

fervour for retroactivity, basically changing the law that existed at the time of decisions to a new law today. Certainly that runs against a lot of democratic principles and seems to clash with this notion of democratic reform. I think it's an objectionable part of Bill 26, which we have raised in this Legislature.

I think there's a bit of fatigue, too, in the so-called swinging of the pendulum from municipalities. I think municipalities, all in all, would just like to have clear rules, clear lines of decision-making and then move forward with their local decisions based on provincial principles.

There have been a number of attempts at planning reform. I'll give you some background: in 1967, centennial year, MTARTS Choices for a Growing Region; followed in 1968 by Design for Development, another government province-wide planning initiative; of course, the Toronto-Centred Regional Plan of 1970 has some reference for Bill 27 and Bill 135, and we'll probably talk about that a bit later on; the Creation of Regional Governments in 1974; the Central Ontario Lakeshore Urban Complex of 1974; and then something I don't know much about, the Comay Planning Act review committee—I hope I pronounced that correctly—in 1975; the Planning Act white paper of 1979, another round of consideration and consultation; the new Planning Act of 1983; in 1992, the GTA Vision—Nodes and Corridors; the infamous Sewell commission of 1993, which created a great deal of debate inside and outside this Legislature because of the top-down, province-knows-best approach, which we're seeing repeated in many respects in Bill 27.

I talked about this in second reading debate, and I haven't heard anybody counter the argument: The thickness of restrictions on planning we saw in the Petersen-Rae days, the limits on municipal decision-making, the limits on the ability of land to be put into housing or employment were so restricted, among other things, including significant increases in taxes, that the development industry in Ontario was pretty close to death as a major employer, a major source of good, well-paying jobs, a major source of revenue growth for municipalities and an important place to house our young as they move out of home for their own home and immigrants coming into Ontario because they want to live and work in this leading province. But the industry really had been strangled by overregulation, an overburdened province-knows-best framework coming down on municipalities.

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As such, in 1995, when the Mike Harris Conservative government was elected, that was one of our targets, to try to bring back balance on local planning issues. As a result, we've seen the biggest boom in the housing market, in the development market. In fact, what probably kept us alive through some very difficult times post-9/11 was the strength of that industry.

Our initiatives in that regard—I remember Bill 163 and the comprehensive set of policy statements in 1995, and then Planning Act reform, Bill 20, in 1997. Under Minister Hodgson, the Smart Growth planning process began—the central Ontario panel, for example, in 2003.

A large part of that, I think, underlies my colleague the Minister of Public Infrastructure Renewal's planning-for-growth approach, entitled Places to Grow. There are some things that I'll argue with the minister about in that regard, but I think an important portion of that was the work of Minister Hodgson, and after him Minister Young. Then of course in 2003 we had the planning act, Bill 26; of course Bill 27; and now about three weeks ago Bills 135 and 136 in these two areas. And we do anticipate something from the Minister of Transportation in the near future for the Greater Toronto Transportation Authority, to talk about where the future transportation corridors are going to go.

So it's certainly a very active file by the McGuinty government. I do believe there is some fatigue in the pendulum swinging back and forth from the municipal sector in particular, and not only that fatigue, but I believe there is concern that we're going back to the Peterson-Rae days of heavy burdens coming down from the province restricting local development decisions and local decisions by municipal politicians.

One area that I had spoken about as well was the importance of having the provincial policy statements out as part of the Bill 26 consultations. You may recall that under the previous Progressive Conservative government we began consultations and updating the PPS in 2001, I think, as part of a five-year review; extensive consultations with the public, municipalities and other stakeholders. There was input by diverse stakeholder groups indicating, overall, that the structure, length, and layout of the PPS were generally sound. It provided some suggestions for some revisions to the PPS, including a bit more direction for policy areas in the environment, Smart Growth, and the balancing of provincial interests. The process began under our government. A new government comes in and they want to make changes or take credit for the work that was done previously. It would have been ideal to have the full PPS going hand in hand with the Bill 26 consultations. If you're asking municipalities to be consistent with the PPS, it would have made sense for municipalities to know exactly what they said. So it's a bit regrettable that the PPS were not out there at the same time with the committee for consultations, but we will move on from that.

To an extent, it was a bit of the cart before the horse, asking municipalities to agree to a very stringent set of rules to be consistent with the PPS at all times. Even municipalities will tell you of a number of areas where the PPS will likely conflict, so how you can be consistent with two conflicting provincial policy statement items is something I guess municipalities will have to wrestle with. I know that AMO has shown a concern about using the language of "consistent with" as opposed to "having regard to," or some sort of compromise language that may not have then bound the municipalities or given them unrealistic marching orders to be consistent with PPS that could be in conflict.

I know my colleagues talked a bit in their opening remarks on third reading of Bill 26 about the importance of protecting green space for generations to come. It's a

goal that we in the official opposition share as well. I'm very proud to have been part of a government that brought in Lands for Life and Living Legacy initiatives, which was the greatest addition to parks and protected areas in the history of the province of Ontario and, I think, above and beyond all of the provinces.

Mr Ted Chudleigh (Halton): It almost doubled the land.

Mr Hudak: My colleague from Halton says that it practically doubled the land under permanent protection. I will say that my colleague and friend from Halton should know of what he speaks, because he has been a leader in our caucus in this regard, for his personal work in promoting the Great Lakes Heritage Coast, for example, and his consultations in developing that plan for long-term—well, permanent—protection and enhancement of the coastline along our Great Lakes.

Mr Chudleigh: Not just the zoning, but enacting a piece of legislation.

Mr Hudak: He says not simply zoning, but actually enacting that legislation, putting a plan into place with some funding as well. So not just simply dictating to municipalities “thou shalt” through simple changes in the Planning Act, but actually putting forward a well-thought-out plan backed up by funding to make sure the Great Lakes Heritage Coast would be a success for generations to come and, in fact, in perpetuity. So I commend my colleague from Halton on that.

With respect to Bills 26 and 27, if you were really concerned about protecting green space similarly in perpetuity, then you would put some money where your mouths are. You wouldn't confine yourself simply to land use approaches, to regulation from cabinet down, but you would actually have the economic levers moving hand in hand with the zoning changes. You would have your plan for highways, roads, hydro corridors, where they're going to go, laid down on top of the greenbelt, for example. You would have your plan to support farmers to make sure that land in production currently stays economically viable and, in fact, gets better.

As part of the 30-year vision, why wouldn't you push for even stronger farms, leading the world in research, leading the world in production, leading the world in quality, that would be the first choice of Ontario consumers, and then, after that, the first choice of American or other Canadian or international consumers? You can't simply wave a magic wand and say that farmland is going to stay in production; you need an economic support plan to encourage viability of farms. If you want to save the farm, you need to save the farmer.

That's what I'd like to see more of, that kind of discussion from my colleagues opposite when they're talking about preserving green space. It's not simply an exercise in land use planning. You need the economic levers. You need places where there will be growth in the future.

A grave problem we have—a big concern—is you have three ministers working on three different sets of initiatives. I hope they sit next to each other in cabinet, because it's very important to get each aspect right. A

suggestion I would have for my colleagues across the floor is to do consultations on those three items all at the same time. Municipal affairs is working on Bills 26 and 27 and then, after that, Bill 135, which is really the land use requirements. Then you have the Minister of Public Infrastructure Renewal with his Places to Grow strategy in Bill 136 that will really tell you where the future places to grow are, and I think will help to address—I hope—issues like leapfrogging, where you're going to lay down—

Mr Chudleigh: Are they in the greenbelt?

Mr Hudak: The frogs?

Mr Chudleigh: No, no. One thing is, they want you to grow, and the other thing is, they want to preserve—

The Deputy Speaker: I appreciate the debate between members, but the Chair would like to be included in it from time to time.

Mr Hudak: I appreciate your advice, Mr Speaker.

I think the member for Halton has a lot of expertise in this area because of his success with the Great Lakes Heritage Coast. Recently, he brought forward a resolution for debate as part of private members' business for a long-term land acquisition strategy for permanent preservation, and he should be commended for that. He makes a valid point in support of mine—he'll speak to this bill later on, I'm sure—that if you truly want to preserve green space, it goes beyond simply land use policy. You need the economic levers. If you're approaching future growth and preserving green space in the GTA, my suggestion and my preference would be to look at that in one fell swoop. So you have the Minister of Public Infrastructure Renewal's growth plan, you tie that in with the Minister of Municipal Affairs' greenbelt strategy and, of course, my friend the Minister of Transportation's GTTA bill, which we expect hopefully sometime soon for consideration.

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It is very difficult, and I think it's going to lead to great confusion and is going to cause the Minister of Municipal Affairs great headaches, to do those things separately. I think people want to see the greenbelt; what is to be protected on top of that; where the corridor is going to go for future growth to make sure goods get to market, that people can get to places quickly and efficiently; where the future hydro corridors are going to go; where the future growth is going to be in the province of Ontario; and of course, laid over top of that, as well, the work of the GTTA to see what the plan is to support both highways and transit and if that is going to have some teeth. We look forward to that.

My suggestion would be not only for the three ministers to sit together in cabinet, but to bring forward one comprehensive package that, I would argue, the smart growth approach of the previous government represented; that you looked at the growth, you looked at the conservation and you looked at the transportation and hydro strategies as one big piece. I'll talk more about that later on.

Of course, the Minister of Agriculture has a very important role to play in that farm viability plan.

So in response to my colleague's comments earlier about the preservation of green space, sure, you can use the provisions of Bill 26 to stop expansion of urban boundaries without municipal politicians voting for such. You couldn't take that, if you were a developer, to the OMB. Fair enough. But that's just one small piece of what should be a more comprehensive approach to preserving green space.

As I began saying, I was very proud to be part of the government that did just that in our Living Legacy and Lands for Life initiatives, our Great Lakes Heritage Coast, as part of that process, and our Oak Ridges moraine legislation, which was recognized by the Environmental Commissioner and was award-winning in its approach to balancing the growth and the preservation of green space—something we should be very proud of—and, of course, part of the Progressive Conservative Party that had brought forward the Niagara Escarpment Commission and its plan, both in the early 1970s and then when the plan was revisited sometime in the 1980s. I think we began under Frost and finished under Robarts the Bruce Trail system, which we, the residents of Niagara and—well, all the way from Niagara Lake to Tobermory—do enjoy.

I think we had a very smart record, a very positive record, worthy of boasting in that regard. I would advise my colleagues opposite to, if they want to live up to a similar standard, address the green space issues comprehensively; make sure it's a plan that's actually going to work.

If municipal politicians will play a greater role in setting their urban boundaries as part of Bill 26, why don't they have the same authority in Bill 27? Why do you have one approach in Bill 26, but in Bill 27 the ability to change urban boundaries is eliminated for municipalities? Maybe there's a good argument, but it seems inconsistent that while my colleagues boast that they're giving municipalities more authority, what they give on one hand, they take away several times on the other through those provisions of the greenbelt legislation and through the further provisions of Bill 26.

Let me get into a bit more detail about the debate of "have regard to" or "be consistent with," or if there's a third option for something like "conform to," by way of example. Maybe there's some middle ground that would not have been so restrictive on municipal decision-making.

Here's a quote from Hansard that was part of my leadoff on second reading of this bill, Bill 26:

"Another problem with the language 'be consistent with' is that often there are going to be competing uses for land. There isn't a single way to approve a planning approach; there are ways of doing so. The PPS will deal things like economic variables, social variables and environmental variables, and on occasion they will be in competition."

Why the lack of faith in municipalities to find ways to "have regard to" the PPS or to "conform with" the PPS, as opposed to binding them in with the strict language that goes back to the NDP days: "be consistent with"?

An aggregate site could be an example. You would have one part of the PPS that would talk about the importance of aggregates as a resource. If you are truly going to move ahead with important highways like the mid-peninsula corridor through Niagara into the GTA, you're going to need a steady and a proximate supply of aggregates.

On the other hand, part of the PPS may talk about environmental protection. There will be times—for example, on this occasion—when different aspects of the PPS will be in competition. I'm curious how you could "be consistent with" two things that may say the opposite. If the municipal council had the ability through the language "have regard to" or different language that might have been preferable to municipalities, then why not adapt that approach? If you have faith in municipal decision-makers, why not let them have the ability to examine different ways of meeting the expectations set up by the province through the PPS?

The town of Caledon made some presentations on Bill 26. The town of Caledon said that the increased ability of the province to intervene in local planning matters was an area of concern. They note concerns regarding the province's preference toward aggregate extraction while Caledon seems to have other priorities, other values for those particular land uses. Indeed, it's a hot topic in the Caledon area today.

There's a concern that requiring full compliance with the provincial policy statements through the language of "consistent with," especially prior to new policies being forthcoming, is not respecting the diversity of municipalities or the ability of municipal councillors to make decisions.

The AMO planning task force presentation on the Bill 26 hearings about this language "consistent with" versus "have regard to"—AMO does not support this change because the "shall be consistent with" standard treats all municipalities as if they were the same and does not recognize local differences and needs in terms of land use planning and its corollaries. So there's much discussion, much lip service from this government about the importance of AMO, and certainly their memorandum to consult with AMO, but AMO had some very strong concerns on behalf of municipalities, saying that the government is treating all municipalities as if they were the same and not recognizing local differences or priorities and, through that, I would interpret, local decision-making.

Despite the concerns of AMO or Caledon or others that came before the committee to address this particular issue in Bill 26, the government continued to go ahead with that change in language, going back to the Peterson-Rae approach, which usurps decision-making from municipalities and, I would argue, therefore, because you're not using local municipal expertise, not allowing them to find the best way to address potentially competing concerns of the PPS at a local level. Instead, you're taking it to a provincial level, and I bet you will get worse land use decisions in the future.

Hopefully, as municipalities bring it forward, if Bill 26 passes—and I suspect a lot of my colleagues, if not all, will be voting against it on third reading—perhaps the government will keep an open mind—I'm not going to have a lot of faith because they haven't changed it to date—monitor these situations and go back to better language or proper language that respects local decision-making, and that's the use of the term “have regard to.”

UDI, the Urban Development Institute, said in the Bill 26 hearings about this issue: “UDI continues to believe that the ‘have regard to’ test is the most appropriate” test. “The current test respects the diversity of communities”—again, similar language—“across the province and encourages locally driven solutions, but at the same time ensures that the overall preferred provincial direction is respected while allowing for a balancing of the interests.” I think they've put it a lot more eloquently than I do off the cuff here on this important issue.

They make the essential points that Ontario is not one big municipality, that different municipalities will have different interests and different priorities at different times; and that there are ways of approaching planning matters, not a single way. The UDI, other municipalities and AMO combined make a similar argument, that the change of language is inappropriate and, I would argue, potentially dangerous.

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UDI goes on and says that the reinstatement of the “be consistent with” test within the context of provincial policy framework will create uncertainty for landowners and municipalities when responding to local circumstances. So not only is there a danger that the wrong decisions will be made, not only is there a lack of respect for the diversity of our communities, but third, it's going to create uncertainty in UDI's mind and, I would expect, in municipalities' minds, for landowners and municipalities when trying to respond to local circumstances.

The other point UDI makes as part of their submission: “Furthermore, it will impede the province's own decision-making ability across provincial ministries for provincial capital-related schemes and undertakings. The ‘be consistent with’ test will exacerbate these problems whereas ‘the have regard to’ test allows for an appropriate balancing of PPS policies.”

I've spent a good deal of time, but I think this is a very important piece of the legislation, and it's highly regrettable, whether it's an oversight or a decision by the government, not to take the advice of AMO and other groups and maintain that language of “have regard to,” instead of “be consistent with.”

If Bill 26 goes through—and I have no reason to doubt that, because we've seen the members vote en bloc on every piece of legislation—then hopefully they will monitor this closely and change the legislation down the road to give greater respect to municipal leaders and the diversity of our province, so local situations and circumstances can be best addressed through the language of “have regard to.”

I mentioned a bit earlier—and I won't dwell on it—that the time frame is to be extended before an issue can

be taken to the OMB. The government is now moving it from 90 to 180 days, I think, as the time limit. I don't have the same degree of concern about this as I do about the minister's extraordinary powers or the change of language to the old Peterson-Rae language that, in many senses, with other factors, had a crippling effect on local development and job opportunities. But I think there is a concern expressed by a number of parties that the legislation potentially opens up the system to abuse by parties for longer delays in projects. There might be extended rounds of discussions that may not conclude as quickly as some parties would like. That was brought forward at the hearings. It was not changed in the legislation. But as I said, the parts of the bill that I take the greatest issue with are the changes in language, the top-down solution from the Dalton McGuinty government to local decision-making and, secondly, the declaration of a provincial interest.

Let me get into that issue about the extraordinary powers the Minister of Municipal Affairs is taking up, through Bill 26, to the cabinet level, and taking away from the Blackstocks or the Ajaxes or the Port Colbornes in the province of Ontario.

Mr Jim Flaherty (Whitby-Ajax): What about Whitby?

Mr Hudak: The member asks, “What about Whitby?” Well, in fact, it's one broad brush. It would treat all municipalities the same in saying that the Minister of Municipal Affairs could declare a provincial interest in a local planning decision going to the OMB and take that decision, then, to cabinet, as opposed to a more clear and transparent process before the OMB. Davies Howe Partners made a presentation on February 5, 2004, where they described this aspect of the legislation as follows: “Taking planning decisions into the cabinet room is an impractical political minefield.”

I had the honour of serving in a number of capacities in cabinet, as did many of my colleagues here in the third party and, of course, some of those in the Legislature tonight. Every week you get this thick binder of all the decisions the cabinet has to go through. You do your best as minister, of course. You probably have the most authority on issues that your ministry's involved with, and then others that you find are particularly interesting or compelling that affect your riding. I think each minister, in good faith, endeavours to get through his or her briefing binder so they can engage in cabinet discussion to the greatest extent

Mr Flaherty: Smitherman ought to read his.

Mr Hudak: I appreciate my colleague's comments about that.

My colleague mentioned the Minister of Health just a few moments ago. If you have something as weighty as the OMA agreement for cabinet discussion, if you have something which I think is a silly approach by the Attorney General on the pit bull legislation, there's no doubt they've debated that extensively in the cabinet. You have issues that are top of mind among politicians and in the press, and then somewhere in there you're going to sandwich a local zoning bylaw of Pickering, for

example—not to pick on Pickering. I know Pickering is feeling particularly aggrieved by this government from a number of its initiatives, including the greenbelt and the Oak Ridges moraine land swap. But whether they should be making a decision declaring a provincial interest or debating in cabinet whether the Tim Hortons in Pickering, just to stay with my example, is to go ahead or not—is that the best use of cabinet ministers' time? Will you get a good decision as a result of that process?

I think it's going to be Byzantine. They'll probably have some specialist in the Ministry of Municipal Affairs who will look at all the different local planning issues, write a briefing note on it, slip it into that big, thick binder and hope that cabinet ministers will spend some time reviewing it and then making an appropriate decision. But I think when a local land use issue like that is up against an OMA agreement or pit bull legislation, it's not going to get the consideration it deserves. In fact, the best place for its consideration would be at the local level before Pickering council and then before the OMB. That's where it would get full consideration.

I fear that at cabinet it will get short shrift or be caught up in even bigger politics. Cabinet ministers may find themselves tempted to even out the decisions. If the environmental stakeholders won last week at cabinet, then maybe the development industry is going to win next week at cabinet so we keep stakeholders balanced; or if the municipality won this week, maybe we'll give it to the local citizens' group next week. I think there will be that temptation of cabinet to look at that as sort of the big picture, the big stakeholder concerns, as opposed to the merits of the particular issue.

Municipalities have expressed, I think, strong concerns about these types of local land use planning decisions being taken up to the cabinet level. I think during Bill 26 I compared it to the picture *The Scream*. That guy in that picture, the portrait *The Scream*, will look positively sanguine to some poor stakeholder who's trying to negotiate through all the cabinet ministers about some local land use decision that suddenly finds itself at the cabinet level. They won't be good decisions, on average. They won't have due time for debate. They will be caught up in overall stakeholder considerations as opposed to the merits of the local issue, and they will not be done in a timely manner. I find this an area of great concern.

That's me, as the opposition critic, but let's take too—I know my friend from Peterborough is a supporter who likes, generally, the Ontario Professional Planners Institute, a well-regarded set of individuals with no particular political bearing. They try to take good planning initiatives, good planning in the province of Ontario, and to give good advice. I think Don May said this during the Bill 26 hearings on behalf of the OPPI: "We have three main concerns with the sections on declaration of provincial interest. First, we believe that the PPS should clearly and concisely state the criteria used to identify a matter of provincial interest. Second, the province should declare a provincial interest much earlier than the minimum 30 days before an OMB hearing," and they go

on to talk about under what circumstances it would be appropriate for that type of decision to be made at the provincial cabinet level.

But they do get to the point that I have of the lack of transparency that exists in that system, which is, I think, a sad second, at best—probably a third or fourth option—compared to local decision-making by the councillors who represent the people who are finding their way through this particular issue and have given good thought to the history and the particular pro or cons of an issue, rather than going all the way to slipping into a cabinet binder, where far too often it won't get due consideration.

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The other reason: Quite frankly, I think there would be a level of distrust whether good decisions will be made. Certainly, when you look at Bills 27 and 135, and some of the decisions made on the mapping—there's a growing concern at public hearings on the municipal affairs piece of legislation about whether the decisions on greenbelt were made based on science or political decisions. Were they rushed through or done without due thought and due consultation? Is there an issue of competency with the way the greenbelt was designed? The same factor would be at play in Bill 26. It's very challenging.

Grimsby council, in this past week's Grimsby Lincoln News, has responded very strongly to omissions in the greenbelt map. I'll give you some examples. It has offered "three locations which should be exempt from the legislation: Deanfield Estates, on the west boundary of Grimsby just south of the South Service Road; Niagara Gateway Estates, the current site of Bamford and Lampman Auto Wreckers; and the extension of the Kemp Road hamlet to 'the top of the escarpment.'"

There's also concern expressed by the Grimsby council that "the hamlets in Grimsby, including the ... Kemp Road hamlet as well as Grassie, are missing from the proposed greenbelt maps," which I think gets to an important concern that the greenbelt map that was brought out was not done with adequate consultation, was not done with adequate science. As Grimsby rightfully points out, significant parts of the municipality that are already serviced or already should be noted as urban settlement areas or hamlets or such were left out of that legislation altogether. Whoever drew the map had to do so for a large area, but these types of oversights—Erin is another community that has brought this forward, that was left out of the greenbelt and then woke up one day to find themselves put back into the greenbelt.

The fact that the Holland Marsh was cut in half in the first study area—part of it was in the greenbelt, part of it was out—gives municipalities cause to pause and think, "Would this kind of lack of science, this kind of oversight or," hopefully not, but, I fear, "this kind of incompetence be reflected in decisions on local planning initiatives with the new extraordinary powers of the minister if Bill 26 were to pass?"

Pelham has brought up similar concerns. A recent issue of the Welland Tribune: "Greenbelt Boundary Questioned."

“Craig Larmour,” the town’s planner, “is dubious of the science supporting the greenbelt boundary as it has been drawn in Pelham.” I think he makes a very insightful statement.

“With more time to incorporate public input, the ministry could see instances where the line doesn’t match the realities on the ground, Larmour says. ‘They’re not going to do that in the 17 days between the end of the public consultations’ and the expected passage of the legislation.”

He goes on to say in the story in the Tribune of November 10, “Unfortunately, we’re kind of up in the air right now.... I don’t know that they,” meaning the Ministry of Municipal Affairs, I expect, “have all the answers.”

There was a recent public consultation reflected in Winona, and the Hamilton Spectator had an article. There are some good quotes in there, some concerns raised about the mapping. “The area between Highway 8 and Barton Street east of Fruitland Road in Stoney Creek should be removed from the greenbelt plan and designated for urban development because this was the former city’s long-range plan and services are already in the ground.” Grimsby’s being restricted to develop land already serviced. So servicing is already in the ground west of Casablanca Boulevard.

On the other hand, “The Pleasantview area on the north side of the former town of Dundas should be in the greenbelt area,” stakeholders from that area say. So a great deal of concern is expressed, and I’ll get into that in further debate and, hopefully, in our hearings, about the inadequacy of the greenbelt mapping that doesn’t seem to be based on science. There’s great concern about whether it was done competently. In towns like Erin, Dundas, Pickering, Grimsby, Pelham and St Catharines, I would expect, as well, there’s a rising, growing voice of criticism—and Lincoln additionally. So I fear that the same type of approach will be reflected in Bill 26’s extraordinary powers.

The Deputy Speaker: Questions and comments?

Mr Bisson: I want to compliment the member for a pretty interesting insight into this particular bill. I’ve seen him take a pro and a con position on a number of issues, and I’m sure he’s at one point going to let us know where he’s at with support or objection to this bill.

Mr Hudak: We’re against Bill 26.

Mr Bisson: OK. Part of the problem is that there’s another piece of legislation he also talked to that he might be for. Maybe that’s where the confusion comes from. Anyway, I thought it was an interesting comment.

However, I just want to raise with the member the issue of timing, the amount of time provided for people to make their concerns known to the municipal council when it comes to changes to the official plan. His government made changes where they had actually decreased that amount of time. I never really thought that was a good idea. I’m wondering, when the member makes his comments, if he’ll speak to what experiences he may have noticed when it came to the lack of time that people had to bring forward their objections or their comments

on an official plan and if he had any dealings at all having to do with the Ontario Municipal Board in regard to that timeliness as well. There have not been a lot, but I’ve had two or three instances over the past number of years where people in the constituency have come to me and said, “I just found out about this and, Jeez, I’ve got three days to come in within the timelines.” As you know, the timelines were changed to make them shorter, and I’m wondering if you’ve had any experiences that way. I look forward to the comments from the member in regard to that. Let’s see what he has to say.

Ms Jennifer F. Mossop (Stoney Creek): I’m pleased to respond to the remarks made by my colleague the member from Erie-Lincoln with regard to this issue. I heard him say that he was wondering what was happening, whether or not our cabinet ministers were close enough at the cabinet table to discuss these things. In fact, we have a committee of nine ministers who have responsibility for areas of land use, planning, infrastructure and transportation, who actually have a committee together and consult on a regular basis on these issues so that they’re going forward.

Do you know how I know this? I know this because this morning I was told this fact by Minister Gerretsen as we drove around my riding of Stoney Creek and Grimsby, looking at a number of areas in the greenbelt legislation that may not fit exactly the overall broad concept of it. That’s the kind of government we are. We have this very open government where our ministers come and see these things first-hand, talk to our local officials and listen to their MPPs. I know this might seem a bit surprising to my colleague, given that he was part of the government that brought us downloading and forced amalgamation. It’s not exactly the kind of thing where you’re actually listening to your municipalities and what they have to say. The one thing I hear over and over again from people is how much this government is listening to people.

As far as the greenbelt legislation goes, that sort of large framework has to go through in legislation. The draft plan, the mapping, is just that, a draft plan. We’re having consultations all over the Golden Horseshoe. The minister himself has been to visit many of the areas and is looking at areas where maybe the lines aren’t exactly in the right place and may have to be moved. He’s listening to what the local officials have to say about this and moving forward in an open, consultative fashion.

Mr O’Toole: I said earlier that I have the greatest respect for the member from Erie-Lincoln. As critic, I know that when he took Mr Gerretsen, the minister, to task during the estimates committee hearings, the minister and his staff were somewhat alarmed at his insights into the number of very dramatic changes in the legislation. I’m just looking at a few and I think, for the record, how complex this file is. They’re making it almost like a maze, for the landowner as well as the municipal levels of government.

Bill 26 is the one we’re discussing tonight. It’s amending the Planning Act. I should say there’s a very subtle provision—some may have not noticed it. It’s a new

section of the bill which gives the minister extraordinary powers with respect to matters of provincial interest. There are other sections in the bill that Mr Hudak has spoken to that indicate that planning issues aren't a cookie-cutter approach. They've been discussed by the NDP, the Liberal government, as well as our own government, in looking at the principles of planning policy and "consistent with" or "with regard to," which perhaps sounds a bit complicated to the listener today. It just shows that there's no perfect solution to every inch of the province of Ontario.

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Bill 27, An Act to establish a greenbelt study area and to amend the Oak Ridges Moraine Conservation Act, 2001, is also by the minister.

One that I think is of interest to the people of Ontario is Bill 133, from the Minister of the Environment, which has huge implications for land and issues surrounding land or uses of particular land. Bill 135 amends the Niagara Escarpment Planning and Development Act and the Oak Ridges Moraine Conservation Act, by Mr Gerretsen, and Bill 136 is the establishment of growth plan areas. What they're really doing is forcing a kind of engineered plan by the Liberal government, kind of engineering and micromanaging all of the planning issues in Ontario. That's exactly what the Liberals are doing in Ottawa. You can't trust what they're up to. They're hiding it all in four or five different bills. I think Mr Gerretsen should pay attention to the questions being raised by Mr Hudak in his concerns with Bill 26.

Mr Prue: It's always a privilege to comment on the member from Erie-Lincoln. He speaks eloquently, he speaks his mind, he is well researched and he offers legitimate criticism. I don't always agree with all of the criticism or all of the statements he has to make, but he does make them very well.

There was one point in particular—because I only have two minutes to comment. He talked about municipal responsibility, and of course that's always something I watch for very closely. There's a difficulty in this bill and there is a difficulty in municipal responsibility altogether because this bill, and in fact all of our government structures and all bills, treat all municipalities virtually the same way.

When I was reading this bill and looking at how municipalities are dealt with, you see little, tiny isolated northern communities, rural communities, communities of only 100 or several hundred people, being treated the same way as mega-cities like Toronto, Hamilton, Ottawa or London. I will tell you there is a fundamental difference between those bills and the ability of municipal politicians to deal with bills like this in large cities versus very small ones.

Municipal politicians want to be treated fairly, and we need to treat them fairly, but we need to treat them, I would suggest to some of you, in a very different way, because in a small community with a lack of resources, with few staff and little training, municipal politicians

cannot make the same kinds of decisions as a municipal politician properly instructed, with staff, in a large city like Toronto, Hamilton or Ottawa.

The reality of this bill is that the minister is taking back a lot of power. He ought not to take back that power in a great many instances. We need to look at bills, increasingly in the future, that separate out large and competent municipalities from small ones.

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

Mr Hudak: I appreciate the comments of my colleagues on my remarks on third reading of Bill 26. I appreciate the member for Stoney Creek's comments.

It's nice to hear that the Minister of Municipal Affairs got out of Toronto and drove around Grimsby to see what significant errors there are on the greenbelt map. Perhaps the Minister of Municipal Affairs will get in a car with the member from Niagara Centre and see the significant errors that exist in Pelham. Then I'll pick him up in my Avalanche and take him around Lincoln to show him the significant errors. Then the member from Pickering can take him around and show him the significant errors that Pickering has expressed. My colleague from Wellington can talk about the significant errors that Erin has expressed.

There are grave and growing concerns about how this map was arrived at. Maybe, instead of meeting behind closed doors, this committee of nine could have actually been out there in the field and met with Mayor Bentley or met with Mayor Hodgson or met with Mayor Leavens and solved these issues before they developed. There is grave concern that this was not done on science but on political science. There's a grave problem that these boundaries were not done based on what local municipalities have said. There's an issue about confidence around the way the greenbelt was brought forward, which reinforces my concerns about the ability of the ministry to make decisions on local planning issues in Bill 26.

Then, do you know what? Let's get the committee of nine out there on the road. We'll get the Minister of Agriculture to go to a grape grower who has now found that his farm has been deemed forever in production, with no plan to support farming, no plan for economic viability, no plan to increase sales of VQA wines at the liquor store, for VQA legislation. He can find his way to a municipal council to hear about how their growth is going to be restricted, can find his way to a taxpayer who is going to find further tax increases, paying the brunt of this legislation, can find his way to trace out the potential route to the mid-peninsula corridor or other transportation initiatives. I don't have faith in the committee of nine; I have faith in the local decision-makers.

The Deputy Speaker: I believe we've reached a point in the debate and a point in time where this House should be adjourned until 6:45 of the clock.

The House adjourned at 1755.

Evening meeting reported in volume B.

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