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**Official Report  
of Debates  
(Hansard)**

**Friday 6 May 2005**

**Journal  
des débats  
(Hansard)**

**Vendredi 6 mai 2005**

**Standing committee on  
finance and economic affairs**

Regional Municipality  
of Peel Act, 2005

**Comité permanent des finances  
et des affaires économiques**

Loi de 2005 sur la municipalité  
régionale de Peel

Chair: Pat Hoy  
Clerk: Trevor Day

Président : Pat Hoy  
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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
FINANCE AND ECONOMIC AFFAIRS**

**COMITÉ PERMANENT DES FINANCES  
ET DES AFFAIRES ÉCONOMIQUES**

Friday 6 May 2005

Vendredi 6 mai 2005

*The committee met at 0907 in the Holiday Inn Select, Brampton.*

**REGIONAL MUNICIPALITY  
OF PEEL ACT, 2005**

**LOI DE 2005 SUR LA MUNICIPALITÉ  
RÉGIONALE DE PEEL**

Consideration of Bill 186, An Act respecting the composition of the council of The Regional Municipality of Peel / Projet de loi 186, Loi traitant de la composition du conseil de la municipalité régionale de Peel.

**The Chair (Mr. Pat Hoy):** The standing committee on finance and economic affairs will please come to order.

**Mr. Tim Hudak (Erie–Lincoln):** On a point of order, Mr. Chair: I do want to note the official opposition's disappointment with the lack of notice around these hearings. Considering the next municipal election won't be until November 2006. I do want to note that at the outset of these hearings.

Also I want to ask—I see that Mrs. Jeffrey, the member for Brampton Centre, is here—is she a substitute on the committee today?

**The Chair:** That's not a point of order, and she is not.

**Mr. Hudak:** On this question, Chair—

**The Chair:** What question?

**Mr. Hudak:** Well, I'd like to make some points at the outset.

**The Chair:** What's your point of order?

**Mr. Hudak:** Chair, you have recognized me, so my question has to do with the fact that we have three Brampton members. We are here in Brampton this morning on probably the most consequential bill to impact Brampton in a long, long time. I want to note that not a single member from Brampton is sitting on the committee this morning.

**Mr. Brad Duguid (Scarborough Centre):** On a point of order, Mr. Chair: The composition of the committee today during this particular hearing is the business of the government. The opposition does not have a say at all, as we do not have a say in who subs and who does not sub on their side of the table. It's not a case of anything other than the fact that it's a Friday and availability of members was a difficult thing to come by for this particular hearing. The clause-by-clause is when the decisions will be made, and we expect the full committee will be, in all

likelihood, in place for clause-by-clause. So Mr. Chair, I would suggest that what the member is raising is not a point of order and we should move on with the committee.

**The Chair:** Thank you. I remind the committee that we do have people waiting to present this morning.

**Mr. Hudak:** Exactly, Chair. I don't mean to belabour this point, but I think it's an important principle to bring forward. Dalton McGuinty campaigned on direct democracy, encouraging members to take a more direct role, particularly on issues that affect their ridings. I do want to note for the record that there are three Brampton MPPs—we are in the city of Brampton as we speak—who are not sitting at the table.

**Mr. Duguid:** On a point of order, again, Mr. Chair: The member is speaking about things that clearly are not within the realm of a point of order. I'd ask that you call him to order, and perhaps we can get on with the hearings.

**Mr. Hudak:** Chair, I'm not going to give up on this point. If Mr. Duguid keeps interrupting me, we're going to spend more time.

**The Chair:** You can't make a point about a person who is not here.

**Mr. Hudak:** I want to know, if this were truly about listening to the people of Brampton and Peel, that every effort would have been made to have members from Brampton sitting on this committee, to have voting rights on this committee and to interact with the citizens. I know Mrs. Jeffrey is here in the audience. I think it's a farce that Mr. Kular and Mr. Dhillon are not sitting on this committee today. It shows a lack of interest in what the people of Brampton have to say, on top of the lack of notice. I smell the strong arm of the whip here in keeping the Brampton members off this committee. I do want to note that there are two Mississauga members—

**The Chair:** Mr. Hudak, it might be a point of interest, but it is not a point of order.

**Mr. Hudak:** Chair, I'd like to enter into the debate. You've opened the hearing; I'd like to have a word. I do want to note that there are three Mississauga members who have been subbed into the committee. I think that is far more than simply a coincidence, that of all the members you could have substituted in, three of them are from Mississauga, which shows to me clearly that Dalton McGuinty is interested in nothing other than whipping this vote and ramming this bill through. I think that if the

members are truly interested in hearing from Brampton, they will substitute in Mrs. Jeffrey, the member for Brampton Centre, who's in the audience. I would move that Mrs. Jeffrey be subbed in today for Mr. Peterson.

**Mr. Duguid:** On a point of order, Mr. Chair: I don't believe that it's in order for any party to move a motion to impact the subs or lack of subs on the other side. I'd suggest that motion's not in order.

**Mr. Hudak:** Chair, I'll just ask, as a favour of the parliamentary assistant, who'll be the lead for the government on this bill—he could still participate in debate and bring the government's viewpoint forward—if he would voluntarily step aside and allow Mrs. Jeffrey to take his seat on the committee and substitute in.

**Mr. Duguid:** Mr. Chair, I would ask, as a favour to the people who are here to depute, that we get on with the hearings.

**Mr. Hudak:** I'm interested in getting on with the hearings.

**Mr. Duguid:** It sounds to me, Mr. Chair, like the member is interested in trying to make some political points at the expense of the people who are here to hear from us. We have a limited amount of time for this hearing, and I would suggest we get on with it.

**Mr. Hudak:** It's a simple yes-or-no question, Chair, to the parliamentary assistant. Either he believes that the members from Brampton should have as equal a say on this committee as the members from Mississauga or not. He can step aside and allow Mrs. Jeffrey, the one who did have the courage to show up today, to substitute into the committee for Mr. Duguid. Otherwise, I have no other viewpoint than that this hearing will be a farce—subbing in three members from Mississauga, and three members from Brampton are nowhere to be seen at the table of this committee. This is the action of the whip and the Premier. I ask the parliamentary assistant to step aside and allow the member for Brampton Centre to take his place. Our member from the Peel area, Mr. Tory, has changed his schedule—he represents the Caledon area—to be here to substitute on the committee. Why won't you let the Brampton members sit at the committee and listen to what Brampton citizens have to say?

**The Chair:** Mr. Hudak, the motion to substitute persons on to the committee is out of order.

**Mr. Hudak:** Fair enough, Chair, but I'm asking Mr. Duguid to make a gesture in support of direct democracy, which he says his party believes in, and to do the right thing and step aside and allow Mrs. Jeffrey, who is here, sitting in the audience, rather than having a chair at this committee—if he would step aside and substitute Mrs. Jeffrey in for him.

**The Chair:** I've ruled the motion out of order.

**Mr. Hudak:** Chair, it's not a motion; I'm simply asking if the parliamentary assistant—

**The Chair:** He does not have to respond to you.

**Mr. Hudak:** Well, I think he should at least give the dignity of responding—

**Mr. Duguid:** Just on a point of order, Mr. Chair: As I said before, there are no decisions being made at this

committee. This is simply a hearing. The committee will meet again, as we've indicated, I believe on the 19th, when we'll go through clause-by-clause. That's when the decisions will be made in terms of how this bill will be recommended to the Legislature. If the member is concerned about the makeup of the committee, that's when I would suggest that he should make those particular points.

**Mr. Hudak:** With all due respect to Mr. Duguid, we are here in Brampton. The citizens of Brampton, the municipal leaders, business leaders, taxpayers in Brampton are obviously greatly concerned about this bill, the speed with which it's being rammed through the Legislature and the lack of real consultations. I think the people of Brampton, who I know have been pleased to see Mrs. Jeffrey vote against this bill, would like to see her, Mr. Kular and Mr. Dhillon sitting at the table and listening directly and having a say on this bill here today.

**Mr. Duguid:** With all due respect to Mr. Hudak, we're not here to hear him speak; we're here to hear the people of Brampton and the deputants speak. As I said before, I'd like to get on with the deputations. Otherwise, we're not going to have time to hear everybody speak here today.

**Mr. John Tory (Leader of the Opposition):** On a point of order, Mr. Chair: Mr. Duguid has now made reference three or four times to the lack of time we have here today, and that people are waiting. I acknowledge the fact that they are waiting, but I think they would probably like to have more time in which to make their deputations and to have more of them heard.

I'd like to move, given the importance of this bill to these communities and the indecent speed at which the McGuinty government is ramming it through the Legislature, without sufficient time to hear people and to have consultation, that this committee should resolve itself to meet for one full day in each of Brampton, Caledon and Mississauga for the purposes of considering the effects of Bill 186 on these communities. There's no reason whatsoever why this needs to be rushed through, when it's going to take effect in 2006.

**The Chair:** Debate on the motion?

**Mr. Michael Prue (Beaches–East York):** I'll try to speed things up here. It is my understanding, Mr. Chair, and you can affirm this, that any member of the House is entitled to sit around this table. I would invite Mrs. Jeffrey to come and sit right here beside me. She doesn't even have to sit on the government side. I would invite her, and I will yield some of my questioning to her, if she wishes to question. Is that not permissible?

**The Chair:** It is quite correct that a member can sit at the table, but would not be able to vote on motions.

**Mr. Prue:** But that is correct? If she wants to come and sit beside me, I will allow her some of my questioning time, in order that she might do so and reflect the opinion of Brampton.

**The Chair:** That could take place, if so wished.

**Mr. Hudak:** To Mr. Prue's point, I'm pleased to see that. We'd welcome Mrs. Jeffrey to join us on this side of

the table and to participate in the hearings. At the same time, I would, again, reiterate my point that Mr. Duguid should step aside and substitute Mrs. Jeffrey in so that she can—

**The Chair:** We have a motion on the floor to extend the hearings.

**Mr. Hudak:** Chair, if I could finish my point, please.

**The Chair:** To Mr. Tory, your leader's, motion.

**Mr. Hudak:** Certainly. I think that Mr. Tory made an excellent motion. The unseemly speed with which the government is trying to ram this bill through, the fact that people in the community had barely a few hours to register their interest and come before the committee and the fact that I think we should be in each of the three communities as well—certainly, with respect to Mrs. Jeffrey, to invite her to the table, but if you invite her to the table without voting rights, it's like having her over for dinner and not being able to have any food. I also believe that while it's great to have Mrs. Jeffrey at the table, she should also have full voting rights. Like the Mississauga members have taken full voting rights, allow the Brampton members as well to vote on every aspect of this bill.

**Mr. Duguid:** Mr. Chair, it's amazing how the member has suddenly changed his views. When he was in government on a bill like this, they would never have held public hearings at all. It probably would have been passed by now. So it's quite a contrast to the days when he was in government. We're here at the request of many individuals who indicated they wanted hearings. We're here to hear them speak. My preference would be to get on with the hearings so that we can do what we're here to do, rather than engage in theatrics.

0920

**The Chair:** Further debate? Hearing none, all in favour? Opposed? The motion is lost.

**Mr. Hudak:** On a point of order, Mr. Chair: I do have now some substitution slips that have been given to me which would allow Mr. Duguid to step aside and allow Mrs. Jeffrey to take his place on the committee. I don't mean to belabour this point. I think Mr. Duguid probably knows that as of 9:30, no more substitutions can be allowed under the rules. I'm aware that they're trying to delay so that that substitution cannot take place. I would ask Mr. Duguid or any member of the committee if they'd be so kind as to step aside and allow Mrs. Jeffrey, at least one Brampton member who had the courage to be here today, to substitute into the committee before the 9:30 deadline.

**Mr. Duguid:** Mr. Chair, I can understand why the member might not want me on this committee, but I will be here today, and I'm looking forward to hearing from the deputants. I'd like to get on with the hearings.

**Mr. Hudak:** Chair, if Mr. Duguid won't step aside for Mrs. Jeffrey, I would ask each of the individual members—Mr. Peterson, Mr. Fonseca, Mr. Delaney, Mr. Berardinetti—if they would be so kind as to step aside and allow Mrs. Jeffrey, the member for Brampton Centre, to have full rights to participate in this hearing, as the

three members from Mississauga have been given full rights. If the government really wants to hear from all municipalities, we should have a Brampton member, at the very least, if not all three, sitting at the table here today.

Mr. Peterson? Mr. Fonseca? Mr. Delaney? Mr. Berardinetti—you're a Scarborough fellow.

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** On a point of order, Mr. Chair: I would move, then, that Mr. Hudak or Mr. Tory or Mr. Prue be substituted for Mrs. Jeffrey.

**The Chair:** No. You can't substitute a member from another party.

**Mr. Hudak:** It's a little too cute by half, I'd say to my colleague Mr. Berardinetti.

The members of the committee—I think, as everybody knows, the only member permanently on this committee is Mr. Hoy, who is the chairman. There have been five members from the Liberal Party substituted into this committee. The other five are not here.

**Mr. Prue:** I'm a permanent member.

**Mr. Hudak:** Sorry, Mr. Prue from the NDP. I apologize.

So you've had five substitution slips that have been filled out to take off the regular members of the committee and put five here. I will note for the record that there are three members from Mississauga. I think there should be members from Mississauga here, because this bill impacts on Mississauga considerably. I would ask the same thing, that members for Brampton be allowed to sit on the committee. I see Dr. Kular has arrived. That's excellent. I'm glad that he's here and sitting at the table. I believe that Dr. Kular and Mrs. Jeffrey should have the same voting rights as do Mr. Peterson, Mr. Fonseca and Mr. Delaney. Therefore, I would request that Mr. Duguid and Mr. Berardinetti, who do not belong to any of the three communities, step aside to allow Dr. Kular and Mrs. Jeffrey, Brampton members, to participate just as Mississauga members are participating today.

**Mr. Duguid:** Mr. Chairman, we know Mr. Hudak likes to hear himself speak, but we're not here to hear him speak. We're here to hear the people who have come here to make deputations. As I've said before, I really would appreciate Mr. Hudak allowing those deputations to take place.

**Mr. Hudak:** Chair, I don't mean to belabour the point. I think the member knows we have until 9:30, and then the point is moot under the rules. I suspect the Liberals are trying to delay this so the 9:30 deadline will pass and avoid my question.

I will ask Dr. Kular, who has joined us here today, if he would like to substitute into this committee as a Brampton member so that he can vote on all of these motions that come forward today.

**The Chair:** Members are not compelled to answer your question.

**Mr. Hudak:** It's just a simple question to Dr. Kular, if you would like to fully participate in this committee by being substituted in for Mr. Duguid or Mr. Berardinetti.

If Dr. Kular chooses not to answer me, it's fine, but I think he should in front of Brampton residents and taxpayers. I would expect that he and Mrs. Jeffrey would like to substitute into the committee.

**The Chair:** Further debate?

**Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale):** Chair, I might not be able to completely substitute for the whole day, so that's why I'm not answering that question. I have some previous engagements that I couldn't cancel. So I am only here for some time.

**Mr. Hudak:** Chair, again, we're about at the deadline. I'll just make my point one last time and say that there are two members now of Brampton who have joined us: Mrs. Jeffrey and Dr. Kular. They're here to listen, as we are, to the people of Brampton and Caledon and Mississauga who want to make presentations. The government whip has substituted in three Mississauga members, who I know are all supportive of Bill 186. I do believe, if the Liberals did care about what people are going to say today and believe in direct democracy, that they would substitute in the two Brampton members who are here today.

My last request to the members of the committee is to step aside, use these substitution slips, and allow Dr. Kular and Mrs. Jeffrey to fully participate in this committee. Otherwise, I have no choice but to believe that it will be a farce of hearings because you've whipped the vote with Mississauga members, and no Brampton members with a single vote here today.

**Mr. Duguid:** Mr. Chairman, Mr. Hudak has been around here a long time. He knows full well that the whip's signature needs to be on any substitutions that would come in. The whip's not here right now. So he knows that it's technically impossible to do what he's suggesting to do.

Anyway, he's just trying to make a mockery of this. He's just trying to engage in theatrics. Frankly, he's fine to do that, but he's doing it at the expense of those who came here to speak to us. This government wants to hear from the people who are here today. We're tired of the theatrics from Mr. Hudak. Can we please get on with the hearings, sir?

**Mr. Hudak:** Chair, I need to respond to Mr. Duguid. He talked about making a mockery of hearings. My God, this is a mockery of a hearing, because you gave people only hours. There's no bill that has impacted on Peel more than Bill 186, and you gave people next to no notice to be here today. You have one day of hearings, and you're trying to ram this bill through that doesn't have to be in action for an election until November 2006.

I think the member full well knows the whip does have to be on it. He signed your papers, the three members from Mississauga's papers, and Mr. Berardinetti's papers. He did not sign Dr. Kular's papers or Mrs. Jeffrey's papers, even though the whip knew they were going to be here.

It's highly regrettable, and I just think this shows that the government is not interested in what people have to say here today. That's very, very sad to hear. If they truly

were, we would have Brampton members sitting on this committee here today, rather than a committee weighted by the whip to ram this bill through.

**The Chair:** I believe, Mr. Hudak, you've made your point. We really should move on and hear from the deputations this morning. I think we will do that now.

#### CITY OF BRAMPTON

**The Chair:** I call on the city of Brampton to come forward, please. While we wait for these persons to take their seats, I would remind people to turn off their cell phones if they have them. Our broadcast has said that it will create feedback. Thank you very much.

Good morning. You have 20 minutes for your presentation, and you may leave time within those 20 minutes, if you so choose, for questioning. I would ask you to identify yourself for the purposes of our recording Hansard.

**Ms. Susan Fennell:** Thank you, Pat, and welcome to the city of Brampton. Before the clock starts ticking—I am a hockey person; so we haven't dropped the puck yet—I'm the first speaker, so I'm going to seek some clarification on behalf of all these people here. I was scheduled to speak at 9; it is 9:20. So I guess we're being flexible. I appreciate the comments that were made, because it saves me including them in my remarks, which they would have been. So I'm just going to ask the House rules here, and I think that's fair and it's not part of my presentation.

**The Chair:** It would provide the broadcast a better result if you would sit, please.

**Ms. Fennell:** Is that more helpful? In our council, we stand respectfully, but if it's more comfortable for you to look at people eye to eye, I'm fine to do that too.

Before the clock starts—and I will watch my carefully allocated 20 minutes to make sure that I do get the full benefit of 20 minutes. I did have 32 hours with the facilitator.

**The Chair:** I would remind you that your time has started.

**Ms. Fennell:** I'm asking that it not be started until I at least know who's at this table and what the rules of the game are. This is the first time I've had to deal with the provincial government in the form of a hearing like this. To save everybody taking a portion of their time, I think it's just respectful if I could know who is in the room and what the process is. Do I make a presentation and you ask questions of me? Can I ask questions of you?

The time has not started, with all respect, because we have 18 months. So let's just be reasonable here. This is Brampton. We do things in an open and honest way, and I don't appreciate somebody telling me my time has started just because I've walked forward. I'll stand back there and make my comments. When does the puck drop in this format?

**The Chair:** I will explain. By all-party agreement, you have 20 minutes for your presentation. You may leave time within those 20 minutes for questions from the panel if you so desire.

**Ms. Fennell:** This is not part of my 20 minutes. Let's just agree on that. So if I speak for 20 minutes, or other speakers who have 10 take the entire time, then there's no time for questions?

**The Chair:** That's correct.

**Ms. Fennell:** OK. Another ground rule. So am I able to ask questions?

**The Chair:** You might, but members are not compelled to answer.

**Ms. Fennell:** Oh. OK. So if I ask a question, then I should not necessarily expect an answer. I just want to make sure.

**The Chair:** Members, if there is time left at the end of 20 minutes, may answer you when they get their time slot.

0930

**Ms. Fennell:** Can I be introduced to who is at the table before—

**The Chair:** If you leave time for questions, we would begin with the official opposition. The time is divided three ways, so if there were three minutes left, the official opposition would have one minute, the NDP would have one minute and the government members would have one minute to question you or answer a question you put, as they might choose.

**Mr. Tory:** On a point of order, Mr. Chair: I would suggest, in view of the fact that you've been spending a good deal of the mayor's time explaining the rules, as per her request, that we have unanimous consent to start the clock over again when you're finished explaining the rules and Mayor Fennell is satisfied that she understands the rules.

**Mr. Duguid:** Mr. Chair, I understand that's what you are doing anyway.

**The Chair:** Do we have unanimous consent? Agreed.

So it is agreed, now that you have a full understanding of the rules, that we start the time now.

**Ms. Fennell:** I'm not finished checking the rules, but thank you for the motion that has, by implication, been unanimously voted on.

Let me ask again, who is at this table? I like to know to whom I'm speaking. If we could just have the members introduced, and their ridings, that would be helpful. I'm the first speaker or I wouldn't have had to ask. It seems sort of relevant.

**The Chair:** The names of members are present.

**Ms. Fennell:** Normally, when people come to my council—and I'm a political leader as well—I like to know who they are. We ask them for their names and the areas they represent. I'm interested in that. I want to know which ridings these people are from, which party they're from and perhaps even which mayor, because many mayors have contacted me opposing this legislation. I just want to make sure I know who is here. That's just an introduction.

**The Chair:** Members are not compelled to answer you.

**Ms. Fennell:** They can't be shy to say their names. Why don't we give them the chance?

**The Chair:** These are our rules.

**Mr. Hudak:** Chair, I'll start, and we'll move down this way. Hopefully the members will oblige.

My name is Tim Hudak. I'm the member from Erie—Lincoln riding, down in the Niagara Peninsula. I'm Conservative, and I'm the municipal affairs critic.

**Ms. Fennell:** Thank you. Welcome to Brampton, Tim. That's the simple sort of courtesy we were hoping to get to this morning.

**Mr. Tory:** My name is John Tory. I'm the MPP for Dufferin—Peel—Wellington—Grey and the leader of the official opposition in the Legislature.

**Ms. Fennell:** Welcome to Brampton this morning, John Tory.

**Mr. Prue:** My name is Michael Prue, member of provincial Parliament for Beaches—East York. That's in the new amalgamated city of Toronto. I was the last mayor of East York, and I understand your dilemma.

**Ms. Fennell:** Welcome to the city of Brampton this morning, Your Worship.

**Mr. Kular:** I'm Kuldip Kular, member for Bramalea—Gore—Malton—Springdale. I'm not a member of the committee. I'm just attending as a member of provincial Parliament.

**Mr. Duguid:** Brad Duguid.

**Ms. Fennell:** And you are the MPP for?

**Mr. Duguid:** Scarborough Centre.

**Ms. Fennell:** And your role is?

**Mr. Duguid:** I'm the parliamentary assistant for municipal affairs and housing.

**Ms. Fennell:** Good. You should be proud of that.

**Mr. Duguid:** I was born on July 9, 1962.

**Ms. Fennell:** I didn't ask for your vital information, but if you want to give it to me—

**Mr. Duguid:** It was a rainy day.

**Ms. Fennell:** You should be proud that you're a Liberal. You shouldn't want to hide that. You should be proud that you're a PA.

**The Chair:** I would ask members to move along. We are well behind in this meeting this morning. We're holding up other persons.

**Ms. Fennell:** Mr. Chair, with all respect, if you want a vote from the audience, they will say, "Please proceed." Everybody is looking to hear this information. We'll step back and let Mr. Hudak finish his debate. You could start this hearing in an hour or two. We'll work right through lunch here in Brampton. We're very serious about this issue.

Tim Peterson from?

**Mr. Tim Peterson (Mississauga South):** You know me. This is a breakthrough. Thank you. I'm from Mississauga South.

**Ms. Fennell:** Good. See, Tim knows where he's from and he's proud of it.

**Mr. Peter Fonseca (Mississauga East):** Peter Fonseca, Mississauga East.

**Ms. Fennell:** Welcome to Brampton, Peter.

**Mr. Bob Delaney (Mississauga West):** Bob Delaney, Mississauga West.

**Ms. Fennell:** Thank you, Bob. Welcome.

**Mr. Berardinetti:** Good morning, Madam Mayor. I'm Lorenzo Berardinetti, from Scarborough Southwest, and I'm the deputy government whip—not the government whip but the deputy government whip. It's a pleasure to be here. I was on city council in Scarborough and Toronto for 15 years, so I understand your dilemma. I really want to hear what you have to say and I want to hear what the other deputants have to say as well. When the Tories were in power, they never had these kinds of hearings. They just rammed legislation through.

**Mr. Tory:** On a point of order, Chair: In light of the fact that we've taken this time, which I think was useful, and we've had a bit of a discussion about substitutions, could I move that, in light of the interest shown by the large number of people from Brampton and Caledon who are here, that the committee resolve itself now to sit through the lunch hour in order to make sure there is adequate time to hear the people who have taken their time to come here on a workday today. Can we take that time and resolve to do that now?

**The Chair:** We have a motion on the floor. Further debate? Hearing none, all in favour?

**Mr. Hudak:** Recorded vote.

#### Ayes

Hudak, Prue, Tory.

#### Nays

Berardinetti, Delaney, Duguid, Fonseca, Peterson.

**The Chair:** The motion is lost.

**Mr. Tory:** On a point of order, Mr. Chair: Mr. Kular looked like he was in favour of the motion.

**The Chair:** That's not a point of order.

**Ms. Fennell:** Just by way of explanation again, are we still on the introductory and explanation phase?

**The Chair:** No, we're not.

**Ms. Fennell:** Pardon me?

**The Chair:** We've had the introductions.

**Ms. Fennell:** I'm still asking questions on the process. We just had a process vote taken. Just so I'm clear, what time does this hearing conclude? You voted not to go beyond a certain time. There was a motion—

**The Chair:** It concludes at 11:30.

**Ms. Fennell:** It concludes at 11:30. I want to know—this is a process question; we haven't started yet—in the event that we don't get to the completion of your list of those who are here today and have taken the time, will you end the meeting without them having a chance to speak? Was that what that vote was to do?

**The Chair:** That vote was not in regard to the 11:30 time frame.

**Ms. Fennell:** I'm just trying to understand. The vote was to move past the lunch hour.

**Mr. Duguid:** On a point of order, Mr. Chair: My understanding is that the longer we go on with this, the

less likely it is that we will be able to hear from the deputants, because we do have a commitment for the second part of the hearing. If I recall, it's 1 o'clock in Mississauga, which means that we do need time to get from here to Mississauga. My hope would be to hear some substance about some of the issues that may be of concern to the residents in this room. Perhaps we could get on with that.

**The Chair:** You may begin.

**Ms. Fennell:** Thank you. Can we agree on what the time is so we're not going to get into a debate later? It's 9:30.

**The Chair:** It is 9:34 by my clock.

**Ms. Fennell:** Mr. Chairman, we're going to abide by your clock. That's what we're here to do.

Ladies and gentlemen, thank you for taking time to come to Brampton to listen to the views of this city, of my community, on the proposed restructuring legislation known as Bill 186.

I would like to begin by reading into the record a letter sent from my office to your Premier yesterday.

"The Honourable Dalton McGuinty

"Premier of Ontario

"Dear Premier,

"The purpose of this letter is to express, on behalf of all citizens of Brampton, my deepest disappointment with the public notification provided today by your government for standing committee hearings on Bill 186.

"My council was just advised hours ago, by your clerk's office for the standing committee on finance and economic affairs, that hearings for Bill 186 would be held tomorrow on Friday, May 6, 2006, 9:00 a.m. to 11:30 a.m. in Brampton and 1:00 p.m. to 3:30 p.m. in Mississauga. Further, we were advised that anyone wishing to appear before the committee would need to formally register with the legislative committee clerk by noon today." That was yesterday's letter.

"Providing less than 24 hours' notice of the hearings, and barely three hours' notice to register, demonstrates your government's total disregard for the 412,500 residents of Brampton. And, to give general notice, primarily, if not exclusively, by means of the Legislative Assembly Web site offends the principles of your government and is contrary to the following quote from your election platform."

Don't smirk at me, Bob Delaney. You're here; you take this seriously.

"The public should be given the opportunity to comment on any legislation of significance.... Public input is essential to good government. We will ensure that you have the opportunity to offer comment on all major bills."

That was section 5, page 7. It has a picture of the current Premier.

"The city of Brampton will participate in the Brampton hearing tomorrow morning in a manner that continues to put forward our strong case for properly balanced and fair representation in the regional municipality of Peel.



“Mr. Premier, from your document, ‘The Ontario Liberal Plan for a More Democratic Ontario,’ you were quoted as follows:

“For decades, we have watched our democratic institutions erode. And for the last eight years, we have seen these trends accelerate dramatically.... Public consultation on major legislation used to be automatic. Now it is the rare exception.”

“The residents of Brampton and Ontario deserve and expect what you promised.”

**0940**

I would like to demand an unbiased hearing. We have people on this hearing board who are vigorous advocates for Bill 186, its introduction and its passage, unamended. I don’t know if we can just call for an adjournment and have a legitimate hearing and not one that is loaded with people who are already predisposed not to listen beyond 11:30 even. That doesn’t give confidence to the residents behind me that their remarks will be listened to, if we can’t even go a little bit into the lunch hour to ensure that every voice here today is heard who made that 24-hour notice period genuine and is ready to be heard. But I’m not going to ask you to do that, because I’ve witnessed a demonstration this morning of how seriously you are listening or want to listen to Brampton.

Let’s begin the presentation, because the clock is ticking.

I want to ask the members to my left, what does Bill 186 do? Oh, they don’t have to answer. I’m going to help explain so that we all know what Bill 186 does.

**Mr. Duguid:** On a point of order, Mr. Chair: Maybe you could advise that we’re not entitled to answer at this point in time.

**Ms. Fennell:** You’re into my time. Stop the clock, please.

**Mr. Duguid:** Just on a point of order, for the clarification of Her Worship, we’re not entitled to answer at this point in time. When she has finished her deputation, if there is time left, certainly a response could be forthcoming. You could maybe explain that we can use that for comments or questions.

**The Chair:** That’s not a point of order.

**Mr. Prue:** It’s a rhetorical question, Brad.

**The Chair:** Order, please.

**Ms. Fennell:** Trust me, I understand the difference between a rhetorical question and a kangaroo court, and we’re seeing it all here.

I want to ask a rhetorical question, what does Bill 186 do? Bill 186 preserves the town of Caledon’s historical level of representation on Peel council, effectively an overrepresentation based on their current and future population. The current government, as with all governments before it, has acknowledged there are special circumstances which provide the town of Caledon with five members on Peel regional council. It makes this allowance notwithstanding the obvious fact that in doing so, Caledon is significantly overrepresented at Peel council table, and the city of Brampton agrees with this level of representation for the town of Caledon.

Bill 186 adds two seats for the city of Mississauga.

I just want to make sure we’re listening. You haven’t even noticed I’ve stopped talking. I’ll continue because maybe some are listening. Over here we’re listening.

Bill 186 adds two seats for the city of Mississauga. The city of Brampton also agrees with this increased level of representation for the city of Mississauga.

Finally, Bill 186 adds one seat on regional council for the city of Brampton—one seat to presumably account for Brampton’s current population. Bill 186 also forces the city of Brampton to re-examine our current ward boundaries, something neither of the other two municipalities is required to do.

I should remind the committee that only three years ago, the last term of council, the city of Brampton realigned its wards to account for both our current and projected population, an exercise that reduced our council from 17 to 11 members: a 35% reduction in local representation, a right-sizing of our council to balance local representation and provide for continued balanced representation to our city’s ultimate build-out.

Bill 186 will impose on the city of Brampton an intermediate unnecessary ward realignment in order to accommodate the additional one regional councillor this legislation prescribes. While doing so, Bill 186 at the same time denies Brampton any assurance that future representation at regional council will be proportionate with the increase in its share of the region’s population.

Mr. Chairman—and thank you for listening—it is because of these practical, real-world impacts on our community that the citizens of Brampton are so concerned with what Bill 186 represents. It is because of the inequities this legislation imposes on the city of Brampton that our community has come together over the introduction of Bill 186 on April 13, 2005, just weeks ago.

The taxpayers of Brampton have jammed our council chambers in opposition to this restructuring legislation. They have boarded buses in the middle of the week to come to the Legislature and show their collective displeasure with the government’s introduction of Bill 186. They know that Bill 186 is legislation that restructures their council. This is not purely a regional issue. Brampton taxpayers understand their governance is being changed, and they believe it is being changed to accommodate someone else’s political agenda.

The citizens of Brampton have been through a restructuring, as I’ve mentioned. They have been consulted and they have had input and offered their time and expertise to create a local governance structure in Brampton that works, and now they see this provincial government undoing their efforts. The taxpayers of Brampton want to ask questions. The taxpayers of Brampton want to participate in a restructuring process. They want to ask questions only the Premier or the Minister of Municipal Affairs and Housing can answer.

I’m going to speak for the taxpayers as part of my presentation because it’s been absolutely impossible for the taxpayers to be permitted to speak on this legislation.

Brampton taxpayers are asking why the government is restructuring the region of Peel at all. The banner re-

gional municipality in Ontario, an efficient, effective and award-winning order of government, has worked well for over 30 years. My citizens are asking why the government is moving this legislation forward so quickly. My citizens are asking why they are not being consulted. My citizens are asking why their legislative rights under the Municipal Act being denied.

The Brampton taxpayers are asking why, when the mayor and council participated in good faith in a provincial facilitation process, this government is not accepting the recommendations of Justice Adams. The citizens of Brampton are asking why the Premier and the Minister of Municipal Affairs and Housing chose to give Brampton one additional seat when the consensus reached by Judge Adams recommended five additional seats, which yields no restructuring to Brampton council.

“No restructuring” was the magic of the five number recommended, built by consensus. We are right-sized, ready to be all at the region of Peel today in the identical representation format Mississauga has had for 30 years, and we agree with it: one regional councillor, one regional ward. The bottom line is the people of Brampton want to know why this government continues to ignore the city of Brampton.

Bill 186 is the third strike for the Liberal government in Brampton. I remind the members of this committee about the very public action taken by our community in getting our new hospital under construction and the fact that thousands of Bramptonians sit gridlocked on Highway 410, waiting for a long-promised extension to be completed by this government. This is the kind of dialogue and debate on issues that we should be taking our 20 minutes to discuss. We should not be here talking about the restructuring of a municipal government that is looked after in the Municipal Act.

In 2003, Brampton taxpayers voted for change. They voted for change that Mr. McGuinty and the Liberal Party promised them, and this government has broken that trust with the people of Brampton.

The Minister of Municipal Affairs asserts Bill 186 will bring stability to government in the region of Peel; it will not. Peel region has not, until now, been unstable. The mere introduction of Bill 186 in the Legislature on April 13 and the unacceptable process it has followed has done more to destabilize Peel region than any action by any order of government in Peel’s 30-year history.

Given its recent actions and statements, it appears highly unlikely that Mississauga will be predisposed to relinquish any dominance over regional council newly granted by Bill 186. Practically speaking, this legislation ensures that Mississauga, unlike the other two municipalities, would be in a position to unilaterally create a deadlock on any issue. This fact alone destabilizes the region of Peel, in contrast to the minister’s assertion otherwise. The Honourable Minister Smitherman rose in the Legislature last week, suggesting that Bill 186 “gives ultimate respect for all of the citizens of Peel region because it’s based on the principles of representation by population.”

#### 0950

The government has been sadly misled on the facts surrounding representation by population in the region of Peel. I want to clarify the inconsistencies. Mississauga is currently—that is an important distinction—the largest of three municipal partners in the region of Peel. On that fact, the government is correct. Mississauga does have 60% of the population of the region—59.1%, to be precise, according to its population figures—but it only has 48% of the vote on regional council. They have a larger population share than a vote share. Brampton’s in the same position. Brampton has only 28% of the vote, with a current population share of 35%. We’re in the exact same position.

Arithmetically speaking, based on population figures approved by Peel council, both Brampton and Mississauga are under-represented at the regional council table. Removing the mayors from the representation-by-population analysis, since we’re elected at large and this bill speaks only to adding regional councillors, and using the government’s own population figures for Peel, each regional councillor—Bob, you should listen—in Mississauga currently represents an average of 71,666 citizens.

How rude.

By comparison, each regional councillor from Brampton currently represents an average of 76,000 citizens. There is a balance of rep by pop in Peel’s urban centre today.

I’m going to have to skip through a bit. How many minutes do I have left?

**The Chair:** You have about five minutes.

**Ms. Fennell:** I’m going to go quickly, and maybe the audience will want me to finish. It may take me five minutes.

There is a balance of regional rep for each regional councillor in Peel’s urban centres today. That is an arithmetic fact; it is not my opinion. There is rep by pop. We have equal numbers of population for regional councillors today in the cities of Brampton and Mississauga. In 2004, Brampton’s residential construction value was three times that of Mississauga. The population this residential development generated will be in Brampton by the time Bill 186 takes effect. To put that \$2 billion into perspective, that is 9,000 additional residential units. An addition 30,000 citizens will be living in Brampton just from this year, not counting the growth since the 2001 census.

The level of representation Bill 186 imposes on Brampton will be out of date and is already out of date, its purpose rendered redundant before it even takes effect for January 2006. Let me assure you that this gap continues to increase dramatically, to the point where Mississauga and Brampton will have essentially equal populations but clearly unequal representation on regional council.

To demonstrate the full impact of Bill 186’s inequity over the long term, when Brampton is expected to reach its ultimate population, as projected and approved by Peel council, each Brampton regional councillor, with

Bill 186 as it currently sits, will be representing—each regional councillor, Mr. Delaney—over 100,000 citizens; not just one, but every one of Peel’s councillors. By comparison, Bill 186 defines Mississauga to serve an average of 68,200 constituents. Assuming the region of Peel even survives to 2031, the taxpayers of Brampton will have no effective recourse under the Municipal Act to increase their representation on that council. Bill 186 will have seen to that.

In conclusion, I want to reiterate two key points. Bill 186 does not support the basic principles of representation by population. The simple arithmetic of Peel’s existing and projected population clearly demonstrates that. Bill 186, if enacted in its present form, will prevent Brampton from being guaranteed balanced representation by population regardless of growth into the future.

Bramptonians do not come here wanting a more advantageous level of representation. They do not want to dominate Peel council. Brampton taxpayers want a fair level of representation at the Peel table. The citizens of Brampton want this government to implement the full recommendations of Justice Adams, arrived at through good-faith bargaining. If this government is not willing to accept the Adams report in full, then do nothing. Leave the region of Peel as it is.

However, if your government is intent on moving forward with Bill 186, the citizens of Brampton urge you to recommend the necessary amendments to the legislation. We urge you to respect Judge Adams’s report, which said that for every two councillors you add to Mississauga—which we agree with—you have to add two to the city of Brampton. We are currently exactly the same rep by pop: 70,000-and-some-odd citizens per regional councillor. We urge you to reflect true rep by pop for 2006, and we ask that the legislation include the necessary mechanism to ensure that all the municipalities in Peel—that would include Mississauga, Caledon and Brampton—have proper representation as each municipality builds out to its ultimate population.

You cannot grasp a population at one point in a 30-year history and say, “Today, we’re going to make an amendment to a major piece of legislation, without consultation, that only reflects the 2001 census.” It’s already four years out of date. There is a census in 2006. Why don’t we use the 2006 census, for the 2006 municipal election? If your answer is—and don’t answer, because I know you don’t want to—that you can’t have all this organized for the 2006 election, what’s the rush? We’re going to have another election in 2009, 2012 and 2015.

If we’re going to rejig and go outside the Municipal Act and alter the configuration of Peel council, then do it right. As my good friend the mayor of Mississauga always says, “Do your homework.” Do it right. Don’t do it based on false information without all of the facts.

You’re hanging your hat on rep by pop and you’re using an outdated census. You’re hanging your hat on rep by pop and you’re not using or respecting Canada’s

fastest-growing city. You’re hanging your hat on the fact that you don’t award representation for future population.

Mississauga doesn’t need a single other councillor today. Yes, they have two wards, very big, but they have several very small. Overall, they have rep by pop today, and so do we. We’re in exactly the same boat. So if we’re going to give the billed-out extra two for Mississauga, then at least respect the population of Brampton and award the same two, with the formula that allows councillors to be added as we go, because we don’t want to restructure Brampton council. We right-size.

I think I’m out of time, and I thank you for not cutting me off. If there are any questions, I am happy to answer them if you’re allowed to take the time. We can answer them on camera with the media waiting.

**The Chair:** The time for your presentation has expired. Thank you for your presentation.

#### TOWN OF CALEDON

**The Chair:** I call on the town of Caledon to come forward, please.

**Mr. Tory:** On a point of order, Mr. Chair: While we’re waiting for the town of Caledon, might I suggest that at the very least, my earlier motion having failed when the Liberals all voted it down—we have people here who are slated to be heard this morning. They all have their allocation of time, and it’s obvious with that allocation of time, we would go beyond the 11:30 recess. I would move that the committee continue sitting, respecting the time frames that have been set out in the schedule, until everyone who is slated to be heard has been heard, which will take us beyond the 11:30 time.

**The Chair:** There’s a motion on the floor. Any debate? Hearing none, all in favour?

**Mr. Hudak:** Recorded vote.

#### Ayes

Berardinetti, Hudak, Prue, Tory.

#### Nays

Delaney.

**The Chair:** The motion is carried.

Good morning. You have 20 minutes for your presentation. You may wish to leave time within that 20 minutes for questions. I would ask you to identify yourselves for the purposes of our recording Hansard.

1000

**Ms. Marolyn Morrison:** Good morning, Mr. Chair, Mr. Tory, Mr. Hudak, Mr. Prue, and the Liberal members. I’m pleased to be here this morning representing the town of Caledon. I have with me Councillor Lyons, Councillor Thompson, Councillor deBoer and Councillor Paterak.

Even though we have not been able to have a hearing in Caledon, I am pleased to see that you’ve used the

Caledon room of the Holiday Inn for the hearing. Thank you for that.

The formation of the county of Peel, and county to region, was in 1866. The county was formulated to distribute the wealth and to provide fair and equitable servicing to the residents. The county was formed into the modern-day region of Peel, comprised of the same three municipalities it called home, in 1866.

The region of Peel is our nation's leading regional government, being recognized as the best-run municipal government in Canada. The region is well-recognized for its financial stability and the accredited services they provide.

I would like to talk about the process and development of the Regional Municipality of Peel Act, Bill 186. I would like to share with you a timeline that demonstrates the frustration and deep concern with regard to the process in which this bill was developed.

November 2003: At her inaugural, Mayor McCallion announces her intention to request the province's approval for Mississauga to secede from Peel region, which was plan A.

June 2004: The mayors from the GTA countryside alliance, which I started in the spring of that year, denounce the Mississauga plan, citing the domino effect for all regions in the GTA.

August 2004: Mississauga councillors walk out of a regional council meeting when the new regional headquarters matter is discussed. The uncertainty of this issue has greatly cost the taxpayers of Peel—over \$2 million of unwarranted costs at this point. Mississauga maintains that a decision to proceed with a new regional headquarters is premature, because they believe the region of Peel may not exist or that its function may change dramatically. Peel staff have confirmed that, because of the delays, the taxpayers are on the hook for over \$2 million of additional expense due to increasing building costs.

The Minister of Finance announces that the separation bid is off and a provincial facilitator will be appointed. The city of Mississauga then moves to plan B: to gain control of the region of Peel.

October 2004: The province appoints the Honourable Justice George Adams QC to investigate the issues and develop a solution for the provincial government to consider.

November 2004: The provincial facilitator meets with the mayors and chair, and in December 2004, to hear evidence and positions over a four-day period.

December 2004: Justice Adams issues a report and concludes that Mississauga and Brampton warrant additional regional representation, but recommends that Mississauga should not have the ability to control regional council through a majority. The report also sets out a process and criteria to move agreed-upon regional services to the local level.

December 2004: The city of Mississauga advises the province that they do not support the findings of Justice Adams.

April 7, 2005: Minister Gerretsen meets with the three mayors and chair under the pretence that they will discuss the facilitator's report. Instead, the minister dictates to the mayors and chair the province's decision to disregard Justice Adams's report and give the city of Mississauga two additional seats and the city of Brampton one additional seat.

April 12, 2005: Caledon requests to view draft legislation and requests that the bill not proceed to be tabled in the House without public consultation. This was denied.

April 13, 2005: Bill 186 is read in the House for first reading.

May 6, 2005: The standing committee on finance and economic affairs holds a public meeting in Mississauga and Brampton with less than 12 hours of notice to the public, who may wish to speak on this bill.

I believe we can see a pattern being established with regard to the region of Peel. With the most recent press release from the city of Mississauga on weighted assessment and the realignment of services, this pattern is continuing.

Yesterday at 10 a.m., my office received a phone call from the clerk's office for the standing committee on finance and economic affairs, giving official notice that the hearing for Bill 186 would be held on Friday, May 6, at 9 a.m., and advising that anyone wishing to make an oral presentation would have to contact them by noon that same day. When we asked how this information would be communicated to residents, we were told that a public meeting notice was posted on the Legislative Assembly of Ontario's Web site. I ask you, how would anyone ever know that? How many people would ever check that Web site on a daily basis, hoping that they could get that kind of information?

The Legislative Assembly of Ontario's Web site indicates that residents may contribute a written submission to this committee. However, Caledon residents are not likely to be aware of the May 9 deadline for written submissions, as the only local paper that publishes a week-end edition went to press on Thursday, well before the information about the hearing was communicated. Local newspapers are an effective and, in some cases, the only communication vehicle for our community.

Neither I nor my constituents can possibly accept these restrictive deadlines as part of the democratic process. If the purpose of this hearing is to gather community feedback, the government has certainly not provided sufficient time for Caledon residents to participate.

This process has not been transparent and greatly lacks consultation. At no time did the Premier or Minister of Municipal Affairs and Housing sit with all three mayors and chair to discuss the situation or the facilitator's report. At no time did the government consult with the municipal representatives, including councillors, or the general public. This bill circumvents the Municipal Act, which requires that municipalities work together to find a local solution through a public, transparent and open pro-

cess, as prescribed by law. The government disregarded this important legislation and implemented a facilitator. Brampton, Caledon and Mississauga participated in good faith.

The facilitator's report achieved a consensus among all three mayors. Before we left the room on that last day, we stood there, and all three mayors agreed with what Justice Adams was saying to us. This report was derived from an objective third party; the key word here is "objective." In fact, a little aside is that when Mayor McCallion was telling the papers how happy she was with Justice Adams being appointed because he was such a renowned judge and he would be very good and fairly look at everybody's information, I was a little worried that maybe she knew him and would have some influence. So it was quite interesting for us when we actually got the report. There were four days of meetings, plus the consultants' report. The implementation of a facilitator was the only part of this process that was fair, equitable and transparent.

There are two main problems with Bill 186. Firstly, the legislation will be implemented in time for the 2006 municipal elections. It will become outdated shortly after its implementation. Justice Adams's report suggests a mechanism to fairly warrant additional seats based on a weighted representation model. This would not be setting precedence, as other upper-tier municipalities like the county of Dufferin already have such a method. There are four others that also have it.

A trigger point is needed at which the population will warrant additional seats. If not, we will have to go through this again in a short time because of the immense growth that will take place in Brampton and Mississauga. Brampton is the fastest-growing city in Canada and, with the numbers projected for the GTA, this trend will not be slowing down any time soon. By the government circumventing the Municipal Act, they have made it impossible for us to deal with representation at the regional table in the future. Brampton has right-sized its council from 17 to 11 councillors for the 2003 election to properly balance its population, as you've already heard. Mississauga refused to do so, and so some wards are only comprised of 44,000 residents, while others have up to 118,900.

#### 1010

Also, this bill has changed the role of the regional chair. Currently, the chair is there to act as a liaison among the municipalities and to guide the policy framework and help with the vision. This bill will make the regional chair kingmaker. They will hold the deciding vote in all tie situations. I think that makes the regional chair almost more powerful than the Premier of the province.

The town of Caledon has never been opposed to the city of Mississauga having more seats at the regional table, and I stated that at the regional table. I have told Mayor McCallion that. But it must be clear that no one municipality can have majority. The thing that has always made the region of Peel work is the fact that all three municipalities have to work together and have to

get along and have to be constantly bringing someone on side in order to be able to get what they need through that table.

My second concern with the legislation is that it creates another dilemma that could have severe consequences. The regional chair, as outlined earlier, plays an important role at the regional table. I brought this up with Minister Gerretsen when we had our meeting with him, and he informed us of the two and one. Unfortunately, no one was willing to deal with it.

Brampton and Caledon combined will have the same number of votes, 12, as the city of Mississauga. When electing the chair, there is great potential for a deadlock situation. This legislation has created this problem and provides no solution. The election of the chair could give Mississauga the majority of the region and could further Mississauga's initial request for dismantling the region of Peel. As I said in the beginning, I believe there's a pattern being established here, and I believe the pattern is chipping away and chipping away until everything is dismantled. I would like to think that this government would not be privy to that kind of dismantling, and if they truly believe that the region of Peel and all regional governments in the province of Ontario should be dismantled, come forward, state it and be honest with everyone, and then everyone can look at what should be put in place instead.

In conclusion, the government needs to be more forthcoming with the residents of Peel and provide more discussion. We are not in a hurry. Let's take our time and make sure we do this right. This process has been so rushed that it is excluding the residents who will be directly affected. Bill 186 will be outdated by the time of its implementation. The projected population growth for both Mississauga and Brampton will soon surpass this legislation and, in five years' time, we will be back here doing this all over again.

Justice Adams's report suggested a mechanism that would ensure stability in the region for many years to come. This bill may be putting one issue to rest, but in turn it creates another significant problem that will hold the region at a standstill. This is not what we want for the region of Peel. We do not want a dysfunctional level of government, and I don't think it behooves any of the residents of Caledon, Mississauga or Brampton to have that. The process for the election of the chair in a tied situation must be part of this legislation. If it is not, 2006 will be a trying time for all.

I would like to give my councillors an opportunity if they have anything they would like to add before we're finished.

**The Chair:** If you do speak, if you could just identify yourselves for the purposes of Hansard. There are about six minutes left.

**Mr. David Lyons:** Thank you, Mr. Chairman. My name is David Lyons. I represent ward 2 in the town of Caledon. That is the southwestern portion that immediately abuts the boundary of Brampton.

I couldn't help but note on Tuesday, as we sat in the House observing the proceedings in Toronto, after Mr.

Tory's address, we had the privilege of hearing Ms. Van Bommel, the parliamentary assistant of the Minister of Municipal Affairs and Housing, address the House. Ms. Van Bommel spoke to the House with pride of the open process and unprecedented level of consultation and consideration of the recently passed Greenbelt Act, Bill 135. I am, however, reserving judgment on the validity of the statement on the openness of the process, as members of the Greenbelt Task Force were sworn to secrecy by signing confidentiality clauses. How, in light of the process undertaken in that situation, can the people of Caledon have confidence in the process undertaken in the deliberations surrounding Bill 186, particularly when this issue has not come to regional council for formal debate and with only one day of public consultation?

That's all I have to say. Thank you.

**Mr. Nick deBoer:** My name is Nick deBoer. I am a councillor also in Caledon. I am also president of the Peel Federation of Agriculture.

A number of federations throughout the Golden Horseshoe are watching this process, interestingly, because a lot of the municipalities in the urban areas that we also abut that are looking at separating are looking at what happens here, and urban areas are looking at reducing their, I won't say subsidy, but their support of the rural areas of Ontario. I would question that this could lead to a process where the urban areas even further reduce their support of the rural areas of this province and put the agricultural areas and areas that produce food for the urban areas under larger financial duress. I think we've started to come back to a process where we see some monies coming into rural Ontario, but this has to happen along with our neighbours in the urban areas.

It has been very well put out that Mississauga's goal is to separate from Caledon because Caledon is going to be seen as a burden because of the fact that we've got greenbelt, Oak Ridges moraine, Niagara Escarpment and very limited opportunities. This is something that has to be kept in mind as our urban members of Parliament do sit there, from that seat. I find it interesting that some of the rural areas are represented on this side. Thanks.

**Mr. Richard Paterak:** I'm Richard Paterak, ward 1 regional councillor. I would just like to underline what the mayor said earlier, that it is quite egregious that there is such short notice. We have no way of notifying the public of Caledon. You have to understand that the public of Caledon has had no opportunity for input into the proceedings today. They have no opportunity to even come and witness the proceedings. We had no method, given the short timelines, and I find it quite outrageous.

**Mr. Allan Thompson:** My name is Allan Thompson. I'm councillor for ward 2. I would like to ask all of you, especially the councillors from Mississauga, and I know you're under a great deal of influence from a fine lady, a mayor who's very strong, but there are times—you've been elected to stand up and do the right thing. Read the report. Look at yourself in the mirror and say, "Am I doing the right thing? Is this good for the citizens of

Ontario, the region of Peel?" I know sometimes we have to make tough decisions, but this is a tough one for you. Ask yourself, "Am I doing the right thing?" Sometimes we have to stand up to the kingmakers and tell them they are wrong. Read it. You understand. I hope you were paying attention. I notice sometimes there's discussion going on, but this is a short process and we deserve the respect of being listened to.

Going through the greenbelt consultations, I do say there are some members sitting here today, and unfortunately the ones who are not here today, who weren't listening to what people have to say with their whole life career on the line. You made some detrimental decisions that are going to have a lot of effect on Ontario, and we will see that in the next number of years to come.

Please do not make the same mistake again. Listen to what's being said and do the right thing. That's what I'm asking you people to do. Justice Adams made a fair report. He makes decisions. That's his profession. Why don't you endorse what was recommended? Do the right thing. That's all I'm asking.

**The Chair:** We have about a minute left.

1020

**Ms. Morrison:** I would just like to thank you very much, Chair Hoy, for hearing us. I would like to reiterate that I do believe there are some amendments that need to take place with regard to this bill, and those would be the trigger points for population, for representation.

Also, I still think the onus is on this government to make sure that you have figured out how a regional chair is ever going to be elected at that regional council table with the possibilities that lie before us. I really would like to know, going into that election, what the government is going to do if there is no outcome. Will the clerk sit and be the regional chair? I believe in our bylaw it sort of falls to the clerk to sit there, so maybe for a three-year period we will have a clerk as the regional chair. I think that's something you have to think about, because it will make us even more dysfunctional. I mean, you can imagine.

I'd like to think that all mayors can work together. I do think that all mayors can work together. You have to be able to let things go and get on with the job. I know that I'm more than willing to do that, but those two things have to be fixed.

Thank you very much for listening to us.

**The Chair:** Thank you for your presentation.

SHAHNAZ KIYANI

**The Chair:** I would call on Shahnaz Kiyani to come forward, please.

**Mr. Tory:** Mr. Chair, just while the transition is taking place between the Caledon group and the next deputant, I had a question for the parliamentary assistant. There may be time for another vote while he's up. Brad?

**The Chair:** There is a question—

**Mr. Tory:** I just had a question while we're waiting. I wonder if the parliamentary assistant could enlighten us

as to exactly what would happen in terms of the selection of a chair for the region in the event of the kind of deadlock that the mayor of Caledon made reference to, just while we're waiting for the next deputant.

**Mr. Duguid:** I've had plenty of opportunity to speak to that particular issue. Mr. Chair, it's at your leisure whether you want me to speak to it again at this point in time.

**Mr. Tory:** Yes, that would be good.

**Mr. Duguid:** It's the Chair I'm asking.

**The Chair:** If it's agreeable to you.

**Mr. Duguid:** It's quite simple. Like any other council, the goal is to reach consensus. In this case, the beauty of this is that no one community, no one council has majority on Peel, so there would have to be a consensual approach. Whoever was chosen would be somebody who would, in theory, be representing all of Peel rather than any one particular interest. I think it's a process that has worked in other places that I'm certain would work here as well.

Knowing the people involved, I know how much they care about the region. I know that they'd be able to put their own parochial interests aside and decide on who the best chair would be for the entire region.

**Mr. Tory:** I will just note for the record, Mr. Chair, the great confidence the parliamentary assistant has in the consensual process, which confidence he didn't have when it came to arriving at a consensus in this case. It's ramming a piece of legislation through.

**The Chair:** We'll move to our next presentation.

**Mr. Duguid:** That's something you would know a lot about, and your previous government, for sure.

**The Chair:** Order. We're moving to our next presentation, gentlemen. I remind members that there will be an opportunity to discuss the bill in full at clause-by-clause.

Good morning. You have 10 minutes for your presentation. You may leave time within that 10 minutes, if you so wish, for questions. I would ask you to identify yourself for the purposes of our recording Hansard.

**Ms. Shahnaz Kiyani:** Thank you, Mr. Chairman. Good morning, ladies and gentlemen. My name is Shahnaz Kiyani, and I live in the northeast section of Brampton. I come here today to you as a concerned citizen who needs to speak out against Bill 186.

In my opinion, Bill 186 is flawed and should not be passed by the Legislature. Bill 186 represents another broken promise by the Premier and his government. The Premier campaigned on a commitment to build stronger communities and to listen to his constituents. Bill 186 is going to put hurdles in the progress and growth of Brampton.

By disregarding the recommendations of a facilitator that he himself appointed, the Premier has ridiculed and thumbed his nose at the process to which he has been entrusted by us. Brampton does not deserve this treatment. Come next election, Brampton will remember how this government treated it.

Bill 186 is flawed because it condemns Peel council to a permanent deadlock by giving Mississauga 50% of the seats on Peel council. Mississauga would need only one vote to perpetually dominate the council. Brampton, which is already underrepresented, becomes even more so, with one councillor for approximately 80,000 residents compared to approximately one for every 75,000 in Mississauga. It does not address how the regional chair will be appointed or elected. If it is going to be appointed, I think it's an undemocratic procedure. If appointed, it will allow for the possible dismissal of the chair at any time. This possibility will severely affect the chair's independence.

Bill 186 is also flawed because it disregards the interests of Brampton and Caledon citizens. It has come into being through a flawed legislative process, without the benefit of full public consultation. There are other bills, like Bill 156, which are getting eight days' notice before public hearings; we were given only a few hours. I personally called at 1 o'clock yesterday afternoon and I was told that I am allowed to speak—1 o'clock in the afternoon, to come here to speak at 9:30. It's not much time. It defeats the very basis of the Municipal Act, the objective of which is to protect the public interest.

Mississauga has exhausted its potential for growth. Brampton, on the other hand, is one of Canada's fastest-growing cities. It is growing so fast that its infrastructure is unable to keep pace. Brampton must now be able to get its proportionate share of the regional revenues in order to do right by its citizens. If Brampton does not get its proportionate share, then our property taxes are going to skyrocket.

The only possible solution to this problem is for the Premier to implement the formula recommended by Judge Adams and agreed upon by all the mayors: Give Mississauga the two seats they lobbied for, but at the same time give Brampton the five seats that Judge Adams recommended. If, after all that, Mississauga still wants to leave the region of Peel, perhaps we can give them an honourable discharge. They should return up front all that they received from Brampton and Caledon. They'll go their way; we'll go our way.

Thank you for listening. I hope it gets some attention.

**The Chair:** Thank you. We have about two minutes per party, and we'll begin with the official opposition.

**Mr. Tory:** Could you just elaborate on the very last point you made, which I think is one that's often lost sight of, in terms of the evening-up, as it were?

**Ms. Kiyani:** The honourable discharge: If it were not for the development dollars coming in from the region of Peel, Mississauga would still be cornfields in the suburbs of Toronto. They developed because they got all that money from the region of Peel. If they want to separate, then instead of making everybody's life miserable, they should pay it all back to us up front and be independent, and we'll all be independent municipalities. If they can't find that money up front, the provincial government can bail them out.

**Mr. Tory:** Before I asked my question, I should have begun by thanking you for your presentation, by the way.

You raised a couple of points that hadn't previously been raised by the mayors. I think there's pause for thought in looking at the context within which this is all happening.

Is it your sense, as a citizen, that that's really what this is about, a kind of hidden agenda—

**Ms. Kiyani:** Yes, I think so. I strongly believe that it is. I was also in the House on Tuesday and I heard the Premier say that they are implementing all the recommendations of Judge Adams except one, which is not giving Brampton all the seats. That is the only one and that is, again, playing a game to make other partners in Peel subordinated to Mississauga.

1030

**The Chair:** We'll move to Mr. Prue of the NDP.

**Mr. Prue:** In four more minutes, they're going to question you too. It's me next; you've got to look this way.

**Ms. Kiyani:** Oh, sorry.

**Mr. Prue:** OK. You're suggesting that Mississauga go its own way. Are you in favour of having one level of municipal government? This is what we have in Toronto now, and I have to tell you, I don't think it works as well as the old metro government and six municipalities, not by a long shot.

**Ms. Kiyani:** Actually, I'm not in favour of that. I just said that if Mississauga cannot put up—that's how Mayor McCallion started. They wanted to secede from the region. What is happening now is an outcome of that insistence of Mayor McCallion on seceding. When they were not allowed that, they started this other plan. I'm not in favour of it personally, but if they really don't want to be with us, if they are going to make life miserable for everybody else, if they are not happy with us, then they should secede, but they should pay us all our money back.

**Mr. Prue:** All right. I think that's enough. Thank you.

**The Chair:** We'll move to the government.

**Mr. Duguid:** Ms. Kiyani, thank you very much for taking the time to join us today and for making your deputation. The mayors are still here; I want to thank the mayors for taking their time as well and for joining us today.

There are just a few quick things I want to touch on. One of them comes from what Mayor Fennell talked about. I just want to assure the mayor—if she'd just take a look at subsection 1(4) of the legislation. There's a concern expressed about the potential need to restructure the local seats, create new wards and those kinds of things as a result of this legislation. This legislation gives Brampton the flexibility to choose their representative as they wish, so they will not have to restructure their seats if they choose not to. They can add an additional ward if they wish to, but they could appoint a regional councillor among their local councillors or in any other way they so choose. So that gives a little more flexibility there.

I want to talk about the numbers that you raised. My numbers suggest that we're looking at, right now, Mississauga with about 60% or 61% of the population, Brampton with 34.8% and Caledon with 5%. Do you think it's

unfair for Mississauga, with 61% of the population, to have 50% of the seats on Peel council?

**Ms. Kiyani:** I think you heard Mayor Fennell say that if you look at the number of the population and the representation and you work out the percentage, Mississauga is actually overrepresented. Brampton has approximately 80,000 residents to one councillor, and Mississauga has approximately 75,000 people to one councillor, so we are actually underrepresented.

**Mr. Duguid:** I'm not sure what numbers you have, but our numbers are completely different from that.

**Ms. Kiyani:** I'm not a city administrator; I might have made some mistakes there.

**Mr. Duguid:** No, that's fine. Thank you; I appreciate that.

**The Chair:** Thank you for your presentation.

#### CITY OF BRAMPTON

**The Chair:** I call on Clay Connor.

**Mr. Hudak:** Chair, I know Mr. Connor, who is counsel, is coming forward. There may be two issues that Mr. Connor is going to address, and I wonder if we could have clarification from the parliamentary assistant. The parliamentary assistant earlier, in his response to Mr. Tory, indicated that he hopes that there's a consensus to decide the regional chair. I think it's important that if this bill were to pass, legislation should describe what happens if that consensus is not reached. How do you break that tie? If Mr. Duguid could explain to us if consensus is not reached, how is a tie broken?

Secondly for Mr. Duguid, subsection 1(2) says that the regional chair would be appointed by the members of regional council rather than be elected, and that begs the question of whether another chair could be appointed during the term. Could you tell us why the term "appointed" is used instead of "elected," which is customary.

**Mr. Duguid:** I think I explained it before. Our intention and our expectation with this is that all parties will be able to work together in the best interests of Peel. That's exactly what I fully expect is going to occur here.

With regard to the election of the chair, nothing in this legislation will change the election-of-chair process from any other municipality of this type that's structured in a similar manner. However the election of chair took place in the past, and what provisions would have been in place to provide for a potential if they couldn't reach a consensus, would remain in place.

**Mr. Hudak:** Not to belabour the point, but I did want to point out that legal counsel, Mr. Rust-D'Eye, had pointed out that acts customarily read that the chair is elected—and it's clear—not appointed. Secondly, I believe that under the Municipal Act there are provisions for the breaking of a tie. This bill has no provisions for the breaking of a tie, which makes people concerned that the minister then would appoint the chair instead. I just wondered if the parliamentary assistant would be amenable to putting into the bill some method for breaking a



tie rather than not having any method whatsoever and a potential deadlocked council.

**The Chair:** I want to once again remind members of the committee that these items and questions can be brought up at clause-by-clause. We do have people in the room waiting to present, and I just ask for your courtesy. I suspect that the persons who are here in the room may have other things to do today as well. I ask for that courtesy. We can discuss these issues at clause-by-clause, as all members would know.

**Mr. Hudak:** Just a quick answer is fine.

**Mr. Duguid:** If you look to the Municipal Act, it defines how a chair is appointed. The Municipal Act also defines whether a regional council has the authority to depose a chair. Our reading in the Municipal Act is that there is no such authority, and this act certainly doesn't impugn that in any way.

**The Chair:** Thank you.

Sir, you have 10 minutes for your presentation this morning. You may leave time within that 10 minutes for questioning, if you wish. I would ask you to identify yourself for the purposes of our recording Hansard. You may begin.

**Mr. Clay Connor:** My name is Clay Connor. I'm a lawyer with the city of Brampton. I've practised law with the city for over 20 years. I thank you for the opportunity to speak to you today about the legal and practical implications of Bill 186. I also thank the clerk for slotting me into the clean-up position in the batting order this morning. I think that's appropriate.

Some people have called Bill 186 a fairly innocuous bill. However, if it's enacted in its present form, there will be significant legal and practical implications that are not readily apparent from simply reading the bill. Here, as in so many areas, the devil is in the details.

The appointment of the regional chair: Section 1 of the bill speaks of the members of regional council appointing the regional chair. Section 28 of the Interpretation Act provides that the power to appoint an official includes the power to remove that official. This would compromise the independence of the chair, who presently, as statutorily set out, serves for the full term of council. The bill should be amended to follow section 6 of the former Regional Municipalities Act to provide that the members elect the chair and that the chair serves for the full term of the council and until his or her successor is appointed.

We've had some discussion about breaking the tie vote in selecting the chair. With the additional representation provided by Bill 186, there will be 24 members of council, 12 from Mississauga and 12 from Brampton and Caledon combined. With an even number of councillors, there could be a tie vote in the selection of chair if everyone votes.

The former Regional Municipalities Act provided that if a tie in the vote for the selection of chair could not be resolved by the council within one week of the first council meeting of the new term, the Lieutenant Governor in Council appointed the chair. It's unclear if that provision continues to apply, as the Regional Muni-

cipalities Act was repealed and there's no consensus as to whether the transition provisions of the Municipal Act would carry that provision forward. I think it should be made clear. You've got a chance up front to fix what could be a problem down the road, and it could be an embarrassing one if there's deadlock after the election when you're trying to select the chair. Bill 186 should be amended to provide a mechanism to resolve a tie vote to select the regional chair.

**1040**

The parliamentary assistant mentioned the options for Brampton to select its regional representatives. You heard from Mayor Fennell how, for the 2003 municipal election, Brampton redivided and balanced its wards and downsized its council from 17 to 11 members. Choosing any one of the options in Bill 186 for the manner in which the regional representatives are selected will be a difficult decision for Brampton in light of where we are in our history and what we did three years ago. It's a decision where council is going to want to have significant public input.

While there is no public notice required prior to enacting a bylaw under Bill 186, if the method of selection chosen has the additional member sitting on both the city and regional councils, the city will be required to pass a bylaw under section 217 of the Municipal Act, 2001, to alter the composition of city council. This requires public notice and at least one public meeting.

If the method of selection council chooses requires a redivision of the wards within the city of Brampton, the process under section 222 of the Municipal Act, 2001, must be followed. This again requires public notice and at least one public meeting. Once the bylaw is passed, the minister, any person or agency has 45 days to appeal the bylaw to the Ontario Municipal Board. If the bylaw is appealed to the OMB, it's extremely unlikely that the ward boundaries will be finalized before January 2, 2006, and that's the day candidates can begin to file nomination papers for the 2006 municipal election.

A delay in finalizing ward boundaries will also impact upon the Peel District School Board and the Dufferin-Peel Catholic District School Board, which must take the municipal wards into account for the purposes of trustee distribution. I understand you'll be hearing from the separate school board in Mississauga this afternoon. They'll tell you in more detail than I can what the impacts could be on them.

A number of deadlines set out in regulation 412/00 under the Education Act could be missed if there is a delay in finalizing the ward boundaries. Through the use of regulations, the Minister of Municipal Affairs and Housing may be able to provide a legal solution to this problem by putting in a regulation to extend some deadlines, but whether the legal solution is acceptable in the eyes of the public remains to be seen.

One point that I haven't really heard discussed anywhere in the lead-up to Bill 186 is the region's role in ward redistribution. Under subsection 13(4) of the former Municipal Act, it was clear that only the council of a

local municipality had the authority to pass a bylaw dividing or redividing the municipality into wards. Subsection 222(1) of the Municipal Act, 2001, gives that power to a municipality, which could be upper- or lower-tier. Had the Legislature intended the former law to continue to prevail, subsection 222(1) would have only granted the power to divide into wards to a lower-tier municipality. It doesn't say that; it just says "a municipality."

This leads to the conclusion that an upper-tier municipality like the region of Peel may now have a role to play with respect to the creation of wards for the purpose of election to regional council. The Municipal Act, 2001, is unclear as to how the two levels of government are to resolve who does what in order to establish wards to elect councillors to serve on both the upper- and lower-tier councils.

This is a Municipal Act problem; this isn't a Bill 186 problem. It can arise in any region, but because of Bill 186, it's going to arise here first. Unless it is addressed, it leaves open the possibility of a court application challenging the validity of a lower-tier municipality's bylaw that purports to create wards for the purpose of election to the upper-tier council. The argument simply is that the lower-tier doesn't have jurisdiction; the upper tier has to do it.

I'd like to turn to the issue of providing for future representation for Brampton. This is another point that's been sort of glossed over. Section 3 of Bill 186 leaves Brampton with utilizing the process set out in section 218 of the Municipal Act, 2001, to secure additional representation on regional council in the future as Brampton continues to grow.

The section 218 process requires a triple majority for any changes to be approved. The triple majority means that the changes have to be approved by a majority vote of regional council and by a majority of the lower-tier councils representing a majority of the electors in the region. So that's the triple. In practical terms, given the current and projected populations of the lower-tier municipalities in Peel, this means that Brampton will not be able to secure any additional representation on Peel regional council without the consent of the city of Mississauga council for at least the next 20 years. In light of recent events, it's unlikely that Mississauga council will ever agree that it's in its interest to dilute its voting power on regional council by approving additional representation for Brampton. Brampton is the only municipality in the region that is in that position, because it's the only region where the majority of the population lives in one municipality. Bill 186 should be amended to provide a mechanism for Brampton to secure an as-of-right increase in its representation on Peel regional council as its population growth warrants.

I want to talk briefly about the minister's power to make regulations under this bill. Section 4 of the bill gives the minister the extraordinary power to make regulations that prevail over any act in respect of "those matters which, in the minister's opinion, are necessary or

expedient to conduct the regular election in 2006 in the regional municipality." The normal rule is that acts of the Legislature prevail over any regulations made by the executive branch or by an individual minister. While the ability to give the minister such power has been held by the courts to be constitutional—it goes back to a 1918 case that allowed for the War Measures Act—the courts are still able to adjudicate on whether the regulations that are made are within the scope of the power that has been granted are valid. In matters dealing with elections and democratic rights, one can expect any court scrutiny to be quite vigilant.

Any regulations that are made will likely impact on how the 2006 municipal election will be conducted. We therefore request that the minister provide all the municipalities in Peel with a consultation draft of the regulations that are being contemplated, since the municipalities may have more clarity and transparency with respect to the orderly conduct of the 2006 regular election. You folks and your colleagues in the Legislature, as elected officials, probably know more than anybody else and can appreciate more than anybody else how important it is for an election to function smoothly.

These points are examined in greater detail in our written submission, which you have, and in a paper entitled Closing the Doors on Municipal Democracy in Ontario by George Rust-D'Eye of the law firm WeirFoulds. This paper has been filed with the committee as part of Brampton's submission.

To conclude, Bill 186 gives additional voting strength on Peel regional council to the city of Mississauga to recognize that the majority of the region's population lives in Mississauga. When Peel region was formed in 1974, 66% of the region's population lived in Mississauga. Mississauga now has 60% of the region's population, and as the region continues to grow, Mississauga's percentage share of the region's population will continue to decline. Enacting Bill 186 means that Mississauga's percentage share of the vote on regional council will increase as its percentage share of the region's population is declining.

In listening to the debates in the House on Bill 186, both in person and on TV, it's apparent that all sides of the House agreed that the goal was to make Peel region stronger and better able to provide the services required by all its citizens. Giving increased voting strength on Peel regional council to the one municipality, which wants to separate from Peel region, seems a strange way of achieving that goal.

Those are my remarks. I'd be pleased to answer any questions.

**The Chair:** Your time has expired. We appreciate your comments.

1050

MICHAEL COLLINS

**The Chair:** I would call on Michael Collins to come forward, please.

Good morning. You have 10 minutes for your presentation. You may leave time within that 10 minutes for questions, if you wish. I would ask you to identify yourself for the purposes of our recording Hansard.

**Mr. Michael Collins:** Thank you, Mr. Chairman. I'll try to be a little less technical, perhaps, than Clay was.

Good morning, ladies and gentlemen, Mr. Chairman. Thank you for the opportunity to provide you with my thoughts on Bill 186.

My name is Michael Collins, and I have been a resident of Brampton for the past 20 years. In fact, with the exception of probably three years, I have spent all of my life in Peel, dating back to the 1950s, when it was known as Peel county.

In that time, as I'm sure you can imagine, I have witnessed a lot of change. There is a quote that says, "Change is inevitable. In a progressive country, change is constant." I don't think that is any more evident than here in Peel.

When I was growing up in Cooksville back in the 1950s and early 1960s, we lived in a house on Palgrave Road. I would walk half a mile or so north and build forts, catch frogs in the field, not too far from where Square One is today.

In 1974, regional government came along, and towns and villages were amalgamated into the regional municipality of Peel. While I wasn't really focused on the issues back then, I recall that there was plenty of debate then as well. In fact, I believe the then mayor of Streetsville was steadfastly opposed to being amalgamated with the likes of Port Credit and Cooksville to become the new city of Mississauga. That mayor obviously didn't have the same clout that the current mayor of Mississauga does.

There was, however, considerable thought and discussion that went into the formation of the region of Peel, including how the representation would be divided so that one municipality could not control or alter the agenda of council.

While there may have been some minor glitches along the way, for the most part, I think you would agree that it has been very successful. You just to have look at where I used to catch frogs for the evidence.

For the past 30-plus years, we have watched Mississauga grow into the world-class city that it is today. All the while, residents of both Brampton and Caledon have contributed their tax dollars to the region to help develop the infrastructure that Mississauga enjoys. The mayor of Mississauga is correct in the fact that Mississauga has two thirds of the residents of Peel. We know this because we have watched our tax dollars go to build her city for the past 30 years.

Now that her city is complete, the mayor would like to break up the region, exactly when the focus is shifting to Brampton. By all estimates, we will experience rapid growth too. In fact, in 2009, it is expected that Brampton will have a population approaching that of Mississauga.

So why race Bill 186 through third reading and into law, only to have to do the same exercise over again after

the 2006 election? By changing the balance of power of the region, where one municipality, with the support of the chairman, can control the council, the government will be assured that the province will have to intervene again in order to effect the change that is due when Brampton's population reaches that of Mississauga—that is, if the region still exists in 2009. The mayor of Mississauga has made it very clear that her objective is to break up the region.

The Premier has stated that regional governance should be decided locally. By transferring this balance of power to one municipality with the support of the chairman, the province has effectively opened the door to one municipality arbitrarily voting to move toward dissolving the region.

So, at the very least, Bill 186 should be amended to provide a formula for Brampton's increasing population. For each incremental increase in the population, Brampton would automatically add those extra regional seats in time for the next municipal election. That way it would not be left to the province to pass new legislation each time Brampton deserves a new seat at the region. Justice Adams, in his report, recognized this need and tried to provide for it.

But the region could face problems even long before 2009. The first opportunity for an impasse could come as early as inauguration night. Should two candidates for regional chair be put forth, one supported by Brampton and Caledon and the other by Mississauga, the vote could be deadlocked. While I won't outline the whole procedure, I do believe a totally deadlocked vote would end up having to be settled by the Lieutenant Governor in Council—exactly what the government needs.

All this uncertainty ahead, when the existing system has worked well over the past 30 years. All this uncertainty ahead, when we have a facilitator's report, by an unbiased third party, which addresses the required changes. All this uncertainty ahead, due to a flawed bill which is being passed into law in a far too hasty way.

Ladies and gentlemen, change is inevitable and change is constant. But change for the sake of change, change that is not well thought out, change that creates more challenges than it solves—this kind of change is not progressive. In its current form, Bill 186 is flawed and should not be passed. At the very least, this process needs to slow down and have more discussion with local input. At the very least, Bill 186 needs to be amended to provide for Brampton's future growth and to address the potential for a deadlocked vote. Ensure that the region of Peel remains as it is today: one of the most efficient levels of government. When it's time for change, let all the residents of Peel be heard.

**The Chair:** Thank you. We have about two minutes per caucus, or a little less than that. We'll begin with the NDP.

**Mr. Prue:** Mr. Collins, you are obviously opposed to the government's agenda. You have talked about the growth of Brampton. Do you see it in the same time

frame as the mayor and others who have spoken: a very rapid building-out by 2009 or 2012?

**Mr. Collins:** Absolutely. We're far ahead of our projections as it is. You just have to spend five minutes on the roads to realize how—

**Mr. Prue:** That's the way it appears to me.

You said that you've been a resident of this area for all that time, and you've given some historical background on catching frogs and the like. What is your profession, though? You've come here as a citizen.

**Mr. Collins:** I'm a business person. I'm a commercial real estate broker in town, and I have served on the board of trade and as president of the Brampton Real Estate Board.

**Mr. Prue:** So you're very familiar with sales of property and how fast things are moving. The figures that we have in this huge binder here indicate that Brampton is second only to the city of Toronto in terms of commercial real estate sales, and is actually number one in the land, I think, in terms of ordinary home sales; is that correct?

**Mr. Collins:** I believe that is absolutely correct.

**Mr. Duguid:** You talked about a concern about a lack of balance with Bill 186. I've been looking at the numbers throughout this entire debate that I guess began about a year and a half ago overall. I look at the populations of the various areas—Mississauga is at around 61% of the population, Brampton is at 34.8% and Caledon is at around 5%.

When you look at average population per councillor right now, under the status quo, Brampton is at about 63,333, Caledon is at 11,000 and Mississauga is at 68,900 people per councillor on the regional council. I recognize that for Brampton and Mississauga, that's high for both of them. It's significantly higher: 5,000 more people per councillor in Mississauga than in Brampton in terms of representation.

The Adams proposal—

**The Chair:** Would you put your question, please? We only have two minutes.

**Mr. Duguid:** There may not be time for an answer, but that's fine. I want to make sure that my point gets out.

**Mr. Collins:** I'd like to answer.

**Mr. Duguid:** When you look at the Adams proposal, that would have increased the gap between Brampton and Mississauga by about 10,000 people per councillor. In the proposal we've brought forward, when you look at representation by population—the average population per councillor—you're looking at Brampton with 54,285, Mississauga at 57,416 and Caledon at 11,000. It narrows that gap, which I would suggest makes it more equitable from a representation-by-population basis. Are you aware of those numbers?

**Mr. Collins:** With all due respect to those numbers, I think the problem that you have in this region, which is unique to Ontario and, I would say, Canada, is that this area is changing so rapidly. Mississauga has reached the end of its buildout; it did so five years ago. Brampton is

experiencing tremendous growth now. The numbers that you see and are attributing to Brampton are not today's population, and it will not be the population when the 2006 election comes around. The population changes. Every day, there is a great influx of people. If you use more current numbers, I think you'll find that things are a lot more equitable.

**1100**

**Mr. Hudak:** Thank you, Mr. Collins, for the presentation. It's kind of funny, because the government rests their entire argument on rep by pop. It's the only argument that they bring forward. The government, though, when it comes to provincial boundaries, has brought forward a bill that is not based on representation by population. So it's a bit hypocritical, I have to say, that you use that argument here today, when your own legislation for your own boundaries is not rep by pop.

Secondly, when the regions were built, when Bill Davis built the region of Peel and across Niagara in my area, it was done for a balance between the larger centres and the more rural areas, to make sure they worked together on a consensus.

What do you think is the most important principle: rep by pop strictly, or a balance in terms of interest in the municipalities?

**Mr. Collins:** I'm 100% behind a balanced approach. That's the way Canada has been put together. We have the have-not provinces and we share our money. The government is in a big battle right now to try to get some money back. To do it by rep by pop, you're going to leave Caledon on its own. Caledon is a very important part of Peel region and should be looked after. So you can't always just apply the math and make it work best. It's got to be what works best for everybody.

**Mr. Hudak:** I'm looking at the government's own numbers. If you look at what Minister Gerretsen said in the House about the difference between how much population there is for a councillor—and they include the mayors in that—there's about an 8% difference currently, and it would go down to a 5.5% difference if this bill were to pass. That is not a huge change, from an 8% down to a 5.5% difference. So I do wonder if making this substantial change in terms of the impacts on deadlock at council, for what works out to a 3% change in population, is a good decision.

**Mr. Collins:** I don't think all the effort is worth the change at all. The bigger problem is it's going to have to be done all over again, because, as I said, Peel is changing and Brampton is changing. We're going to have to do it right after the 2006 election again, because this regional government cannot make its own decision presently, let alone after this change comes into play. So no question about it. We're going to be doing this for years.

**The Chair:** Thank you for your presentation.

JOHN CUTRUZZOLA

**The Chair:** John Cutruzzola, good morning. You have 10 minutes for your presentation. You may leave

time within those 10 minutes for questioning if you so wish. I'd ask you to identify yourself for the purposes of our recording Hansard.

**Mr. John Cutruzzola:** My name is John Cutruzzola. I've been a citizen of Peel since the region was created 35 years ago. I'm here as a citizen of Peel and of Brampton. I want to bring that aspect to this process, and that is of a citizen who has an interest, like any other of the million people living in the region.

The region, as it stands today, has served us in Peel very well for 35 years. It is understood that times have changed and that changes will need to take place. However, those changes are to be guided and have to be consistent with the harmony and the achievement of the success of the last 35 years. We should make all the effort possible to make sure that the next 35 years will continue with the same success as the last 35.

We embarked on a process by the will of one of the parties at the corporation of the region of Peel, a call for changes, and it seems to me that the process that is being driven is all one-sided. The conclusion, as we stand today, is that being here, after so much effort being made to be heard, finally, this morning, you see fit to give us a little bit of time. Frankly, knowing the process of the last few months, this may not be a process that could effect changes in the way this bill is being put through.

I think the citizens of Peel were appeased when Judge Adams produced the report. We all felt, both friends in Mississauga and Brampton, that finally this issue was going to be resolved, and most of the citizens were happy that there was a compromise, until we heard otherwise, when the government decided to interfere.

I want to remind all of you in government, in a position of power, to think of the people. The region of Peel is made up of families, like any other part of this country, and people who interact every day. For any politician in a position of power to use their position to put in a wedge that they don't need to and divide families on issues is the real question here. The region of Peel would lose more than they would gain under the wishes of Mayor McCallion, and we end up with a resentful population to the north and south and bring resentment to the hearts of people. Probably the most crucially important aspect of this process is that we remain united and we remain people who can interact and live together. I think there is too much of a zealous politician, who, without regard to the outcome, is rushing ahead, causing those kinds of resentments to grow every day. I think the government has a duty and a responsibility to make sure that the process is being seen to be fair. Frankly, today, it does not seem that way.

I've been in business for a long time; I deal with business issues and corporations. I don't see it could ever work that I would be dealing with a party on the other side of the table who already, when I sit down to make a deal of some sort, has the upper hand, already has 50% of the shareholders voting for him. What is there for me to do? All he needs to capture is one vote on the other side and I have to go for the whole 50%. How can you see this bill working?

I'm not a politician and I don't know anything about statistics. I know how people feel and how people want to feel in this region. It is irresponsible for somebody's ego to bring the people to this state of resentment. Nobody in Mississauga, Brampton or Caledon wanted to outdo the other. The people in this region want fairness and they want you, the government, to set out deadlines with fairness, that they can deal with fairness, as they did in the last 35 years. This is not fair.

The fact that three of our representatives in your government cannot support their own government should tell you something. It's not a decision they make easily. This is seen as a process to dismantle the region of Peel because that's the wish of one mayor in this region. It has been the wish for 35 years. Now it's founded on a lie, to achieve that in a misguided way. The people see through this. Don't be making a mistake. From the truck drivers to the labourers to the lawyers in this province, they see through this. It's a manoeuvre to dismantle the region.

#### 1110

Let me tell you what the mayor of Mississauga does not know and perhaps doesn't want to see. In Brampton, we have able people. We have the resources. We have a young and dynamic mayor who will be able to lead the fight for the next 25 years—longer than the mayor of Mississauga may hope to have. Brampton, at the end, will have everything that comes to it.

Thirty-five years ago, Brampton, as a shareholder of the corporation, invested its proportionate share of resources. The only division that can occur in that process is that the corporation be assessed today in its entirety. Whatever we find the value to be today, it belongs to all three shareholders in their proportionate share—not just what has been achieved today, but what those assets will produce in the future. When a road was constructed 35 years ago, it cost \$100,000; today, it will cost perhaps \$1.5 million. That has to be looked at to see what the building of that road has brought to the municipality that got the road at that time. What the value is today has to be assessed, and how much it will cost the municipality, which is growing, to replace it. When the mayor of Mississauga finds out how much the real cost of division is, she may change course, because she's used to doing that.

I have not much more to add to this. I said that I will talk from the heart of a citizen. But I tell you, the road ahead, if you continue and this bill is passed, is a rocky one for your government and for the people of the region of Peel. You have the power and the time, if you want, to pause and do it right. The people of this region are not enemies; together, they're a family. They want a fair government, and they want you to give them the guidelines so they can govern themselves fairly. Thank you.

**The Chair:** You have excellent timing. Thank you for your presentation.

MICHAEL CHADDOCK

**The Chair:** I call on Michael Chaddock. Good morning. You have 10 minutes for your presentation. You may

leave time within that 10 minutes for questions, if you wish. I would ask you to identify yourself for the purposes of Hansard.

**Mr. Michael Chaddock:** My name is Michael Chaddock. I appear before you today as a citizen of the region of Peel and, more importantly perhaps, of the city of Brampton. I've lived in Peel since the early 1980s. I've lived in Mississauga and worked in Mississauga; I've lived in Mississauga and worked in Brampton; I've lived in Brampton and worked in Mississauga and Brampton. Today I live in Brampton and work in Brampton, so I've got you three covered.

**Mr. Duguid:** Don't ask us to repeat that.

**Mr. Chaddock:** You're supposed to be taking notes, Mr. Duguid.

*Interjection.*

**Mr. Chaddock:** I'm sorry. Let's just say I've got the region covered; how's that?

The current government for some reason decided, in my opinion—anything I say today is my opinion, except when I get into quoting some figures—that they were above the Municipal Act. The Municipal Act sets out the way government can change in the region of Peel or, for that matter, any other region in Ontario. The Premier decided he originally wasn't going to look at governance in the region of Peel, then he decided that maybe he would and then he appointed a facilitator. As you've heard from Her Worship the mayor of Caledon, the three mayors left the facilitation process with Judge Adams all agreeing. If the three mayors, who Mr. Duguid has already said have to work together, could agree at that point in time, why in God's name is the provincial government trying to impose their will on the three mayors of the region of Peel and the citizens of the region of Peel?

Mayor McCallion originally wanted to secede from the region. That shouldn't be a surprise to anybody, considering that when she was the mayor of Streetsville in 1974, she didn't want Mississauga to become part of the region of Peel in the first place. The fact that the region of Peel works as well as it has up until this point in time probably speaks well to Mayor McCallion and her contributions to the region, because perhaps in the past she has had the best interests of the region in mind.

The region of Peel built from south to north. The city of Mississauga has a wonderful waterfront. I have driven the roads of Mississauga over a number of years in a vehicle that was graciously supplied to me by my employer at the time. I can remember driving up Dixie Road when it was two lanes. I can remember driving across The Queensway when it was two lanes. I can remember driving up Kennedy Road when it was a dirt trail—almost; it was two lanes. I can remember driving up Winston Churchill when it was two lanes. Unless I'm wrong, those are all regional roads. And again, unless I'm wrong, they're all at least four lanes, and some of them are six lanes. Paid for by whom? The taxpayers of the region of Peel. Derry Road used to be a two-lane road that wandered across the region of Peel. It is now

relatively straight and it's eight lanes. It's in Mississauga. Paid for by whom? The taxpayers of the region of Peel.

Am I angry? You're damned right I am, because my tax dollars have helped build the city of Mississauga, and now that the city of Mississauga, as you have very clearly heard, has built out to the point where they don't have a lot of room left to build, they want to get out before they have to put their share of the dollars into the city of Brampton and the town of Caledon.

Mr. Hoy, unfortunately I'm looking at you because you're the Chair, but I'm not shooting the messenger; you're just here listening. I'm trying hard not to look over here at three people that I just can't believe are sitting here today and are going to try and tell me they're not biased in this process with Bill 186. When you represent the city of Mississauga—and I suppose Mr. Tory might be in the same position, with part of his riding being in the town of Caledon—I fail to understand how the three of the five people to my left could not declare a conflict of interest and would not be sitting here today. I just can't swallow it.

The fact that I had less than 12 hours to decide whether I wanted to appear today once I found about it and I had the same timeframe to decide if I wanted to speak is also a little grating. I've had to dump my schedule, and there's no question in my mind that everybody at this table had to do the same thing, except I suggest you probably knew about it Wednesday night; I found out about it Thursday morning. I managed to phone the clerk's office and get a chance to speak today and I beat the 12 o'clock deadline by 20 minutes. I would suspect that had this process been above-board, open and democratic, you would find a lot more people from Brampton and, God knows, a lot more people from the town of Caledon here because they would have known about it. It would be interesting to find out what their opinion is of this, once they find out it even took place in the first place.

There are other regions in the province of Ontario. I wouldn't be terribly surprised to find that they're all watching this process very carefully and they're all going to want their own bill, once Bill 186 passes, and it's quite obvious it's going to because the government's doing all it can to ram it through—and I use the term very accurately, in my opinion. If one municipality can control what goes on in the region, then why wouldn't any of the other large municipalities in any of the other regions want the same control? I suspect that Bill 186 will be the start of a flood of requests from other municipalities and other regions to start doing the same thing.

When this process started, the mayor of Mississauga wanted out. Then she decided she wanted two additional seats on regional council. Justice Adams, in his wisdom, gave the city of Mississauga its two seats. She was quite fine with that until she found out that Brampton was getting five. All of a sudden, the agreement that the three mayors had wasn't so agreeable to the mayor of Mississauga any more.

This is the second public hearing that I have been sort of involved in. This is the first time I've had an occasion

to speak. The last one was Bill 132. I'm sure the people in front of me all know what Bill 132 is. For the people behind me who don't, it was the very flawed pit bull legislation, also rammed through the Legislature by the current government. And gentlemen, I stress "current" government. That bill received a lot of public attention and hours of public hearings. The majority of the input of the public in that bill was ignored, and there is little doubt in my mind, other than the fact that I'll walk out of this room today with the personal satisfaction of having spoken my mind, that I'm going to be ignored when Bill 186 comes up for the third vote.

To pass this legislation flaunts the power of the government and the power of the mayor of Mississauga, or at least the perceived power of the mayor of Mississauga, in the face of all citizens of the town of Caledon and the city of Brampton. I suppose we should have been prepared for this when we looked at the three mayors attending Queen's Park this week. Premier McGuinty found it fitting to go up and give Mayor McCallion a hug and a kiss on the cheek but walked by the mayors of Brampton and Caledon like they weren't even there. I think we know where he stands.

1120

Over the course of the region of Peel—and now I'm going to have to bore you with some numbers—there have been some 6,000 votes taken at council. Less than 100 of those votes were recorded votes and, of those less than 100 votes that were recorded, the city of Mississauga lost one when the town of Caledon and the city of Brampton voted against the city of Mississauga. By the same token, the city of Brampton lost one vote when the town of Caledon voted with the city of Mississauga to turn down that particular motion.

It would seem to me, then, that the region of Peel is working just fine. It's working the way Mr. Davis thought it would work when it was brought in in 1974, and it's working fine up until this point in time when the city of Mississauga, and particularly the mayor, have decided to handcuff the regional council by not allowing them to operate when she decides she and her councillors are going to walk out of the room.

The new regional building will add on to the current regional building and will also include a new police division, which is badly needed, because currently, if you don't know—and you should—the division is operating out of mobile trailers in their parking lot because they don't have sufficient space. The cost of this building over the delays caused by Mayor McCallion and her council have gone up some \$3-odd million. I would respectfully suggest that maybe the city of Mississauga might want to foot part of that bill for their delays.

I suspect my time is coming down, so I'm going to close with one further thought. Mr. Duguid, I have no idea where you're getting your numbers. The population of Mississauga in 2004 was 689,000. They currently have nine regional councillors, which gives them an average population, by ward, of 76,555. The population of the city of Brampton in 2004 was 380,000. They have five

current regional councillors. That gives them an average population of 76,000. If you think that this exercise is worth 555 people, you folks are so badly out of touch with reality, it's scary.

The numbers I have got here for the city of Brampton show that the population for the city of Brampton will be about 412,500. Those numbers come from an organization called Hemson Consulting. I suspect the provincial government knows this group because that's the group that got your numbers for you for your Places to Grow document. You might want to pay attention to what your people are giving you when you hire them.

By the same token, my tax dollars are being wasted today. My tax dollars have been wasted by the Adams report, because there is no doubt in my mind that Justice Adams didn't do it for nothing. He got paid; he got ignored. If he's so darn good at what he does, and he was appointed by the government, they should be paying attention to what their facilitator said.

If I go any further, I'm going to say something I'm going to regret; so, Mr. Hoy, I'm done.

**The Chair:** Thank you. We really don't have—

*Interruption.*

**The Chair:** Order, please. We really don't have time for questions. You were nearly completed. I appreciate—

**Mr. Chaddock:** That's very unfortunate, but probably good. Thank you.

#### CITY OF BRAMPTON

**The Chair:** Elaine Moore, would you please come forward. Good morning. You have 10 minutes—

**Ms. Elaine Moore:** Good morning, Mr. Chairman and—

**The Chair:** I feel compelled to tell you this. I know you've been sitting there, but you have 10 minutes for your presentation. You may allow for questions within that 10 minutes if you wish. I ask you identify yourself for the purpose of Hansard.

**Ms. Moore:** Thank you, I'm a pretty quick study. Mr. Chairman and members of the committee, my name is Elaine Moore. I am a regional councillor for wards 1 and 5 in the city of Brampton in the wonderful region of Peel. I am joined here this morning by my colleague on Brampton city council Garnett Manning, who represents wards 9 and 10.

I appreciate the opportunity to speak to you today because this is the first opportunity that I, as an elected representative, have had to participate in any discussion regarding representation at Peel regional council. I have not had the opportunity to discuss or debate this issue where it appropriately belongs, at the council table of the region of Peel. I did not have the opportunity to participate in the many hours of negotiation and discussion through the facilitation process ordered by the government and headed up by the highly reputable and esteemed Judge George Adams. When I have not had an opportunity to participate effectively, the almost 79,000 residents I represent at the regional council table have not

had a voice on this matter, and you need to know that my residents, my constituents, are hopping mad about this.

By way of background—I apologize that some of this will be repetitive—it's important for the committee to understand that I represent approximately 78,750 taxpayers at the Peel regional council table, and I want to assure you that my constituency is very much representative of the city of Brampton in terms of the number of citizens each regional councillor represents. As a matter of fact, my constituency is one of the smaller in number, due to Brampton council's recognition that wards 1 and 5 encompass our downtown core, an active and increasingly vibrant priority for the city of Brampton. Most of our regional councillors represent over 80,000 Brampton residents.

In sharp contrast, regional councillors in Mississauga currently represent on average 71,000 citizens. What should be abundantly clear to you is that representation by population does exist between Brampton and Mississauga today. For all intents and purposes, each of us represents roughly the same number of citizens at the regional council table.

It should be of no surprise to you, then, that I want to speak to you about the perceived inequity Mississauga has put forward as the impetus for their need for increased representation on Peel regional council which, we all know, was a fall-back position to secession.

The facts are quite simply this: Mississauga has two wards, ward 1 and ward 2, both located in the southern half of their city, whose citizens are by comparison significantly over-represented at Peel regional council. Ward 1, according to Mississauga's published population data, has a total of 44,400 residents. Ward 2, again according to Mississauga's published population data, has a total of 49,900 residents. However, in the northern part of the city of Mississauga, there are two wards which are grossly and unfairly under-represented: ward 6 with 119,000 residents, and ward 9 with 107,000 residents. The balance of the city of Mississauga's wards have, therefore, on average 70,800 residents per regional councillor representative.

The issue, therefore, is not that they require additional representatives. The issue is that they need to do their homework and balance their existing population more equitably among the elected representatives they currently have.

Surely you recognize that there is, and always has been, a very simple solution to Mississauga's problem. I want to be perfectly clear: This is Mississauga's problem. As a representative for Brampton, I resent the fact that Mississauga has deflected their responsibility to get their own house in order by pointing to the representation in Brampton and their representation on Peel regional council as the solution to their problem.

I will be the first to acknowledge that realigning ward boundaries is not a pleasant exercise, but it is a necessary exercise, particularly when there is a situation like the inequities that exist in Mississauga today. Sure, it means that some sitting members of Mississauga council may

have to compete for which ward they wish to run in, but the goal is to provide the best representation for residents, make some tough decisions and act responsibly; it is not to protect a sitting member's political future.

I know well of what I speak, because in Brampton we made the difficult decision to not only realign our boundaries, but to reduce the size of council by six members. Several of our sitting councillors faced challenges from other sitting members and a number lost their seats in the 2003 election.

Incidentally, we involved our citizens extensively in this downsizing and realigning exercise and the result was a model which positioned Brampton council for the day when our population would support all elected members going to regional council. Judge Adams recognized this significant achievement with his recommendations.

As an elected representative on Peel regional council, it is my responsibility as a member of that council to discuss, debate and approve a structure of representation. I want the opportunity to discuss and debate representation with the legislative authority that I have and the responsibility that I have under the Municipal Act. I want the opportunity to do my job.

Yesterday at Peel regional council, we brought to a conclusion many months of debate on whether or not to permit plastic bags in our region-wide organics program planned for a rollout in the spring of 2006. Waste management is our job, and we are doing it. If a member of Peel regional council showed up at Queen's Park and asked Dalton McGuinty to make a decision on whether or not Peel region should use plastic bags in their organics program, the Premier would justifiably tell us that waste management is a regional responsibility. Further, the Premier would tell us to go back to regional council and do our job.

#### 1130

It is, therefore, mind-boggling to try and understand why the Premier didn't tell Mayor McCallion to go back to regional council and do her job when she showed up at his door with her governance issue. It is even more mind-boggling to try and understand why the Premier is pushing unacceptable legislation through at an unprecedented speed. Something is seriously wrong.

I don't mean to mix garbage and governance; I merely want to demonstrate for the committee how unnecessary it was for the Liberal government to introduce Bill 186. It wasn't their job; it was mine, along with my regional colleagues.

For the record, Mayor McCallion and Mayor Fennell voted to permit plastic, and Mayor Morrison voted against it.

I tell you this because members of Peel regional council work co-operatively and they always have. And if we had been given the opportunity to discuss representation where it belongs, at the Peel regional council table, we would have demonstrated once again that we can work co-operatively to do our job.

Bill 186—and trust me, Mr. Duguid, there is no beauty in this legislation—is unacceptable, seriously flawed and



an unnecessary piece of legislation. I would like to offer to the McGuinty government a suggestion to avoid the embarrassment that this legislation will undoubtedly cause them. I am asking that Premier McGuinty refer Judge George Adams's facilitation report to Peel regional council for discussion, debate and decision, a decision which will have full public consultation with the residents in the region of Peel. Let Peel regional council do their job, with full participation of all councillors.

Our three mayors and chair negotiated many intense hours with Judge Adams to reach an agreement. Referring this to the Peel regional council table will give all of us who were elected to the position of regional councillor an opportunity to represent our constituents in an open, consultative and democratic process.

I, along with my colleagues in Brampton, have every confidence that we can come to a resolution locally on governance, without unnecessary provincial legislation. Provincial interference has caused unnecessary strife among Peel's three partners.

I am a relative newcomer to Peel regional council, but I am not a newcomer to politics, and I will tell you that it is incredibly sad to see healthy and respectful political relationships around the council table become strained and divisive.

Premier McGuinty's willing interference in local governance is solely responsible for the poisonous climate that exists today at Peel regional council, and I strongly believe that Bill 186 will make things worse. Premier McGuinty needs to show some true leadership and withdraw Bill 186 in favour of letting Peel regional councillors do their job.

Finally, I want to say that the introduction of Bill 186 makes a mockery of the memorandum of understanding that you signed with the Association of Municipalities of Ontario just last year, whereby your government committed to consulting with municipalities prior to introducing changes that will affect them.

Thank you very much for your attention today.

**The Chair:** Thank you.

*Interruption.*

**The Chair:** Order, please.

Caledon Chamber of Commerce, would you please come forward?

**Ms. Moore:** I'm done? No time for questions?

**The Chair:** No.

#### CALEDON CHAMBER OF COMMERCE

**The Chair:** Good morning. You have 10 minutes for your presentation. You may allow time within that 10 minutes, if you wish, for questioning. I would ask you to identify yourself for the purposes of our recording Hansard.

**Mr. Philip Armstrong:** I'm Philip Armstrong, from the town of Caledon. Before I get right into my presentation, let me just say I'm a farmer; we have a dairy farm and cash crop in the town of Caledon. I was very disappointed yesterday to get a phone call that said—I

should say disappointed about the short notice; appreciative that we're finally having a public consultation. On a perfect seeding day, I'm sitting here. When I get home, I have to get planting. I apologize for how short I am in my presentation. We supported the people who have spoken before who have a lot more of the details. The general points are what I'm bringing here today.

I'm representing the 400 members of our business organization to once again stand before a committee of this government—we did it for the greenbelt legislation. We're expressing our deep disappointment in this government's actions to proceed with Bill 186.

You're finally asking for public comment on a very critical issue to the people in the region of Peel, an issue that only a few short weeks ago, during the by-election in Caledon-Dufferin, your government denied existed. Bob Duncanson, the Liberal candidate, was there. This was a concern, and we were there. We asked him directly. He had talked to the Premier, and he said, "Absolutely not. This is just not an issue." At that time, I said, "Well, why doesn't the government announce that right now? In a by-election, that would certainly help your position that that would be off the table." He didn't know why it wasn't, but he said he had talked to him, and it wasn't an issue. Apparently, it is an issue.

We value process in a democracy. The standards of transparency, accountability and fairness are expected and appropriate. Absence of these standards is inappropriate.

We are here to echo the comments of Mayor Morrison and to support the position of the Brampton Board of Trade. Our message is simple: We do not support changes to the municipal representation of the region of Peel. We urge you to revisit the findings of the Adams report. This report was thoughtfully and appropriately written and delivered at the request of the government. Report back to the province that the region of Peel is a functioning, fiscally responsible governance system that serves its citizens well.

We trust you will take this message back to the government and take the proper amount of time to review the submissions. Everything's proceeding so fast that I have concerns. Government sometimes listens, but they get on a track and they feel embarrassed to switch directions. But sometimes, in business and things like that, when we make a mistake, we make adjustments and we move on. We just want to make sure that the committee has the ability to hear the submissions here today, to take them back to the government and to make adjustments for the concerns.

I've got a couple of other comments to make here. The town of Caledon makes up 50% of the region of Peel by land mass. Seventy-five per cent of the town of Caledon is greenbelt, Oak Ridges moraine or the Niagara Escarpment. This is protected land that can never be developed. The government's trying to keep everything off it. You've got streams, roads, bridges and everything like that. There's a lot of infrastructure there. How is that going to be maintained? That takes money. Are we going

to have to accelerate development in the town of Caledon a lot quicker to support that, or do we rely on Mississauga and Brampton to help support the town of Caledon, to keep that heritage and those important things: the greenbelt, the Oak Ridges moraine and the escarpment? It's something we need to look at.

The town of Caledon, because it doesn't have a lot of development, cannot support this whole thing on its own. If it's meant to—that may be the final outcome of this, because the first step is control, the next step may be getting out and then maybe disintegration of the region of Peel—how do we support all that stuff on our own? That means we're going to have to speed up development, develop all the agricultural land that's left there, in order to support that. I don't think that's what the government wants. I think they want farming and agriculture to remain, and to have responsible growth in that area.

The election of the chair in the governance proposed by the government in the region of Peel: I've got a concern. I heard someone say, "We expect consensus." If we had consensus in everything, we wouldn't need government. We wouldn't need rules. We could all get along. Why would we want all this stuff? I don't accept that. You build rules for the worst-case scenario. You'll likely never go there, but at least you'll have the rules in place if you ever get there: This is what happens and everyone feels comfortable. If you don't build the rules for that, we're going to head down the wrong path and create other problems down the road. We always create for the worst-case scenario. Most likely we'll never get there, most likely we'll have consensus and we'll have a chair, but do you know what? Maybe not. So let's figure out the rules for that.

1140

I think I'll conclude there. But I have one question and I'll ask it of everyone here: Is this a *fait accompli*, or is our input going to do something and are changes going to happen?

**The Chair:** Thank you. We have about one minute per caucus and we begin this rotation with the government side.

**Mr. Duguid:** Yes, I can assure you that we'll be reviewing all the submissions and there will be an opportunity for all parties to propose amendments to the legislation when we go to clause-by-clause.

One thing I would bring very quickly to your attention: Caledon, making up 4.8% of the population, currently has 22.7% of the representation on regional council. Some time ago, the government and the Premier said no to the suggestion of any kind of destabilization or breaking down of the system in terms of Mississauga going its own way. We did it primarily to protect the town of Caledon and the city of Brampton. We've also protected Caledon's representation on council, maintaining five members, which is way out of proportion to their population. Is that not something that you would be applauding rather than criticizing?

**Mr. Armstrong:** I think what's made the region of Peel one of the best municipalities in the world, prob-

ably—and we look at the credit rating of the region of Peel and the planning that's gone forward—is the checks and balances and the balance of power. Caledon has more representation per population than anywhere else, but look at Canada and how it is: PEI has a lot more representation than population.

But getting back to the town of Caledon, we have 56% of the land mass—larger areas—dealing with the moraine, the escarpment, the greenbelt, aggregate, all these different issues. Sure, we don't have just people, but there's a lot of other issues that become involved and it takes time and effort, and we have all the people issues that come along with everything else. Do we have better rep by pop? Yes, we do. Do we probably have more issues on our table than a lot of others? Yes, we do. We've got more things that we have to look at. But I think the critical thing is, keeping the balance of power in that flux so that no one municipality can have the upper hand.

**Mr. Duguid:** That's what this bill does.

**Mr. Armstrong:** It doesn't really, because it gives Mississauga 50%—

**Mr. Duguid:** It's 48%, actually.

**The Chair:** Thank you. We'll now go to the official opposition.

**Mr. Hudak:** Thanks very much for the presentation. I didn't mean to laugh at the parliamentary assistant's comment, "Are you happy that Caledon's representation stayed the same?" but it's like saying they gave Brampton two shots, they gave you one shot, and you've got to be happy for that. The reality is that Caledon's seats, as well as the proportion of council, go down in this bill, as do Brampton's. So, Mr. Duguid, I don't think they're happy that they've been slapped down, as Brampton has.

Mayor Fennell made an outstanding presentation, as well as Mayor Morrison. She pointed out that each regional councillor has an average ward size of 76,000 in Brampton and 76,500 in Mississauga. That's her deputation. They're practically the same, which destroys the government's only argument about representation by population. If the rep by pop argument is out the window, why do you think they're doing this?

**Mr. Armstrong:** That's been my question. When I'm sitting on the tractor or milking cows, I'm going, "What's the political upside to this?" It just doesn't make sense to me. We've got a municipality that's working very well. Even the Tories didn't touch it the last time because it was working very well. Why wreck something that's working well? I can't see the political upside. I don't see the political upside to it, I don't see an upside fiscally for the region of Peel, so I don't know. I'd like to know why the government is doing it.

**The Chair:** Now we'll move to the NDP and Mr. Prue.

**Mr. Prue:** You asked the government if this is a *fait accompli*. I would be so happy if the answer was no, but you must know, you must feel in your own heart, that the way this has been rushed through, the way the committee has been stacked, the way the government has not

listened to any arguments, the way the government was not even going to allow the committee to hear extended hearings over the summer—and this is what I'm asking—you have to believe that this is all foregone. I hope I'm wrong. Is that not the way it's perceived by the chamber of commerce and the people you talk to about this?

**Mr. Armstrong:** That's certainly the way it's perceived, and the way it's been rammed down our throats. But I'm an optimistic person. Most people who know me—I see the good in everybody.

**Mr. Prue:** I think that comes from being a farmer, because you put the seed in and you hope it grows, right?

**Mr. Armstrong:** That's right. I see the good in everyone. I try not to have any enemies. I always like to see the good side of everybody. Even though I think it looks like it's a *fait accompli*, I trust in the integrity of the people around this table, who will listen to things and really seriously think, "Is this the right thing to do? Is it necessary?" They should be able to step away from whoever is making these higher decisions and say, "No, it's not." What's working is working.

**The Chair:** Thank you for your presentation.

#### BRAMPTON BOARD OF TRADE

**The Chair:** I call on the Brampton Board of Trade to come forward, please. Good morning. You have 10 minutes for your presentation. You may choose to leave time within that 10 minutes, if you wish, for questioning. I would ask you to identify yourself for the purposes of our recording Hansard.

**Mr. Carman McClelland:** My name is Carman McClelland. I am here in my capacity as vice-president of policy for the Brampton Board of Trade.

Protocol and courtesy would dictate that at the outset I should thank you for the opportunity you've given the Brampton Board of Trade to present on Bill 186 regarding municipal governance and the composition of the council in the region of Peel. While, at the outset, I do thank you on behalf of the board, I would be less than forthright if I didn't express my dismay, particularly to the government members to my left—and not to be too personal, but one in particular—at this 11th-hour, post-second reading, hastily crafted public consultation, which in my view, together with the weighting of the committee, is demonstrative of the worst transparent political manoeuvring we've seen in a long time. Then you ask yourselves the question, why are people cynical about government?

The Brampton Board of Trade is a local not-for-profit business association. We have been in existence for 118 years. We represent close to 1,200 businesses and organizations in the community. Those businesses employ more than 35,000 people. We advocate on behalf of our members, primarily and principally the Brampton business community.

I suspect that what I'm going to say you have had said before you today and at other times. I also suspect, quite

frankly, as my colleagues do—with reason, I think—that you're not listening and, unhappily, I would say to my predecessor, don't hold your hopes up too high. I know how this government works. I've been watching it with great interest.

The Brampton Board of Trade has been involved in the debate regarding municipal governance in the region at least since the late 1990s when the previous provincial government explored municipal restructuring. At that time, we clearly articulated to the provincial government our organization's support for retaining the two-tiered system in the region of Peel that has, in an exemplary and cost-efficient manner, served the citizens of this region well for over 30 years. We reaffirm our support for that two-tiered system of municipal governance in the region of Peel.

Today we want to convey our business association's deep disappointment with how the provincial government has mismanaged this matter throughout and how it is proceeding with what seems like an almost obsessive speed to make changes to the composition of the region of Peel.

The Brampton Board of Trade is firstly disappointed in how the provincial government has essentially created this divisive issue where there was none. This government previously, clearly and unequivocally, articulated that municipal restructuring was not on its agenda. On a personal note, I might add it's yet another in the litany of "Say one thing and do another thing," which this government has become famous for and which has now become the identifying feature of the McGuinty government.

The status quo had produced what is recognized as one of the best-managed municipal governments in Ontario and Canada. From the time the current government opened the door on this matter to date, a substantial amount of political energy, valuable public service time and financial resources have been unnecessarily diverted to this issue, and it has frustrated and interfered with important decisions that need to be made at the region.

#### 1150

Bill 186 will only serve to continue to exacerbate these issues; it will not resolve them. The legislation in its current form is not a solution. It has the potential to create a significant problem where there was essentially no problem.

Imagine then, if you can, our further disappointment that the provincial government, having set out to find, I can only imagine in trust, an improvement to what in most accounts wasn't heretofore broken, has apparently chosen to ignore the sound, independent and expert recommendations included in the Adams report relating to the region's composition, recommendations that the government sought from the person I presume the government thought was best able to provide those recommendations. I would hope that was the reason he was chosen. His reputation is stellar.

The board's position is in support of the recommendations set out in Justice Adams's report and is well documented with the Premier's office and the offices of

our three Liberal MPPs, who have each, you all know, expressed their opposition to this bill.

It is our firmly held opinion that the Adams recommendations recognize the proactive efforts that Brampton council made to restructure its municipal council to meet the future needs of the city and, equally important, its participation in the region of Peel. The recommendation to provide Brampton with five additional regional seats and Mississauga two meets the request of Mississauga to have the two additional seats that they have been seeking. The five additional seats for Brampton, within the context of the Adams report, were well suited to having all of Brampton's 10 councillors serve at both the municipal and regional levels. Those recommendations also recognize Brampton's large and growing population and, overall, provide an ideal model that will achieve and continue to achieve fair and equitable representation down the road for all three municipalities. Bill 186 in its current form does not do that. It misses the mark.

We understand that some in the city of Mississauga see Bill 186 and the tipping of the balance toward the city of Mississauga as a first step toward the dismantling of the region, which has always been the agenda by some members—tell it as it is—particularly the member on the council who is also the mayor. Mississauga has benefited significantly from infrastructure projects coordinated and built through our regional government. The residents of Brampton and Caledon have contributed significantly to those projects over the past 30 years to help meet the needs Mississauga had during that exponential growth period it went through.

With Brampton's rapid growth, our city is now expected to continue to receive a growing share of regional infrastructure projects and expenditures in the coming years. Many of those include important road projects that will help alleviate traffic gridlock throughout our city and throughout the region. That's the way it should be. It's fair, it's equitable, it's back in balance. Brampton and Caledon helped Mississauga to grow into the vibrant city that it is today, and Mississauga should be doing the same and reciprocate.

Mr. Duguid will doubtless ask questions and get back to the rep by pop, and I want to speak to this, because frankly, sir, you just don't get it. Actually, I think you do get it. You're a clever man. You've been in municipal government. You understand what's happening. You choose not to get it, and I know why.

In the next 10 to 15 years, Brampton's population will also approach 680,000 people. Representation at the regional council must consider the future growth projections, not just the relative population numbers today, which Mr. Chaddock at least got right. Bill 186 does not, and surely at the very best—at the very least—an amendment to correct this blatant flaw should be incorporated into the legislation.

I reiterate the oft-mentioned principle you've heard from a number of sources that working in harmony and working on consensus ought to be the fundamental underlying cornerstone of the way the region works. We

trusted that our provincial government would have followed the recommendations of the facilitator it appointed. I respectfully submit that the minister's and the parliamentary assistant's repeated statements that the bill addresses representation by population and thus improves upon the recommendation are indefensible on their face.

For the provincial government to suggest, as it does with Bill 186, that Brampton only receive one additional regional seat and Mississauga the two that they have requested is, in our view, at best irresponsible, out of touch with reality, and certainly out of touch with what is happening in the city, and has no recognition of the dynamic that has been taking place and absolutely will continue to take place at the regional government.

Simply from a practical point of view, it creates a potential problem. I would suggest that within the current political climate it almost begs for a problem with respect to the selection of the chair. If a deadlock occurs—and Mr. Connor spoke to it, and if I were inclined to bet, I'd give you great odds that a deadlock will occur—the region will almost certainly become, or at the very least appear to become, dysfunctional and the government of the day will be sure to hear cries, doubtless from a few kilometres to the south, for the dismantling of the region.

Absent a rectifying amendment, by its glaring failure to provide a solution for a predictable problem, this legislation is virtually going to ensure that what the current government said was not on the agenda—that is, the dismantling of the region—will become one of the unavoidable hot issues of the day. This legislation does not contemplate or provide a mechanism to deal with that issue. The fact that two of the three mayors in the region of Peel, Brampton and Caledon, and all three of your caucus's MPPs in Brampton, two of whose ridings include Mississauga, oppose this legislation should send you a strong message that this legislation is at best flawed, if not totally indefensible.

The issue of restructuring governance is very complicated and has many implications for this community and the region. Judge Adams, who was appointed to review the matter in detail, acknowledged this and in the end provided very strong, fair, balanced, appropriate recommendations. The government needs to understand these implications as well, and while the issues surrounding restructuring may be complex, His Honour's recommendations and solutions are not complex. We trust that if the time was taken to review his report again, and it was taken and understood in its entirety—not selectively and in a self-serving fashion—the provincial government would do what is right and withdraw Bill 186 or, at the very least, table some reasonable amendments to rectify what from our city's business community's perspective are its glaring flaws.

This government has options. The simplest one I know is to go through this exercise. Harken to the sound advice given by Councillor Moore. Don't stay the course and drive this legislation through as is. You have other options. One of them is to show true leadership and wisdom. Carefully, objectively, honestly take a sober

second look. Be courageous enough to stand up and not bend to political threats both within government and without. Do the right thing. At the very least, introduce amendments that will in fact provide the legislative framework for the continued viability of and effective governance within the region of Peel.

Thank you for your indulgence.

**The Chair:** Thank you for your presentation. There is no time for questions.

If Robert Filkin could please come forward—

**Mr. McClelland:** Thank you, Mr. Chairman. It's good to see you again. I'm sorry it's under these unhappy circumstances, from our point of view. Have a good day.

**Mr. Hudak:** Chair, if I could comment between the presentations. First, for the record, to Mr. McClelland, thank you for being here, not only as an active member of the community and from the board of trade, but also, as members know, as a member of provincial Parliament for Brampton North through the late 1980s and 1990s.

**The Chair:** That's not a point of order.

**Mr. Hudak:** No, Chair, it's part of debate just to recognize that, which I think brings considerable—

**The Chair:** There is no debate. I've called the next witness.

**Mr. Hudak:** Out of respect for a former member, I'm simply introducing him. I don't see—

*Interjection.*

**Mr. Hudak:** You bet. Secondly, if I could speak to the parliamentary assistant, Mr. McClelland and others have brought up the Adams report. They're concerned it's being ignored. If the parliamentary assistant could get back to us by Tuesday with the cost of the Adams report—how much that cost the taxpayer.

**Mr. Duguid:** I'm glad to have this opportunity to respond to that. I don't know if we could get the cost of that quickly. I'm not aware of where they're at terms of accounting, but it's a possibility.

I would note, though, that it looks like the Leader of the Opposition left after the second or third deputant. I think that's unfortunate, because he has yet to take a position on any of this stuff, for or against. I was hoping he'd be here today so that we would hear from him. Where does he stand on this? He's against the bill, but he's not telling us what he—

**The Chair:** You're entering into a debate. It is not part of the bill at all.

#### ROBERT FILKIN

**The Chair:** I would ask for our next presenter, and inform you that you have 10 minutes for your presentation. You may allow time within that 10 minutes for questioning if you wish. I would ask you to identify yourself for the purposes of our recording Hansard.

**Mr. Robert Filkin:** My name is Robert Filkin. I'm a resident of Brampton and a lawyer practising in Brampton. I grew up in Mississauga and, as Mr. Chaddock was speaking, I was quickly making notes. I have lived and worked in Mississauga, lived and worked in Brampton

and lived in Brampton and worked in Mississauga. I think I got them all.

Before the 2003 municipal election, the city of Brampton established a governance restructuring committee, and I was appointed as a citizen representative to that committee. We spent the best part of two years and a great deal of time and money to determine what was the best governance structure for Brampton. The ward boundaries were changed and councillors were reduced to 10: five city, five regional—tough decisions for a council to make, but they were done. All of these decisions were mindful of the necessity to fit within the structure of the governance of the regional municipality of Peel, both then and in the future.

#### 1200

As Councillor Moore pointed out, the eventual hope of the city of Brampton and its restructuring plans was that there would be five additional regional councillors. This legislation, as it's proposed, throws all that out the window. This bill either requires Brampton to redo its council, redo its wards, do it all again, ignore all the research and learning that went into it and showed them that they did it right the first time, or, as some bright lights suggest in section 1(4)2(ii) in the proposed legislation, you simply elect the sixth person from across the whole of the city to represent 450,000-plus people.

The next problem, as I perceive it, is what this legislation has done to the facilitation process. There was a problem in Peel; everyone recognized that. Mississauga wanted out of the region. The province, in its wisdom, said to Mississauga, Brampton, Caledon and the region, "Get together. Try to come up with a solution." The province appointed a facilitator to help that process, the Honourable George Adams. Mayor McCallion of Mississauga, Mayor Fennell of Brampton, Mayor Morrison of Caledon, and the chair of the region, Emil Kolb, got together. They all aired their differences, they found their common interests, they rolled up their sleeves and they came up with a solution. I didn't think it was possible, but they did it.

The facilitation report is not a commission report. It is not a series of independent recommendations.

I would like to read to you just one line from Justice Adams's report: "There was a thorough airing of concerns which revealed both significant differences and common interests. While at the outset of these talks, the differences appeared to be overwhelming the common interests, the good faith discussion which followed allows me to report that a substantial consensus may be forged around the ideas set out below."

That's the key that seems to have been missed. It was a consensus. It was a solution that all of the area municipalities in the region felt would work for all of the more than one million people in Peel.

The facilitation report deals with a number of things, but in the area of representation, there is one recommendation—only one. It has three parts: Give Mississauga two new regional representatives that it needs to move forward with its governance; give Brampton five

new regional representatives with weighted voting; Caledon is to retain its five representatives. That recommendation works for Mississauga, it works for Brampton, it works for Caledon and it works for the region.

What has the province done with that recommendation in this proposed legislation? It has ignored it. The government is saying the proposed legislation is implementing part of the recommendation. You can't implement part of a recommendation. It won't work.

Give Mississauga its two new representatives to allow it to move forward. I have no problem with that, but implement the whole of the recommendation so that the people in Brampton and Caledon can move forward as well.

Lastly, I would like to comment on what the proposed legislation does in its current form. I'll give you an example: If, in the last provincial election, 50% of the representatives were Liberals, 25% were Conservatives and 25% were NDP, we'd have what we all know as a minority government, and as we all know, it doesn't work. The government of Ontario would not be able to move forward with the work that it needs to do. It might survive for a little while, but it will fail, and there will have to be another election.

What this legislation does is create the equivalent of a minority government without the ability to fix it with another election. Mississauga can block Brampton and Caledon, Brampton and Caledon can block Mississauga, and the region will cease to function. It will fail, as every minority government does. If that is what the province wanted, if it wants to dismantle the region and have someone else to blame, then this bill is brilliant. It is a blueprint for the demise of the region of Peel. I don't believe that to be the case. I prefer to think that the legislation is simply flawed.

When Minister Gerretsen introduced Bill 186, he commented that the region of Peel "has been one of Ontario's most effective and efficient regions." The ministry's press release, at the time of the introduction of the bill, stated that Peel was the first municipality in Canada to achieve the silver level in the National Quality Institute Awards for Excellence and the first government in Canada to be certified at level three in the institute's progressive excellence program. Why would the government of Ontario possibly want to set that government up to fail?

In conclusion, Bill 186, in its proposed form, does three things: It throws out all the work that Brampton did in its governance restructuring; it throws out the facilitated recommendation of the mayors of Mississauga, Brampton, Caledon and the chair of the region, and it sets the region of Peel up for failure.

I ask that the government not pass the legislation in its current form. As Mr. McClelland, the previous speaker, stated, have the courage to send it back and adopt the facilitated consensus recommendations in the Adams report in its entirety. Allow the region of Peel to continue to be the effective and efficient government that it has been and can continue to be. Thank you.

**The Chair:** Thank you. We have about a minute per caucus. In this rotation, we'll begin with the official opposition.

**Mr. Hudak:** Thank you, Mr. Filkin, for the presentation. While I'd like to get to a question for you, I do want to respond to the parliamentary assistant and not take up too much time.

A simple question as to whether you would table the cost of the Adams report—you avoided my question and went on a tirade about John Tory and where he stands on the issue. Well, sir, Mr. Duguid, the record will show—and you were in the House when John Tory and the Conservative caucus stood up and voted against this legislation. You, sir, were there, you saw that, and for you to suggest something different is misleading the people who are here in this room.

Furthermore, you've been provided with Hansard debate—

**Mr. Duguid:** Where does he stand? What would he do? What does he want to do?

**The Chair:** Order.

**Mr. Duguid:** Just tell us. You haven't answered my question.

**Mr. Hudak:** If I could finish, Mr. Chair. Mr. Tory also said in the House that what you do is you start out by doing what you said you were going to do, be straightforward and consistent, not flip-flop on the issue, like Dalton McGuinty did several times. He also said that you will not impose a solution to a problem like this without engaging in meaningful consultation, that only as an absolute last resort would you ever come in and do something. In this case, it's being done as a first resort.

So to say something different, Mr. Duguid, is misleading the people here in this room. You know very well that we voted against this bill. It's regrettable—

**Mr. Duguid:** What's misleading is riding the fence, Mr. Hudak, and that's what your leader is doing.

**The Chair:** You'll have to watch your parliamentary language, Mr. Hudak. You're not to respond to him at this time.

We'll move now to the NDP.

*Interjections.*

**The Chair:** Order.

**Mr. Prue:** I don't want to really enter the debate, but I think it's quite clear where the NDP has stood on this from the beginning. We are opposed to this legislation. We think that this is acting in exactly the same way as what happened to other municipalities under the previous government. They're just coming down gangbusters, they're doing it so fast, they're not giving a chance.

I'm curious as to how you see—you've described in pretty dismal terms the long-term prospects for the regional municipality of Peel if this goes ahead: a deadlock; you liken it to a minority government. Is this bill in any way retrievable, or should it be simply withdrawn? I lean to the latter—I don't think it's retrievable—but what's your opinion? Is it better to withdraw the bill and leave the status quo, or is it better to amend the bill somehow to try to make it work?

**Mr. Filkin:** My personal feeling would be that the bill should be withdrawn. Councillor Moore suggested that the matter be referred to regional council. I think the consensus recommendation that was achieved in the Adams report should go back to all of the area municipalities and to the region for further debate. That's the procedure that is set out in the Municipal Act, and that's what should be followed.

**The Chair:** Thank you. We'll move to the government.

**Mr. Duguid:** Thank you, Mr. Filkin, for your deputation. You said—and I want to thank you for acknowledging that there was indeed a problem in Peel and that everyone recognized it at the time. Mississauga wanted out of the region and there were boycotts of council meetings going on. So there were certainly problems. In fact, at the request of local representatives, that's what brought the government into this in the first place.

You indicated there was a consensus with the Adams report. We've heard reports of a consensus, but within 24 hours of the report being made known to the various mayors, we heard from one party that there was absolutely no consensus, that they were adamantly opposed to it. So from the government perspective the suggestion that there was a consensus is certainly not our take. Our view is that there has never been a consensus on this. Do you know something other than that?

**Mr. Filkin:** I wasn't in the meetings with Justice Adams when the facilitation was taking place, but my understanding from three of the four people who were is that there was a consensus.

**The Chair:** Thank you for your presentation.

1210

#### REGION OF PEEL

**The Chair:** I call on the region of Peel to come forward please.

Good afternoon. You have 20 minutes for your presentation. You may choose to leave time within those 20 minutes, if you wish, for questioning. I'd just ask you to state your name for the purposes of our recording Hansard.

**Mr. Emil Kolb:** Good morning to all of you. Tim and Michael, it's good to see you again. Brad and Tim, how are you? Peter and Bob, and I've never met you, Lorenzo. Pleased to meet you.

First of all, let me say thank you for allowing me to come here today and also for inviting me yesterday to the meeting. I didn't know that I was going to be the last speaker, but, as the chair, I often get the last chance or the last word.

I want to say first of all that I've lived in Caledon for 66 years. I was born out west. My dad came to this country in 1910 and moved to Ontario in 1937. I've spent some time of my life in the past few years working for the public and serving my community and the residents of Peel. I started off by being a member of the planning committee, which I was asked to join back in 1965. I was

asked to serve in 1970 for a member of council who had passed away. In 1973, I was asked by the local council of Caledon at that point, which was Elgin township, to run as the regional member for Albion and Caledon East at that time, and I did, and I've been successful ever since. I also was the mayor of Caledon for six years, and I've enjoyed serving the people of Peel as chair of the region of Peel for the last 14 years.

We've always had—it's always been my position that Peel regional government needs to have a vision of where to go. When I became Chair in 1991, the first thing I asked our CAO to do at that time was to create a vision for us and also a mission for us. Our vision in Peel is that Peel will be a healthy, vibrant and safe community that values its diversity and quality of life. To accomplish that vision, our mission statement is that the region of Peel shall serve its changing community through its leadership, partnership and commitment, and in a very excellent form. We were only 277,000 people in 1974 and we grew to 1.1 million by 2004, so I can say to you that we have not stood still in this region. We've accepted the immigration policies that the federal government has and we've provided infrastructure and housing and jobs for those people.

As the future development unfolds, it's important that the structure of Peel regional government helps us to deliver on our vision and our mission. We must have a regional government structure that serves all citizens within the region of Peel, just like you have been elected as members of the Ontario government to serve all residents of Ontario, not only the constituency that you represent.

The regional government structure needs to remind each elected member that what they are here to do is to make decisions that are for the greater good and in the best interests of Peel citizens as a whole, and even as a whole as the citizens of this great province that we have. Peel's current structure has been very, very effective over the last 30 years and, I want to say, has been very effective over 150 years, as we have been the county of Peel and the region of Peel. The only difference, really, was the change and the growth in this region, and that we were amalgamated from 10 municipalities into three, which may at some times look like a mistake today, but I think it was the right decision that was made in 1973.

I was at the very last meeting that was held by the county council, in order to set up how Peel was going to be. It was very interesting, this spring: I took out of a local newspaper a column that was from 40 years ago when Toronto township wanted to become a city. Also at that time, there was a lot of discussion at Peel council and the deputy reeve of Port Credit, John Plaus, said he hoped that regional council would support them because they, at that time, were 63% of the revenue coming to the county, even though they may not have been 63% of the population, and if Port Credit and Streetsville were allowed to be swallowed up in the new city it would raise their taxes by one third. Guess what happened? All of those municipalities became the city of Mississauga, and

I think it has worked well. So it does demonstrate that we're here to serve all people, not just one small community, and we must set our parochialism aside in order to do that.

Our success is anchored in our ability to reach consensus and make decisions which have reflected on the diversity and on the interests right across the region. I don't think that could have been explained any better than Councillor Moore did this morning.

I am pleased that the province has recognized that our two-tier structure in this country and this province works very well. It doesn't matter whether you talk of it as the regional government or if you talk of it as a county system; the principles are the same and the services are very, very much the same.

We need to maintain the effectiveness of this two-tier structure at council so that we can continue to fulfill our mission and serve the citizens of Peel. I'm not a lawyer and I don't have a BA like most of you around the table probably have, but I do know that there needs to be some clarity in Bill 186, and certainly around what I think the clarity of the regional chair's position is.

It's in everybody's best interest that there is certainty in the legislation that you are talking about passing. In terms of the future function of the role of the chair to continue effectively in council, greater clarity in the legislation on the following points certainly needed to be considered.

What is the term or the intent of the regional chair? I think it has been outlined this morning by people who are more versed in how to read the legislation and interpret the legislation that there is not clarity in Bill 186.

How might council address a deadlocked vote to appoint a chair? I know that wasn't done or able to be done in the last process. So it is something that you need to seriously address—how you're going to resolve that issue.

What are the voting rights of the chair in the event of a tie? Does the chair have two votes, does the chair have three votes, does the chair have one vote? I know the legislation today is very, very clear on how municipalities like ours work, with only the chair having a vote when there is a tie.

So I say to you, what is the interpretation of Bill 186 in regard to the head of council and how it applies to the chair?

The rules that we govern by need to be clear. Also, the old rules, I believe were fairly clear and it is a question of: Do they still apply?

A 150-year history of this two-tier government in Peel means that we did not stand still. We have continued and we have embraced changes, and we have been recognized for excellence in government and service delivery. Regional services continue to be delivered in a manner that is effective and efficient, and the hallmarks of regional government should be here to stay in that form.

The residents of Peel continue to have access to essential services regardless of where they live. The services that are included are water; sewers; police; ambulance,

which since has been downloaded and we've doubled in half again by budget; and public health, which is a very, very important issue across this service.

Do you have proactive programs only to be proactive in health in half of the region, or do you provide it to all of the region? Many of you are aware of the social services that we provide and the way Peel is trying to provide that, even though they're not getting as much out of the province as many others are, to compensate for that.

**1200**

I'm proud of the accomplishments that the region of Peel, both by council and staff, have gained in this region. Yes, it was my goal, when I was elected in 1991, to bring debt-free our region, and I believe that we have been successful in doing that by our council. We have maintained our AAA credit rating. We are the first municipality in any part of Canada to receive a level three Canadian national award, which I think is just tremendous when I look over the staff, what they have done and how they've delivered services.

Having served both as regional councillor and regional chair for 14 years, and the chair of the police service for 10 years, I believe that I can say very honestly that we have seen very effective decision-making and co-operation in the best interests of the citizens of Peel. We need to ensure that the integrity of our decision-making and consensus-building approach is strengthened and not weakened, so that we can continue to shape a healthy, vibrant and safe community for the future.

I just want to say that as I listened to the debate this morning, I wondered—and Dalton McGuinty has very ably made the point that the province of Ontario does not get a fair shake from the federal government because we probably pay somewhere around 46% of the revenue—do we have the same 46% of the representation in the federal government? I think you can do the adding yourself.

With that, I want to say thank you very much for inviting me and for giving me the opportunity to speak.

**The Chair:** Thank you. We have about two minutes per caucus, and we'll begin this rotation with the NDP.

**Mr. Prue:** During the course of the debate in the Legislature the other day, I quoted a memo from you, and there were some people who doubted the authenticity of that memo. I want to ask whether you sent it. It starts out:

"On Wednesday, June 30 at 6:30 p.m., I received a phone call from Ontario Premier Dalton McGuinty directly regarding the city of Mississauga's recommendation around governance restructuring." It goes on from there.

Do you recall writing that?

**Mr. Kolb:** Yes, sir.

**Mr. Prue:** Did that conversation take place?

**Mr. Kolb:** Yes, sir.

**Mr. Prue:** During that conversation, did he tell you that it was not his intention to restructure Peel?

**Mr. Kolb:** Yes, sir.

**Mr. Prue:** When did you first hear of the Liberals' plan to come down with this Bill 186 to give two seats to



Mississauga and one to Brampton? You're the regional chair. When was the first time you were informed this was going to happen?

**Mr. Kolb:** Well, I don't remember the exact date of when that had been, but I'm sure I got the information when the other three mayors got the same information.

I want to make it quite clear that I'm not opposed to additional representation in any community. We will grow about another 600,000 people in this region by the year 2030, and I believe that if there needs to be representation done by population—and I'm not going to get into the number game of whether you want to say 50,000 or 60,000—

**Mr. Prue:** No. I haven't asked anything at all.

**Mr. Kolb:** Then I think that should be done in the legislation so that we don't go through the same exercise we're going through right now.

So as Brampton will grow, as Mississauga will grow, and both of them will grow, if there's fairness and entitlement to their having more representation, then I think that should happen without this kind of a process. It should be written right into the legislation today. If you want to improve that in the legislation, then stop the fighting and the bickering and all the rest of the things that have happened. That's the way to do it.

**The Chair:** Thank you. We'll move to the government.

**Mr. Duguid:** Thank you, Chairman Kolb. Thank you so much for being here. Let me at this point compliment you on your incredible years of service to this region. The region has managed itself very, very well and it's won awards. I think there's nobody who's more responsible for that than yourself, so you certainly have our respect and esteem.

You said that regional governance structure should remind all representatives to make decisions in the best interests of entire communities and set parochial interests aside. I think that's one of the most astute comments made in all of the deputations we've heard so far, so I thank you for that. It's something that I hope we all take into consideration throughout this debate.

You expressed some concern about the deadlocked vote issue, and I've got two questions for you as a regional chair. Number one, do you see yourself, as a regional chair, having the capability of looking at the entire interests of the region, rather than a parochial view, whether it be Caledon, Brampton or Mississauga? Number two, would you find it somewhat uncomfortable for a chair to be elected in a region where one particular block is 100% opposed to your being chair and they're elected through some form of a flip of a coin, rather than having to reach a consensus among themselves that you're the best person for the job?

**Mr. Kolb:** Let me start off by saying that when I ran for chair 14 years ago, I ran under one condition: that I would try to bring this region into a debt-free municipality. It might be the only county or region that would be like that, but it was my goal to do that. I had nine people run against me. At that time, we had a different

election system and it took three hours to have the vote. I had 16 votes out of 21 at the very beginning. The other eight people had to be eliminated, so it was chaos if you didn't understand the system. After that, the system was changed so that if you had 51% of the vote, you were elected.

There is certainly that opportunity now that the system could be in a deadlock without a break. I think if the legislation clears that up, then everybody should have the same opportunity to run and not worry about whether it's half and half, because I believe if you're the right person, you can get elected.

I have always tried to take the interests of our region right across the table, and that's how I've made my decisions when I've been put in the position of a tie vote—and I've been put in those positions. I believe someone did check the record. Out of 9,000 votes, I think there were 90 recorded votes, and I've had to break a few ties over the years. I've always tried to do it in the best interest of what the region of Peel needs to do.

My concern is that what the Liberal government did—I believe there is speculation, and the speculation is probably somewhat true, that one person got to the Premier and convinced the Premier. The rumour was that they should never make Judge Adams's report available, that it should be squashed and it should never have been made available. That's pretty hard to do, and today I think you've found out yourselves, in government, that's pretty hard to do.

If one decision was wrong, my concern is that the rest of the seven decisions you people said you support—I was told yesterday there's a press release in the Mississauga News that still talks about how we destroy the rest of the region by breaking up principles that are right across this province which say everybody is taxed on the same fair ratio system. A \$300,000-assessed house in Caledon pays the same regional tax as a house in Mississauga pays. That's the kind of system you have to have for fairness. My concern is that you've adopted seven recommendations that don't allow the regional government to work in Peel, because the aggravation will still go on and on. We've always tried to make it cost-effective and efficient. Look at the financial statements and tell me we're not.

**The Chair:** Thank you. We must move now to the official opposition's questions.

**Mr. Hudak:** Thank you, Chairman Kolb, for the outstanding presentation. You're exactly right; the problem is when you get a facilitator's report, it's done as a whole, and if you start cherry-picking pieces out of it, it's very dangerous that the entire whole will collapse. I think from your extensive experience in politics, that's a point you're making back to Mr. Duguid.

A couple of quick questions for you—

**Mr. Kolb:** I know you're in a hurry but let me just quickly say there were some people who wanted an arbitrator rather than a facilitator. If this had been an arbitrator's report, where would we be today? Would we be in court because it was decided to take one decision of the arbitrator and the rest of them were decided not to be

taken? Look at the complications that would have created today.

**Mr. Hudak:** Good point. A quick question: Do you believe there is a risk, if this bill passes as is, that we'll have a deadlocked vote for regional chair in 2006? Does that risk exist?

**Mr. Kolb:** Sorry?

**Mr. Hudak:** Is there a risk that we could have a deadlocked council vote for regional chair in 2006 if this bill stands as it is?

**Mr. Kolb:** You can never say that you can't have. I know there are parts of Ontario where somebody has been chosen out of a hat by the clerk, because that's part of the Municipal Act. I know of one or two cases where that has happened. Can I say that will never happen here? No, I cannot.

**Mr. Hudak:** You have an excellent reputation, as Mr. Duguid had mentioned, for looking at the region of Peel as a whole, as opposed to parochial interests. Your interests are for the region as a whole. If this bill moves forward for a third reading vote without any substantial amendments, would your advice be to members of the committee to vote against this bill?

**Mr. Kolb:** I don't think you can walk away now and not find a solution to the representation issue. You've created so much issue now that I think you have to resolve it. As I said before, I'm supportive. Brampton is being used in the same way that Mississauga is being used, and it needs to be done across the board by number every time there's a rise in the population. So if it's fair for Mississauga to have 57,000 people, Brampton should have an average of 57,000 people. If Brampton should get two politicians in this term—I haven't done the numbers like you people have. If that's what the numbers say, then you should use everybody equally and you should use everybody fairly.

**The Chair:** Thank you. The committee is recessed.

*The committee recessed from 1229 to 1314 and resumed in Salon D, Mississauga Convention Centre.*

**The Chair:** The standing committee on finance and economic affairs will now come to order. We're here today for public hearings on Bill 186.

#### CITY OF MISSISSAUGA

**The Chair:** I call forward the city of Mississauga; Patricia Saito.

Good afternoon. You have 10 minutes for your presentation. You may leave time within that 10 minutes for questions, if you wish. I would ask you to identify yourself for the purposes of our recording Hansard.

**Ms. Patricia Saito:** Thank you, Mr. Chairman and members of the finance and economic affairs committee. My name is Pat Saito. I am the councillor for ward 9 in the city of Mississauga; I have been representing ward 9 for the past 14 years.

I'd like to thank you for giving me this opportunity today to present my position on Bill 186. I'm here today on behalf of my constituents to urge you to pass Bill 186 as quickly as possible.

With me in the audience today are representatives of the ratepayer associations in ward 9, who are also very supportive of the recommendations, particularly as they relate to representation in Bill 186.

I'm going to speak today on the representation issue only. Later on this afternoon, Mayor McCallion will give you details on the cost issues and will explain very fully how Mississauga has been funding all regional capital costs at 66% since 1974, so I'm not going to go into details on that.

Ward 9, which I represent, is one of the two largest wards in the city of Mississauga and has a current population of 100,000 people. The projected population is 130,000 people, very close to the size of a provincial or federal riding. In fact, we have about the same population as Prince Edward Island. If ward 9 were a city, based on the 2001 census numbers, it would be comparable in size to Kingston, Thunder Bay, Chatham-Kent, Guelph or Barrie. I can't imagine having only one politician representing those great cities.

Not only do my residents have only one representative, but I also represent four times as many people as the average regional councillor in the GTA, and that number is 29,000.

As a councillor at the region of Peel it's very frustrating for me, and has been for the last 14 years, to have one vote on behalf of my 100,000 residents, while the town of Caledon, with a total population of about half my ward, has five votes.

I've always been a very active member of regional council. I've served on numerous committees as chair and vice-chair, including budget, works, planning and others. I believe that my involvement over the years has contributed greatly to the success of Peel region; I don't think I'm overstating it when I say that. It's time, however, for representation at the region to be adjusted to more fairly reflect the population that exists today.

With the passing of Bill 186, my ward, along with ward 6, Mississauga will be divided to create districts that are more in line with the rest of the city and that are more manageable. While I regret having to lose part of the community I have represented for so long, my citizens deserve to have this additional representation at both the city and the region.

The opposition has spoken about not rushing this process and questioned what there is to lose by allowing time to make the process work. I think that having under-representation at the region for over three decades, having a 1991 OMB decision stating the need for a better representation ratio, having exponential growth in my ward over the past 10 years and having numerous residents tell me that they feel strongly about adding more wards to the city, speak volumes as to how slowly we actually have moved on this issue. Any further delays on this matter will force the citizens of Mississauga to continue to be under-represented at the region of Peel.

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I've also heard the arguments made by those who oppose this bill that the province should adopt all the recommendations made by the facilitator, Judge George

Adams. While I agree that Judge Adams is a very well respected expert at assessing and resolving disputes, he is also, by his own admission, not an expert in the field of municipal government. His recommendation on representation was clearly a way of trying to resolve what was a very uncomfortable issue based on a last-minute proposal by the mayor of Brampton. Mr. Adams recommended adding councillors in Brampton for a population that is not yet in place and that may never materialize. Never before has that been done, nor should it be. In my view, representation by population is a basic democratic principle and must be applied.

If the facilitator's recommendations were to be implemented in 2006, including the mayors, the city of Mississauga would have representation at the region of one per 58,458 people, Brampton one per 39,000 and Caledon one per 11,600. By 2009, Mississauga would have one per 59,700, Brampton one per 44,409 and Caledon one per 12,600. This is based on the region of Peel official plan population projections—not even close to representation by population.

Mississauga had made a suggestion for two additional representatives at the region for a total of 12. We also suggested that Brampton be given two for a total of eight, and that Caledon be reduced by one, for a total of four. This would result, in 2006, with Mississauga having one representative per 58,000, Brampton one per 53,000 and Caledon one per 14,500.

While the province did not adopt this recommendation, Bill 186 comes closer to achieving fairness for our citizens. On behalf of my citizens, I am therefore urging the province to adopt this legislation to increase Peel regional council by adding two additional Mississauga councillors and one additional Brampton councillor.

In closing, I'd like to thank you for the opportunity to share with you the very real concerns in my ward, and I look forward to Bill 186 being passed as quickly as possible. Fairness is long overdue for the citizens of Mississauga. You have an opportunity to rectify that, and I would urge you to do it as soon as possible. Thank you very much, and I'll answer any questions you may have.

*Interruption.*

**The Chair:** Order, please. We'll begin with the government in this rotation. We have about a minute for each caucus.

**Mr. Duguid:** I listened carefully to your presentation. I want to thank you, Councillor Saito, for the good work you're doing in Mississauga and for your presentation here today. You talked a little bit about the representation issue.

I've got to admit I'm a little disappointed that the Leader of the Opposition joined us this morning in Brampton, but he doesn't seem to want to come to Mississauga to join us, which concerns me greatly, because he has yet to take a position on this. Do you believe that it's incumbent on all parties to indicate what they would do or wouldn't do—rather than just oppose, to give us a constructive idea as to what they support and don't support?

**Ms. Saito:** I believe it's incumbent on the members of all the parties to not make this a party issue. It's not a party issue. It's a representation issue of our citizens, and our citizens support various parties in the city of Mississauga. I also think it's very incumbent on all members who are voting on it to have all the facts, and I don't think that is the case.

**The Chair:** We'll move to the official opposition.

**Mr. Hudak:** Councillor, thank you very much for the presentation. Mr. Duguid started out by descending into partisanship from the very first hearing here in Mississauga. I think Mr. Duguid well knows that Mr. Tory voted against this legislation. I know that it may not be the most popular position with some who have come before this room, but at least he sticks to it, where Dalton McGuinty has taken about six different positions in the past year on this legislation. If he were sitting there, he'd poke me in the eye with his nose, I think, the way he's handled this issue.

Councillor, I believe that I recall in 2002, when we were in government, that Mississauga submitted a report to the province of Ontario for a single-tier Mississauga. Do you still stand by that as Mississauga's preferable solution?

**Ms. Saito:** Yes. That was our preferable solution. The reason for that was the money that was going out and that has been going out from Mississauga taxpayers—66% of the costs, as I mentioned earlier but wasn't going to talk about—since 1974. That represents a big chunk of money to a community that is financially moderate, I would say, as it relates to our citizens. But we felt it was time. Mississauga is, I believe, larger than Hamilton. We're larger than some of the so-called large urban cities across the country, and we feel that we are financially and politically able to stand on our own.

So, yes, that was our solution. I want to say that it was our citizens' and our council's; I know there has been talk that it's just Mayor McCallion's march. We were not behind the mayor; we were beside the mayor every step of the way, and I want to get that clear.

**The Chair:** We'll move now to the NDP.

**Mr. Prue:** I want to understand your statement. I'm quoting you: "In my view, representation by population is a basic democratic principle and must be applied here." Within the city of Mississauga, you have wards that have 44,000 people. Ward 1, I believe, has 44,000. What has Mississauga done to redress the imbalance within Mississauga, never mind within the region? It seems to me that you can't be saying, "We want this to be democratic; we want two seats for my northern ward," when even to this day, ward 1 has 44,000 people, and I understand ward 2 has about the same.

**Ms. Saito:** Yes, you're right. As you know, I've got 100,000 in ward 6—slightly over 100,000. What we're trying to do to address that is that by adding the two wards. We've been trying to do this since 1991, as I mentioned. The OMB had a decision that there should be approximately one councillor per 45,000 people. If we were to follow that, we would have a very large council,

and it's always been our policy in Mississauga to have as small a government as we possibly can. We feel that is just fiscally responsible in the city.

We did have a recommendation back in 1994, I believe it was, to add one or two additional councillors to address that inequity and the growing population. That report really didn't go anywhere, because we were told very clearly by our counterparts at the region of Peel that they wouldn't even consider it. So we didn't pursue that. We've really been putting it off for a long time, and at this point in time, by adding the two wards, we're going to be able to address that inequity. Most of the wards will then be anywhere from 50,000 to 60,000 people.

Ward 2 and ward 1 are growing through infill. With the new growth policy that the province has brought forward, we are committed to intensification in the city of Mississauga. Ward 1 and ward 2 are two of the areas that are going to take a fair bit of that intensification. Those populations will grow, and they will probably be in the low to mid-50,000 range, which will be equitable.

**The Chair:** Thank you for your presentation.

**Ms. Saito:** Thank you very much for the opportunity.

*Interruption.*

**The Chair:** Order. I remind the audience that you're not allowed to clap. This has the same rulings as the Legislative Assembly.

#### MISSISSAUGA BOARD OF CHINESE PROFESSIONALS AND BUSINESSES

**The Chair:** I call on the Mississauga Board of Chinese Professionals and Businesses. Please come forward.

Good afternoon. You have 10 minutes for your presentation. You may leave time within that 10 minutes for questions if you wish. I would ask you to state your name for the purposes of our recording Hansard.

**Mr. Andre Mak:** Good afternoon, Chair Hoy and members of the committee. Allow me to introduce myself first. My name is Andre Mak. I am the chair of the Mississauga Board of Chinese Professionals and Businesses. I have been a resident of Mississauga for well over 33 years. I was privileged to be the recipient of the Ontario Medal of Good Citizenship in 2002, and I was awarded Citizen of the Year of Mississauga in 2003.

Just to give you a little intro to the Mississauga Board of Chinese Professionals and Businesses, this is an association with a mission to link the professionals and businesses of the community for the well-being of the city of Mississauga.

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Over the years, we have organized many different functions such as the annual Healthy Living Expo for health care and health prevention, an arts festival to enrich multiculturalism and a fundraising drive to raise funds for the capital campaigns of the Yee Hong Centre for Geriatric Care, the Trillium Health Centre, the Credit Valley Hospital the University of Toronto at Mississauga.

All these activities that enhance the well-being of the community are organized by a medium-sized professional and business organization with a membership of roughly 500. There are quite a number of these kinds of organizations doing by-and-large similar activities to enrich this beautiful city of Mississauga because this city deserves the best of the best.

Since I moved to Mississauga in 1972, I have witnessed the tremendous growth of the city over the years. Under the leadership of Mayor Hazel McCallion, it is now the third-largest city in Ontario and the sixth-largest in Canada, with a population of close to 700,000. This is a debt-free city and we are not afraid to publicize the reserve that we have built up over the years.

This is also a very vibrant city that attracts people moving in from other municipalities, other provinces and, for that matter, other parts of the world. This is the city that attracts associations like the association that I chair. We all put forth our hearts and souls to help make the city a better place to live and to work. The residents of this city are determined to build and to grow with the city. We are proud of our city and what we have built and accomplished over these years.

Today, I am submitting to the standing committee our full support for passing Bill 186, the Regional Municipality of Peel Act, 2005. We believe this is the first step in the right direction.

Perhaps this a very simple analogy of what I said, which I would like to put it in layman's terms: Years ago, when Peel region was set up, it was like putting three brothers or three sisters to live in one room, the one-year-old town of Caledon, the three-year-old city of Brampton and the 10-year-old Mississauga, in a room called Peel region. They perhaps all slept in children's bunk beds at that time. Over the years, we witnessed the growth of the children. Now the 10-year-old Mississauga is 18 years old or more and has outgrown the bunk bed and is asking to move out of the room. Due to the opposition, the screaming of the two younger brothers for fear of losing their big brother, the parents end up getting a bed just for the big brother to stay in the same room.

In our opinion, growth is imminent and progress is inevitable. It's a matter of time to make more changes in the years to come. We don't know when; maybe in another five years or 10 years down the road. In fact, we believe that sooner or later Brampton will also outgrow itself and will ask for a separation. However, today, we have a solution: Bill 186, the Regional Municipality of Peel Act, 2005.

Considering that the city of Mississauga has 62% of the population in the region of Peel, and after the restructuring it only has 50% of the seats and representation at the regional council, considering the consultant's financial impact report revealed that it costs Mississauga as much as \$32 million each year to support two levels of service delivery, when these dollars can be better used to help enhance the well-being of the people in this great city of Mississauga, we are indeed being shortchanged.

However, progress and evolution take time to make changes. This is first step in the right direction. We

accept it. We recognize it. It could be a short-term solution or an intermediate-term solution, but we will support it and we will stand by it.

**The Chair:** We have about a minute and a half per caucus and we begin this rotation with the official opposition.

**Mr. Hudak:** Thank you very much, Mr. Mak, and to the Board of Chinese Professionals for making a presentation today.

I had a question similar to the councillor. The preferred solution for your organization would be for Mississauga to be a single-tier municipality?

**Mr. Mak:** Yes, definitely. Time changes, evolution changes. Changes are imminent; that's what we're trying to stress. This is the first step in the right direction. It may not be in our time; it could be five years, 10 years down the road. That is the ultimate goal; no doubt about it.

**Mr. Hudak:** Do you think that if Bill 186 passes, it makes that easier to achieve or more difficult to achieve?

**Mr. Mak:** This is definitely the first step in the right direction, as far as we're concerned.

**Mr. Hudak:** It makes it easier to achieve?

**Mr. Mak:** It makes it easier to achieve that. It's a matter of time. In my opinion, years from now Brampton will ask for the same thing. Once they grow to a certain population level, then they will probably ask for the same thing.

**Mr. Hudak:** Do you expect that the true motive of the bill is actually to get to the stage where it's a single-tier municipality, but in two steps?

**Mr. Mak:** It doesn't really matter. What matters is that we're moving in the right direction, one step at a time, just like anything else. If we do something, if we change something, there's always a first step.

**The Chair:** Thank you. We'll move to the NDP.

**Mr. Prue:** In this same regard, because I'm trying to understand: We had a facilitator's report, and the facilitator's report recommended something different from what the minister said. Did the minister consult you or anyone you know to say, "We're not adopting this because we agree with your long-term solution of having Mississauga out of Peel"?

**Mr. Mak:** No, I don't think the minister consulted me regarding this area. This is strictly an opinion on behalf of my association. As you can see, at the back we have 20 to 30 people from our community coming here to support this as well as to voice their concerns, and I'm here on behalf of them.

**Mr. Prue:** Have you made this statement to any other group? Did you make this to the judge, that you have a long-term goal of having Mississauga leave Peel region?

**Mr. Mak:** No. At the time, I was not provided with the opportunity to make a presentation to the judge.

**Mr. Prue:** Have you had an opportunity to make this presentation to any of the members of provincial council, particularly those who represent the area of Mississauga?

**Mr. Mak:** I believe, on an informal basis, we always talk to Peter or Tim or the rest of the MPPs that perhaps that is our position.

**The Chair:** We'll move now to the government.

**Mr. Peterson:** Thank you, Andre, for participating and for being such a tremendous asset to our community.

We were up in Brampton this morning, and they were pointing out that this consultation process is abbreviated. How long have you been active in analyzing the situation of Mississauga inside the region of Peel and how many times have you had consultations on this?

**Mr. Mak:** Based on even the first time the task force had public hearings in the city of Mississauga, we were there representing our community to discuss and put forth our presentation at that time. Since then, it's on and off, based on the news and based on all the various discussions, either with you guys or perhaps with the mayor and other people.

**Mr. Peterson:** What was the date of that first meeting?

**Mr. Mak:** Which meeting?

**Mr. Peterson:** The first time you had consultation on it. What month would that have been?

**Mr. Mak:** That was quite a number of years ago.

**Mr. Hudak:** On this bill?

**Mr. Mak:** Not on this bill. You mean the dissolution.

**The Chair:** Thank you for your presentation.

#### MISSISSAUGA BOARD OF TRADE

**The Chair:** I call on the Mississauga Board of Trade to come forward, please. Good afternoon. You have 10 minutes for your presentation. You may leave time within that 10 minutes for questions, if you wish. I would ask you to identify yourself for the purposes of Hansard.

**Mr. Russ McCall:** Good afternoon. My name is Russ McCall. I'm the chairman of the Mississauga Board of Trade.

Mr. Chair, members of this committee, ladies and gentlemen, the Mississauga Board of Trade is the voice of business in Mississauga, which represents 2,300 small, medium and large businesses in all sectors. The board's mandate is to create an environment for businesses to compete and prosper and to recognize that a thriving business sector contributes to the quality of life for all citizens in our community. The board of trade has consistently advocated for less government and more efficient delivery of services, including waste management, emergency services, water and waste water, transit, storm drainage, social services, public health and long-term care.

**1340**

The economic viability of the cities depends on the coordinated efforts of all levels of government. We are encouraged that the city of Mississauga has accepted the amendment to the Regional Municipality of Peel Act, 2005, in the introduction of Bill 186. The increased representation of regional council members as a result of this amendment reflects the economic and population growth in Peel, especially in the city of Mississauga. The board of trade looks forward to working with all governments to ensure the region's future prosperity. There-

fore, on behalf of the Mississauga Board of Trade, we would like to go on record in full support of Bill 186 and encourage everyone in this committee to support this bill. Thank you for your time.

**The Chair:** We have a little less than three minutes per caucus. We'll begin this rotation with the NDP.

**Mr. Prue:** This morning we heard from the Brampton Board of Trade and the Caledon Chamber of Commerce, and they are diametrically opposed to you; they have the same interests, but have drawn diametrically opposed positions. I just have to ask, can you explain, if you're all looking out for business interests, how they could come to such a radical and different conclusion that this bill is in the worst interests for business?

**Mr. McCall:** Thank you for the question. I have been in conversation with my counterparts at Brampton and Caledon, and we have voiced our own opinions. Like any organization or any public, we are in agreement to disagree on certain views. However, we have discussed that once this issue has been cleared, the Caledon Chamber of Commerce, the Brampton Board of Trade and the Mississauga Board of Trade will continue to work toward one goal, and that is to improve and represent the businesses in all our communities.

**Mr. Prue:** I'm at a bit of a loss, because your deputation was very short, to understand how the addition of two members from Mississauga and one from Brampton to the Peel regional council is going to improve business. I'm at a bit of a loss. You're not speaking of anything except the business connection, and I don't see how either doing it or not doing it is going to improve business.

**Mr. McCall:** The reason we are here today—I am a citizen of Mississauga and I do have a personal belief in it, but I am also here today to represent the Mississauga Board of Trade, which represents the business community. We were asked to speak today. I went back to my executive, and we had to determine why it would be worthwhile for us to be at this table. We wanted to make a comment in regard to equal representation at the region to make sure that the business of the region was not delayed by block votes or that business issues involving citizens of Mississauga, Brampton or Caledon were not delayed.

**Mr. Prue:** Have there been any experiences of block votes delaying business interests? What we heard this morning is that there are none. Are you saying that there are some?

**Mr. McCall:** I can't go on record as saying there have been.

**Mr. Prue:** So why is this a concern to your organization?

**Mr. McCall:** We want to make sure that does not happen in the future.

**Mr. Prue:** Do you think this bill is going to stop something that doesn't exist already? Again, I'm at a complete loss to understand your deputation. I'm trying very hard to understand.

**Mr. McCall:** That's OK. We wanted to make sure there is equal representation—I guess representation by population is our strongest point of view. As Councillor Saito said so clearly, we do have 60% of the population of the region of Peel, and we feel there has to be that equal representation at that level for our councillors.

**The Chair:** We'll move to the government.

**Mr. Fonseca:** I'd like to thank the Mississauga Board of Trade and Mr. McCall for your presentation and your comments in regard to moving closer to a more fair and balanced state through Bill 186.

When I think about business—and you're here representing the business interests of Mississauga—we often think that as business grows, you look at different areas you may grow into—you may open new branches and have regional reps.

I know that when we looked at Judge Adams's report, we implemented eight of the nine recommendations. The one recommendation that was not implemented looked toward future representation based on future population growth. In business, would you ever think about opening a branch where nobody exists? Would that be a good business decision for the taxpayers of a region or a city?

**Mr. McCall:** A decision like that would obviously be lacking any kind of due diligence. No, we wouldn't.

**Mr. Fonseca:** It's never been done before and it's not something that we felt should be moved on. I know the official opposition often brought up that they would like to see something like this. Well, you know what? That would just bring on more politicians and more government where it's not necessary. I know Mississauga and the region of Peel have always looked for efficiencies, doing things in the best manner for the taxpayers of the region and of the city of Mississauga. I would think this piece of legislation will do that and bring the fairness and balance that is needed.

**Mr. McCall:** I agree.

**The Chair:** We'll move to the official opposition.

**Mr. Hudak:** Thank you, Mr. McCall, for the presentation on behalf of the Mississauga Board of Trade. Just a quick question for you: How and when did you hear about the hearings today?

**Mr. McCall:** I heard about them yesterday.

**Mr. Hudak:** About what time?

**Mr. McCall:** Confirmed from the office around noon hour.

**Mr. Hudak:** That was from?

**Mr. McCall:** The mayor's office.

**Mr. Hudak:** And the deadline was noon. I don't know if that's a good way to run a business, when you have that kind of late notice to prepare a presentation.

**Mr. McCall:** I actually had heard about the readings going on at Queen's Park last week, through the same manager's office, and kept in touch with them on a daily basis. I called the office of the provincial clerk earlier this week to get a spot on today's table, and at that time I was told I was sort of ahead of it, because they didn't have the date or the place and couldn't confirm the date for today's hearings.

**Mr. Hudak:** The premise of the argument you made was that you want to see a reduction in government and in politicians. Mr. Fonseca just said basically the same thing; he decried more politicians and more government. But effectively, this bill adds three more politicians to the structure. So how does Bill 186 actually help you reduce government and reduce the number of politicians?

**Mr. McCall:** It is a balancing act. The whole issue in regard to the proposal of Mississauga separating from the region of Peel—I think, if you look at most chambers and boards of trade across Canada or throughout North America, they're always in favour of fewer layers of government to maintain services. When you look at a city the size of Mississauga and compare it to other large cities within the country, not a lot of them have to report to a regional government. For us, we feel that, with Bill 186 being introduced and making an amendment to the representation, at least Mississauga will have fair representation by population at that level.

**Mr. Hudak:** The last point, if I could: One thing that we usually hear from the business community is that stability and predictability are important. We have a concern that because of the way this bill was brought about and the rift between the municipalities, we'll have anything but stability.

Secondly, there's a concern we heard this morning about a possible tie in determining the regional chair if regional councillors vote along municipal lines. Do you think this bill should have some aspect in it on how that tie would be remedied in case that did occur?

**Mr. McCall:** I think having the regional chair make the final decision in the event of a tie is the appropriate—

**Mr. Hudak:** For the election of the regional chair; I'm sorry.

**Mr. McCall:** To be honest, I hadn't thought about that so I wouldn't be able to give an informed answer.

**Mr. Hudak:** How about the notion of cabinet appointing the regional chair in the event of a tie, which we heard today may be the eventuality if that's not corrected in the bill? Do you think cabinet should decide the regional chair of Peel?

**Mr. McCall:** No, I think it should be done through the councillors at the regional level.

**Mr. Hudak:** Direct election?

**Mr. McCall:** Yes.

**The Chair:** Thank you for your presentation.

#### CITIZENS' TASK FORCE ON THE FUTURE OF MISSISSAUGA

**The Chair:** I call on the Citizens' Task Force on the Future of Mississauga to come forward, please. Good afternoon. You have 10 minutes for your presentation. You may leave time within that 10 minutes for questions if you wish. I would ask you to identify yourself for the purposes of our recording Hansard.

**Mr. Brad Butt:** My name is Brad Butt. I'm the co-chair of the Citizens' Task Force on the Future of Mississauga. On behalf of the 18 volunteer members of

the citizens' task force, I would like to thank you for this opportunity to provide some history and also to comment on Bill 186.

**1350**

In February 2001, the mayor and members of Mississauga city council appointed a task force, which was asked to look at where Mississauga is today and where we believe the city should be in the future. The task force was made up of a very diverse and professional group of individuals representing all the wards in the city. Faithfully for the next 16 months, the task force met, reviewed documentation, held public meetings and finally reported to council in May 2002.

In reviewing all sorts of areas of governance and service provision, the task force always looked at the big picture. There are serious issues affecting all of us in the greater Toronto area that need better coordination and service delivery. We spent considerable time advocating for a greater Toronto area coordinating body because we recognize that many local issues must be dealt with GTA-wide.

At the same time, we did not want to add yet another layer of government at the local level. The model we proposed was much more in keeping with the former Greater Toronto Services Board, but with the power and teeth to get things done. We recommended a proactive and results-oriented approach to improve the lives of the five million people living in the greater Toronto area.

Therefore, we did recommend that the region of Peel level of government be phased out and that the city of Mississauga become a stand-alone municipality. Mississauga would be expected to play a pivotal role in the new greater Toronto area coordinating body through its locally elected politicians.

We believe we were on the cutting edge of new, dynamic local government in the greater Toronto area. While our report is now three years old, little has changed. Municipal governance needs restructuring to ensure it better serves its residents and businesses.

In our final report, we also very carefully explained how former regional services could be better delivered, either at a special-purpose body or local levels. Our recommendations made sense then and continue to today.

I would encourage each member of the committee to read the entire report and see the high level of work put into it. We continue to be disappointed that few of our recommendations have been implemented, but we believe that our work was not done in vain.

But today we are dealing with Bill 186, an act to amend the region of Peel act in terms of its political representation. One of the most important recommendations in our task force report was that the principle of representation by population be respected in every way. It is completely unacceptable that communities would not have equal voice based upon population in local government. As the population in the region of Peel has grown, the disparity in the regional council has changed too. At the present time, while Mississauga has more than 60% of the population of the region and pays close to two

thirds of the taxes, it has less than 50% of the votes. I would say to you that the old cliché “no taxation without representation” might sum up this dilemma.

While we are disappointed that Bill 186 does not implement representation by population, it does move in the direction of correcting an historical wrong. Mississauga needs two more councillors. We cannot create those wards and councillors without a change to the region of Peel act.

Bill 186 still does not give Mississauga control at the region. It does help to ensure that Mississauga council can grow to 12 members while recognizing the historical representation of Caledon and growth in Brampton. While our preference is still to dissolve the region of Peel, our task force would certainly support mechanisms and changes at the region that would make it function more effectively and efficiently and give closer representation by population than is currently the case.

In conclusion, I would like to quote from a section of our report. “We recognize that our recommendations will not automatically overcome every challenge. Nor do we believe that simply restructuring governments will, by itself, make a positive difference. Reforms must be accompanied by genuine and sustained commitment to the public good and to future generations. We, as citizens, must consistently make an effort to be politically aware, involved and prepared to hold our governments accountable.”

On behalf of the Citizens’ Task Force, I would ask you to recommend back to the Legislative Assembly of Ontario passage of Bill 186.

**The Chair:** Thank you. We have a little less than two minutes per caucus. We begin this rotation with the government.

**Mr. Delaney:** Thank you for coming in, Brad. Again, thank you for the work that you did on behalf of the citizens’ task force.

With regard to the Adams report, Adams proposed adding seven politicians to Peel council; Bill 186 proposes three. Which of those two models do you think perhaps best serves the interests of the citizens of Mississauga, and Peel region in general?

**Mr. Butt:** I don’t think it’s so much the numbers. We were very disappointed in Judge Adams’s conclusion, because initially he was actually recommending that Mississauga councillors get less than one vote at the region until Brampton kind of caught up on the population growth side. We thought that part of Justice Adams’s report was quite weak.

I think the principle of representation by population at the time you draft legislation, with the populations in place, needs to be the model. Bill 186 is probably the closest we’re going to get without Mississauga getting more than 50% of the representation in the region. Our view would be that we would prefer it be full rep by pop, but this is awfully close.

**Mr. Delaney:** One more short question: Could you tell me what you heard during your consultations about

the process of reconciling the function of planning between the city of Mississauga and the region of Peel?

**Mr. Butt:** One of the things we did find in our report was there are lots of areas where there’s duplication of services. To have a regional planning department and a city of Mississauga planning department, in our view, makes little sense, and it’s also confusing for the public because the average citizen doesn’t realize whether it’s a region of Peel issue or a city of Mississauga issue. We’re fortunate in Mississauga that our councillors serve on both the city and the region, so they’re not confused about who to call their local councillor, but we found duplication in the planning department, in snow clearing, in roadwork and paving and so on. There are all kinds of areas that could be improved if our recommendations and our report had been adopted, which is that Mississauga be a single-tier municipality.

**The Chair:** We’ll move to the official opposition.

**Mr. Hudak:** Mr. Butt, thank you very much for the presentation. You always do a great job. I know you’ve been a very strong advocate for Mississauga in your committee’s report. He’s beaten me up a few times over Bill 186 on some of the issues, so I think we just respectfully disagree with respect to this bill. But I do admire your persistence and the strength of the way you make your arguments.

I think you do know that we heard overwhelming rejection of the legislation in this morning’s sessions from Brampton- and Caledon-area folks. As legislators, we need to look at the big picture, as well as across the region. For example, one of the suggestions you made is that there’s unfair taxation in the region, that Mississauga pays two thirds of the taxes to the region. Do you think that if this bill passes, that will shift to Brampton and Caledon?

**Mr. Butt:** No, I don’t. I think that’s an issue for the council of the day to deal with, as to how they’re going to set the tax rates and how they’re going to fund services in the region. I don’t think there’s any evidence to show that Bill 186 would make a major shift in how taxes are collected and how taxes are reallocated or used to pay for services, but I think it’s an important principle of the bill that it really gets us much closer to the view that my local councillor where I live basically has the same weight and the same right of input and responsibility to represent my tax dollars as a councillor would in Brampton or in Caledon.

**Mr. Hudak:** Do you think that, on that principle you just described, if Brampton grows faster than Mississauga in the time ahead, there should be a provision in the bill to reopen it to adjust for population?

**Mr. Butt:** I can’t speak for the task force. My personal opinion is it might be appropriate that an amendment to the bill would have a mechanism in place that would adjust the representation for population as all three of them continue to grow and rejig it over time, perhaps in advance of every municipal election if that’s required. That may be an administrative nightmare, but it certainly would respect the principle that we’re saying, which is



that the region of Peel should function on representation by population.

**The Chair:** We'll move to Mr. Prue.

**Mr. Prue:** Your task force found, and I quote, that, "The principle of representation by population be respected in every way." Did you look at the inequity in Mississauga between ward 1 at 44,000 and ward 9 at 100,000? What did your task force recommend on that?

**Mr. Butt:** What we recommended was that obviously you would move toward a system—I think Councillor Saito mentioned this earlier—where once Mississauga gets the two additional councillors, then you'd have the ability to do it. It's very difficult in the way the city of Mississauga is set up geographically today, with massive growth in the north end of the city and very modest growth in the south end of the city, to do that without first getting the two more councillors, and then secondly looking at ward boundaries to ensure that the wards are much closer in population.

**Mr. Prue:** She also said—and I'm very puzzled by this statement—that wards 1 and 2 are going to have incremental growth, are going to have infill and, looking down the road, that's going to solve itself because there's going to be more population there. That's the identical argument that I'm hearing from Brampton, which Mississauga has rejected. So internally within Mississauga, the identical argument is being made.

1400

**Mr. Butt:** With all due respect, Mr. Prue, I think the problem is that we require two additional councillors to bring the average number of residents down to a reasonable number. The problem is that the region of Peel act is the noose around the neck of Mississauga moving forward, and getting two additional councillors so that we can rejig those boundaries and rejig the population in the wards. It doesn't work in a nine-ward system, but it does work in an 11-ward system or a 12-ward system, which would be better.

**Mr. Prue:** OK. The problem I see with the region of Peel—and I guess it's perhaps because Mississauga is so large—is that this is the only regional government that I can think of in Ontario, and indeed in Canada, where one city is the majority. This is the only one. I don't know of any others. Did your group study the fact—that's what is causing the problem here. Even in the old Metro Toronto there were six cities, and Toronto, although it was the largest, was certainly no bigger than a third at any time.

**Mr. Butt:** We certainly said that the region of Peel is unique in the regional government situation. We didn't make comments on what Halton, York or Durham should do. That's up to their citizens and their politicians to come to grips with. But we are unique in Peel in the fact that we have one very large municipality, one municipality that will be very large five or 10 years from now with population growth and one very small, rural community. Of course, our recommendation was to get rid of the region of Peel. Let them sit as single-tier municipalities. A city of 750,000 people, which Mississauga will be, clearly could be a stand-alone municipality.

**The Chair:** Thank you for your presentation.

#### CITY OF MISSISSAUGA

**The Chair:** Would the city of Mississauga come forward, please? Good afternoon. You have 10 minutes for your presentation. You may choose to leave some time within that 10 minutes, if you wish, for questions. I would ask you to identify yourself for the purposes of Hansard.

**Mr. Ed Sajecki:** Good afternoon. My name is Ed Sajecki and I am the commissioner of planning and building for the city of Mississauga. I want to thank you, Mr. Chairman and members of the committee, for your kind consideration.

What I'm going to do is talk about the process that the city of Mississauga has been going through in terms of our own ward boundary review, and our city manager, Janice Baker, who is on the agenda later, will also be speaking to that matter. You do have before you—at least, I believe it's been left with the secretary—a copy of the staff report that was presented to council dealing with ward boundary reviews about one year ago. What I want to do is just read you the resolution that came out of that report. The resolution of council was: to amend the composition of city council by adding two additional councillors and that that be endorsed; secondly, that amending the composition of regional council by adding two additional representatives from Mississauga be endorsed; and thirdly, that the ward boundaries review be circulated to ratepayer groups, school boards, business improvement areas, the Mississauga Board of Trade and the Urban Development Institute.

Subsequent to that, a further report was presented to council this past October, summarizing the input that was received. A statutory public meeting is scheduled for May 30 of this year. So basically we've been in the process for one year, in terms of statutory requirements.

Just by way of background, I wanted to make a couple of points about the details of that report. In 1974, the city and the region of Peel were created and the newly formed city of Mississauga was home to approximately 220,000 people. While the report deals with population distribution issues, I think there's a further point that's really important and hasn't yet been mentioned in terms of the complexities of change that Mississauga's been going through.

Mississauga is now home to about 410,000 jobs. It has the most dynamic industrial market within the greater Toronto area and the greater Golden Horseshoe. It has a very vibrant waterfront. It has the complexities that go along with developing an emerging city centre and it has the challenges of infill and redevelopment. The point I'm leading toward is that the city staff report dealing with population distribution doesn't get into—because that's not how the OMB said we should look at these things—the workload and the complexities involved in dealing with a municipality that has the kind of complexities that I just outlined. I can tell you, I probably spend about 30%

of my time dealing with economic development issues, as do the councillors. The fact that we were able to get that kind of business climate going in the city I think is testament to the amount of time that council spends on those issues.

I want to basically say that in terms of the evaluation criteria that the city went through, our first priority was to reduce the population disparity between the ward sizes in Mississauga. We considered the difference between the largest ward and the smallest ward for both the year 2006 and 2012. The smaller the disparity between the ward sizes, the more equitable the representation for the people of Mississauga and the fairer the workload for the local councillors. For the proposed 11-ward scenario, the difference in population between the largest and smallest wards would be about 36,000 persons in 2006, decreasing to about 33,000 persons in 2012. This is a considerable improvement from today's nine-ward situation, where in 2006 the difference between the largest and smallest wards would be almost 81,000, increasing to about 84,000 in 2012 if there were no additional wards.

The second criterion used was percentage variation from average ward size if Mississauga's population was equally distributed among all wards. For the proposed 11-ward structure the greatest difference would be approximately 31% in both 2006 and 2012. Again, this is a considerable improvement from today's nine-ward situation where the variation for both 2006 and 2012 would be over 60%.

The third criterion that was used in determining the ward boundaries was the use of natural and artificial features. The proposed ward boundaries they considered natural and artificial features included arterial roads, highways, rivers and creeks, and railway lines. We also looked at the geographic form. The proposed boundaries follow straight lines and aren't easily identifiable. The physical area of each ward is similar in size except for ward 5, which as you can all appreciate contains the Lester B. Pearson International Airport, and also some large industrial areas which could not be divided up.

We wanted to keep historic communities contained within a ward. In the northwest portion of the city, this includes Meadowvale village and Streetsville, and so the proposed ward boundaries do not split these historic communities. We wanted to keep BIAs within a single ward. In the northwest portion of the city, the only BIA—and that's a business improvement area—is in Streetsville, which is contained within one ward. Wherever possible, ratepayer associations should be contained within a single ward. There are five ratepayer associations in the northwest and only one is being split by the proposed ward boundaries.

I just want to end off by saying that the proposed ward boundaries address the problems of high resident-to-councillor ratios. They adjust the imbalance in councillor-to-resident ratios across the city. They do meet the rigorous criteria that were set out by the Ontario Municipal Board—and I believe Janice Baker will comment on that board hearing in her presentation—and

certainly, in the view of staff, will meet the needs of the residents of Mississauga for the next 15 to 20 years. Just to reiterate, this matter is going forward to a statutory public meeting after being in the process for about one year now, and that is being held on May 30.

I thank you very much for your time.

**The Chair:** Thank you. We'll begin this rotation with the official opposition. We have a little over a minute for each party.

**Mr. Hudak:** Mr. Sajecki, thank you very much for your presentation. You've obviously been doing your homework on this issue for some time. The current provision to allow Mississauga, outside of Bill 186, to change its representation is in the Municipal Act, and it would require a triple majority. This act would supersede that and allow two more members of Mississauga to go on council and one for Brampton, if passed.

Brampton makes the case that their population's going to grow very quickly in the time ahead, and therefore there should be an opportunity to reopen the act. This bill, as written, would put it back to the triple majority that exists under the Municipal Act, which Mississauga effectively has argued is unfair. Do you think there should be that provision in case Brampton grows at a faster rate than Mississauga?

**Mr. Sajecki:** I can't speculate on that. I think we heard earlier speakers talking about population of the future versus population of today. I can tell you, we're 700,000 people today. The complexities I talk about exist today. But 410,000 jobs are here today, and they are growing exponentially. We have a very dynamic economy here. I just can't speculate on what may or may not be happening in Brampton.

**Mr. Hudak:** I appreciate that. I don't want to put you on the spot. But we do; we have to look at the good of Peel as a whole for this bill and the implications for other regions in the province as well if you went to a rep-by-pop formula and the ramifications. We need to look at the big picture. That's why I ask you.

1410

**Mr. Sajecki:** If I might, the comment I would make, though, is when one is looking at an undefined population in the future—and let's take the province of Ontario just as an example. You'd have to double the size of the seating in the Legislature today to accommodate the future five million people who are expected to be in Ontario.

**Mr. Hudak:** My point, though, is simply, should there be a mechanism that could trigger changes in seats if the population shifts? The argument Mississauga has made is that the current mechanism does not work; they've grown a lot so we need to change the bill. Shouldn't the same fairness be given to Brampton or Caledon, if they grow down the road, to re-examine the seating?

**Mr. Sajecki:** I wouldn't want to give an off-the-cuff comment but I think it's certainly something that could be looked at, sure.

**Mr. Prue:** Again, I'm curious because the argument has been made over and over again that Mississauga

doesn't think you should look at potential population and Brampton wants us to look, and yet in your own study you were talking about 2006 and 2012 and the potential projected populations in the area at that time. Why are you using that internally if you disagree with it externally?

**Mr. Sajecki:** What I was talking about is the ward structure that we would set up. It would accommodate today's needs and would also be, without any further change in representation, accommodating, we think, in a reasonable way, without having to add additional seats, the future growth that we expect.

**Mr. Prue:** Again, Mississauga is a mature, very large, some would say brilliant, city, but it's starting to become compact. If the Canadian government, the province, places like Toronto and most municipalities can keep their wards and their ridings within plus or minus 5%—and I know you can't do that in northern ridings and some very strange ones—why is Mississauga content at a 33,000-population difference? I don't understand this.

**Mr. Sajecki:** As I outlined in my presentation, there were about seven or eight criteria that we went through. When one starts to look at the complexities of, for example, having the airport—as I said, it would be very difficult to draw a boundary through that area—when one looks at all the criteria collectively, we think we've come up with a very, very sensible recommendation. It's not as simple as just a numbers game. One does have to look at communities of interest and look at issues of natural features and so forth.

**Mr. Berardinetti:** Thank you for your presentation, Mr. Sajecki. I only have a minute so I'll be very brief. I come from the other side of town, Scarborough, and I always hear that Mississauga has grown out or has basically built out. Can you just explain to me whether or not that is the case, or do you still have room for growth?

**Mr. Sajecki:** We're moving to the kind of situation that we've seen in mature urban municipalities like the city of Toronto. The city of Toronto has been built out pretty well for a long, long period of time. But go look at the cranes in the air. There's a lot of activity; it's just changing in terms of the form of development. Europe has been built out forever. We expect that we will see a lot of intensification and new development. I just suggest, if you haven't had an opportunity, on the way home go look around our city centre and see what's going on.

**Mr. Berardinetti:** Thank you; I will.

**The Chair:** Thank you for your presentation.

#### CITY OF MISSISSAUGA

**The Chair:** I call on Eve Adams to come forward, please. Good afternoon. You have 10 minutes for your presentation. You may leave time within that 10 minutes for questions, if you wish, and I would ask you to state your name for the purposes of our recording Hansard.

**Ms. Eve Adams:** Thank you. I'm here to speak in support of Bill 186. My name is Eve Adams. I'm the

councillor for Mississauga's ward 5, and I'm due to deliver my baby the day after tomorrow.

Welcome to my ward, home to Canada's—

**Mr. Peterson:** Mississauga is growing.

**Ms. Adams:** It is; population up by one.

This is my ward. It's home to Canada's largest international airport, almost 80,000 residents and 9,300 businesses. That's not in Mississauga, but 9,300 businesses just in my ward alone.

There are parts of Peel region which have conscientiously chosen not to develop. Caledon elects leaders who prefer rolling hills, vast acreages and serene countrysides far removed from industry. Some of Toronto's wealthiest families have chosen to build their large compounds and summer retreats in Caledon. It's a beautiful lifestyle. No one would begrudge them their beautiful country mansions if they paid their fair share, but they don't. Mississauga residents have subsidized that lifestyle and Caledon's elite choices.

Mississauga pays 65% of the costs at the region—I know you've heard that—yet we only have 62% of the population and, worse yet, only 48% of the votes.

I represent a diverse ward of great people and hard workers. Near the airport, three generations of immigrant families cram themselves in small, wartime housing so that soon their children will have more opportunities, they hope. Their property taxes subsidize Caledon mansions. Seniors who served our war industries struggle to pay more in property taxes today than they ever paid for their mortgages. They subsidize the Caledon gentry. And then, many of my residents are young families, where both parents must work in order to make mortgage payments. Some commute two to three hours a day to return to their 36-foot-wide lots with tiny backyards, and yet their property taxes are subsidizing Caledon. That's why everyone will tell you that property taxation is one of the most regressive forms of taxation. You shouldn't have the homes of seniors, immigrants and young families subsidizing the big properties.

My residents endure the noise and pollution of the airport, the highways and spinoff industries. Caledon gets the benefits of those industries but doesn't need to put up with any of the downside. The inequity has gone on far too long.

I thank you for the two additional votes at regional council, but I would encourage you to move beyond Bill 186.

Mississauga does not need an additional layer of government. Our resources are already limited, and the region is just another level of bureaucracy and red tape. I've now had the honour of working at all four levels of government, I've consulted for businesses across the US, and I can tell you that the challenges faced by Mississauga businesses are unique, to say the least. My ward is the home of head offices like Liz Claiborne, Mattel, Sara Lee, Hershey, Kellogg's, General Mills, Spar Aerospace, Oracle, Pepsi, KIA, Subaru and Colgate-Palmolive. Almost all are located in corporate parks on Mississauga streets. That's the good news. If you're a

small or medium-sized business, though, and would like to border a regional road, you face a maze.

Let me give you an example. A woman in her thirties chose to strike out and run her own daycare in my ward. After receiving approvals from the province, she leased space in a 15-year-old, busy strip plaza. Because the plaza exited on to two streets, one a regional road and the other a city road, she triggered the planning department processes of both levels. She now had to go to the planning department at the city and the planning department at the region. She also triggered the works and roads department at the region and the works and roads department at the city. She took out a loan to fund her dream, prepaid her lease, met the city's requirements, hired contractors in good conscience, and only then was told that the plaza owner would have to give up some land on Dixie Road free of charge or she would not get clearance from the region. The region admitted that it wasn't her fault, as the business owner; they should have obtained the land a decade before. It was an oversight, but now they could not overlook it and apologized for waiting so long to tell her. The plaza owner said it wasn't his problem, he wasn't giving up his land for free, it didn't affect any of his other tenants, and she would have to walk away from her investment.

She's just trying to open a daycare. You'd think that experienced help or ministry requirements or child care safety would be the biggest hurdles she'd face. Instead, she needs to weave through a layer of bureaucracy which didn't have its paperwork in order a decade ago, again was slow to the party, and ramped up her costs.

A month later, I have a medium-sized business owner looking to build at the intersection of another regional and municipal road. The city, the region, the conservation authority and the airport all have to be circulated on his file. His planning consultant, hired because few business owners can afford to do this or understand the complexity themselves, had made the rounds and responded to every agency's requirements and cleared his paperwork. So now he is ready to break ground and lay services for his construction. But I receive his panicked call. The region, again in an oversight, forgot to ask for land for a road-widening along the front of his project—maybe. The region wasn't sure if they needed it, but he would have to wait until they took measurements of the road and got back to him. The construction trucks were on his land. He needs to know if he's building on the right spot. Does he now need to move that building back? Should he be building up another level? None of this mattered at the time. All of this comes at no small cost to him.

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We should be encouraging businesses and incubating them. The provincial coffers certainly rely on them, and they provide employment closer to home for our families. They will be tomorrow's success stories if we don't choke them in red tape today.

Mississauga is a city of almost 700,000 people. Our residents shouldn't be subsidizing Brampton and Caledon through property taxes, and our businesses don't need

another level of bureaucracy. I would urge all of you to support Bill 186 and to reconsider eliminating the current region of Peel. As with most things, this debate comes down to money. Mississauga can no longer afford to subsidize the lifestyle choices of our neighbours. Thank you.

**The Chair:** Thank you. We really don't have time for a round of questioning, but we appreciate your presentation. Congratulations.

**Mr. Duguid:** I suppose there would be no point in inviting her to the clause-by-clause because I have a feeling she'll be otherwise engaged on the 19th.

**Ms. Adams:** Let me know if you need me.

**Mr. Duguid:** OK. We'll give you a call.

#### MAYOR'S YOUTH ADVISORY COMMITTEE

**The Chair:** The Mayor's Youth Advisory Committee. Good afternoon. You have 10 minutes for your presentation. You may choose to leave time within that 10 minutes, if you wish, for questions. I would ask you to identify yourself for the purposes of our recording Hansard.

**Mr. Louroz Mercader:** Thank you, Mr. Chair. Good afternoon, members of the committee. My name is Louroz Mercader and I have the pleasure of representing the Mayor's Youth Advisory Committee. To help you remember my name, I'm going to tell you how I got it. It's my parents' names put together. My dad's name is Louis, my mom's name is Roza and, if you put the two together, you get Louroz. I'm representing the Mayor's Youth Advisory Committee and I was its past chair from 1998 to 2001. In 2001, I had the honour of being awarded the 2001 Medal for Young Volunteers for the province of Ontario.

I want to thank the committee today for allowing me to speak. I think it is always important to give young people a voice in such matters. Before I begin, I want to give you a brief background about whom I'm representing. The Mayor's Youth Advisory Committee was founded in 1982 and is the city of Mississauga's voice for young people. It is a dynamic, outgoing volunteer organization, which spearheads a host of beneficial community projects, actively encouraging youth involvement in the city, and it creates unique, constructive recommendations for all levels of government. MYAC is proud to represent Mississauga's 33 public schools, Catholic schools, private high schools and the local campus of the University of Toronto at Mississauga, representing over 63,000 young people in this city. I am speaking to you this afternoon on their behalf.

As the future taxpayers and voters of this city and this region, the youth of Mississauga have a vested interest in the issue of Peel governance. MYAC has been actively engaging the youth of Mississauga by closely monitoring and debating this issue for some time now. From the beginning, we have supported the citizens' task force on the future of Mississauga and the recommendations

outlined in its final report. We were proud to have had two former chairpersons sit on that task force, including Mr. Tom Urbaniak and Mr. Brad Butt, who had the honour of being co-chair and from whom you heard earlier. More recently, MYAC fully supported our mayor and our city council's efforts to seek fair representation on Peel council.

The region of Peel was established some 30 years ago. That is a long time ago and much has happened in that time which needs to be reviewed in context of what is more appropriate governance in today's situation. Mississauga has grown dramatically in this time and recently has come of age. Our city and our leaders have demonstrated that it is capable of managing both our city's and region's affairs in a responsible manner. Mississauga, with a population of 680,000 people, is the third largest city in the province and sixth largest city in Canada. I want to stress that no other city of our size is part of a regional government. We are simply asking for two additional representatives at the region to give Mississauga residents a fair voice. It is clear, and you have heard this number quoted before, that Mississauga has 63% of the population yet only 48% of the vote. This is simply not fair.

We applaud the provincial government for realizing, which was perfectly clear in the minds of the youth of Mississauga, that it doesn't make sense for Mississauga to have a minority of votes on regional council but have a significant majority of the population.

MYAC also agrees that as Brampton's population grows to warrant additional members, they should have them. However, we do not agree with Mr. Adams's recommendations to award Brampton representation at the region years in advance because they might, and I stress "might," be warranted one day.

The popular buzzword being used in this province today is "gap." The province of Ontario is seeking to narrow a gap of \$23 billion with the federal government. Mississauga faces a similar gap, both a financial gap of \$24 million and a representation gap of two councillors with the region of Peel. With this amendment to the region of Peel act, the province will help Mississauga close that representation gap by an outstanding 2% of the vote, for a total of 50% of the vote on regional council.

In closing, on behalf of the 63,000 young people of Mississauga and the Mayor's Youth Advisory Committee, I want to reiterate our support for the province's plan to add two additional city councillors in time for the 2006 municipal elections, finally dealing with the representation inequalities which have plagued the region of Peel for years.

Through you, Mr. Chairman, I want to thank the committee for providing me this opportunity to speak on behalf of the young people of Mississauga. We look forward to this legislation being passed in the House in the near future. Thank you very much.

**The Chair:** Thank you. We have a little less than two minutes per party, and we begin this rotation with Mr. Prue of the NDP.

**Mr. Prue:** You have reiterated a comment we've heard from most of the speakers this afternoon, and that is that you see the long-term future of Mississauga not within the region of Peel, that you see this as only an interim step until Mississauga can get out. Is that a fair comment on what you've said?

**Mr. Mercader:** Absolutely.

**Mr. Prue:** Well, it can't be much clearer than that. OK. I'm trying to understand how you see this transpiring. Mississauga obviously is a large city in its own right, one of the largest ones in Canada. Brampton is growing, and I guess will soon be a large city. We have the perplexing problem, though, of what to do with the remaining Caledon. Any ideas on that?

**Mr. Mercader:** Yes, and it's very simple: It's to reduce the number of seats in Caledon.

**Mr. Prue:** No, I'm talking about the long-term future. If there's no more Peel and if those two cities go their own way and become like Toronto, a single tier, is that what you're talking about?

**Mr. Mercader:** Well, I really can't speak on that, but Brampton has been known to say that it would want to stand alone as its own city. In terms of Caledon, I don't see why it couldn't join with another region if it wanted to.

**Mr. Prue:** So that's what you see, the dismemberment of Peel as the ultimate solution.

**Mr. Mercader:** Yes.

**Mr. Prue:** How do you think these two additional seats are going to help you get there?

**Mr. Mercader:** I really can't talk about what's going to happen in the future. We're looking at the current situation and trying to address the inequalities at the region of Peel. Currently, this is the best solution for Mississauga.

**Mr. Prue:** If I can say, without putting words in what we heard this morning and from other people from Brampton, they see getting five seats as the precursor to strengthening Peel and keeping it as a region. I guess the differences there are diametrically opposed. They want to keep the region of Peel and work within it and want the five seats to do that. You want two seats to help you get out. Is that what this is all about, in a nutshell?

**Mr. Mercader:** In a nutshell, I really can't speak on behalf of Brampton, but on behalf of Mississauga, we want those two extra councillors now.

**The Chair:** Now we'll move to the government, and Mr. Fonseca.

**Mr. Fonseca:** I'd like to thank the Mississauga youth advisory committee and Louroz Mercader. Thank you very much for your fine presentation.

I know that I have many students who come see me at my office, many youth. The last youth I had was a number of medical students, and they talked about the unfairness in how much they have to pay to go to medical school here in Ontario as compared to many other provinces.

When I visit schools in Mississauga, elementary schools, and sometimes bring little bits of candy, espe-

cially at Valentine's Day time, they want to make sure there's always a sense of fairness. Youth are always looking for fairness, and I think they have a great perspective on what fairness is.

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Can you tell me a little about the youth of Mississauga? I say Mississauga, because that's who you represent here. What is their understanding of the region of Peel and what it does?

**Mr. Mercader:** As you know, in civics class they learn about all levels of government. I think if you ask most young people, they don't see where the city and the regional services draw the line in terms of responsibilities. I think the best option is to streamline that. I think they would tell you that less government is good.

**Mr. Fonseca:** So if you asked any youth here in the city of Mississauga, they would say they were from Mississauga. I rarely hear youth talk about the region of Peel.

**Mr. Mercader:** Right, and I don't think a lot of them know where the region of Peel is.

**Mr. Fonseca:** Even though the region of Peel has provided and does provide many great services, to my understanding, if you put the numbers in terms of population and representation at the region of Peel on the table and showed them the numbers today, what do you think the first thing they would say would be?

**Mr. Mercader:** We've heard this over and over again at our committee meetings, that it's simply not fair in the current situation. That's why they support the two extra councillors from Mississauga.

**The Chair:** We'll move to the official opposition.

**Mr. Hudak:** Thank you very much for the presentation. It's great to see a very obviously active youth advisory committee to the mayor and the fact that you're taking part today. It's good to see some very strong words as to where you stand. I respect the fact that you've brought that forward.

I've been listening to a very strong position from Mississauga. It's a consistent message that they want to secede from Peel and be a single-tier municipality. I'd be curious if the members of the government here feel the same way and if it's true that this is simply a step to dissolving the region of Peel. So I hope when they get a chance to talk, they'll tell me very clearly, just as you did, whether they agree with it.

We had the report brought to us in 2002. We did not proceed with restructuring Peel. I know that's not everybody's favourite position, but at least we were clear and did not proceed.

Mr. Fonseca has to be a bit careful about the fairness issue, because while he's preaching fairness and rep by pop today, he has actually voted for legislation for provincial boundaries that throws that right out the window. I think you'd acknowledge that. The provincial boundary legislation that the government brought forward rejects proportional representation and has different boundaries for different areas and different sizes. So I'm not sure

that's actually a principle or one of convenience across the floor.

You talk about a gap; the buzzword is the "gap." Do you think there is also a gap between what Mississauga gets from the region and what they put into it? Do you pay more into the region than Mississauga gets back in services? If you address that, doesn't that hurt Brampton and Caledon?

**Mr. Mercader:** I think Brampton has publicly said that they enjoy the free ride. I think the free ride needs to come to an end.

**Mr. Hudak:** Well, he's very clear. You're certainly very bold with your statements.

As provincial legislators, we need to look at all the municipalities that are impacting the other regions. Would your advice to the government be that they should look at proportional representation for the rest of the regions in the province and address those seats as well?

**Mr. Mercader:** I'm not going to address what's going on in the rest of the province. All I know is what is going on here at the region of Peel and Mississauga.

**The Chair:** Thank you for your presentation.

#### DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD

**The Chair:** Dufferin-Peel Catholic District School Board, please come forward. Good afternoon. You have 10 minutes for your presentation. You may leave time within that 10 minutes for questions, if you wish. I would ask you to identify yourselves for the purposes of our recording Hansard.

**Mr. Brad Teichman:** My name is Brad Teichman. I'm a lawyer representing the Dufferin-Peel Catholic District School Board. With me is Ms. Stephanie Kox, who is a planner with the school board. We won't need the full 10 minutes, Mr. Chair.

The school board has no objection in principle to the draft bill. However, there is a technical or timing issue we'd like to bring to the committee's attention that could potentially cause problems for the school board.

As we know, the bill gives the municipalities an outside date of December 31 prior to an election year to determine the manner of selecting their regional representatives. If the municipalities take a decision, and such decision requires a redistribution of wards in any of the municipalities forming the region of Peel, those new wards might not be determined by the municipalities until some time well into the election year, the next one being 2006, because the bill does not provide for any timelines for the determination of the new wards during an election year. Moreover, there's a public process associated with the determination of new wards which can be lengthy. That's where the school boards come in, and let me explain what the problem is.

Under regulations made in the Education Act, the Municipal Property Assessment Corp. is required, before February 15 of an election year, to determine for each school board the population of that board's electoral

group who are resident in the municipalities. They have to make that determination of the electoral group by ward, if the municipality is divided into wards. We know that the municipalities in Peel are divided into wards, so by February 15, MPAC has to provide to the school boards—to the Catholic board, for example, the number of Catholic electors or people eligible to vote. MPAC has to do that by February 15. Then based on that information, the school boards, before March 31 during an election year, must determine the number of members or trustees who can be elected to the school board, as well as the distribution of those board members among the wards. The school boards then must report that information to the municipalities and the Minister of Education by March 31 of the election year.

MPAC, or the Municipal Property Assessment Corp., might not be able to satisfy the February 15 deadline, depending on when the wards are determined by the municipality. If MPAC can't meet the February 15 date, then the school boards might not be able to meet the March 31 date, which would put the school boards in a position of contravening their governing legislation. I note as well that the bill allows the December 31 date by which the municipalities are to make a decision—the bill provides for an extension of that date beyond December 31, which could exacerbate the school boards' problem.

As I said at the outset, the school boards take no position on the merits or the principles underlying the legislation. They have no problem with that. What we're asking the committee to consider is either changing the December 31 date or considering parallel amendments to the Education Act regulations so that the school boards will not be put out of bounds by a late decision by any of the municipalities.

I don't know if the committee members have any questions.

**The Chair:** Well, we will find out. Does that complete your presentation?

**Mr. Teichman:** Yes, that's the point we wish to bring to the committee's attention.

**The Chair:** Thank you. We have about six minutes, so there are about two minutes per caucus. We'll begin with the government in this rotation.

**Mr. Duguid:** Thank you, Mr. Teichman. I appreciate you bringing this issue to our attention.

I think timing is important here, because we are coming close to an election year next year. That's one of the reasons why, as I've said earlier in the day, we've needed to press forward with this, to make sure that a decision is made in time to allow the regional municipality and the local municipalities time to make whatever appropriate electoral adjustments they choose to make. I never personally thought of it in terms of the impact on the boards and the trustees who are running, but there's a similar impact on them as well.

If this legislation is passed this spring, is there not sufficient time between this spring and the new year to ensure that the new boundaries are set up and in place?

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**Mr. Teichman:** I don't think so, sir, because the way the legislation reads now, it allows the municipalities until December 31 to make their decision. If they make the decision late in December and that decision triggers the need for a redistribution or reconfiguration of wards, those wards might not be determined by the municipalities until sometime in 2006, which means MPAC might not be able to comply with their February 15 deadline. And then the school boards can't comply with their December 31 deadline. So perhaps if the date was changed from December 31 to October 31 of the year prior to the election year, it might allow MPAC and the municipalities sufficient time to meet the requirements of their governing legislation.

**The Chair:** Thank you. We'll move to the official opposition.

**Mr. Ted Arnott (Waterloo–Wellington):** Thank you very much for your presentation this afternoon. Unfortunately, our critic had to leave the room for a moment, but he asked me if I would ask on his behalf a question to you. Do you have any specific suggestions for amendments to this bill that you'd want to ask of this committee?

**Mr. Teichman:** The only amendment to the bill would be perhaps if the December 31 date was advanced so that, let's say, it was October 31, or if the December 31 date remains, that corresponding amendments would be made to the Education Act regulation so that the date for the school boards would be March 31 or later, if this happens.

**Mr. Arnott:** Again, very briefly, the rationale for such an amendment would be?

**Mr. Teichman:** Well, it's because the school boards have to report certain information to the municipalities by March 31. If they don't have the information sufficiently in advance of March 31 to do their analysis of the number of trustees to be elected and the distribution of trustees by electoral group among the wards, the school boards would not be complying with their legislation. I don't know if that answered your question.

**Mr. Arnott:** It's sufficient. Thank you very much.

**The Chair:** Thank you, and we'll move to the NDP.

**Mr. Prue:** This is quite novel. We haven't heard anything quite like this over the balance of the day. In terms of the time frames, you're suggesting October 31. That's for the municipalities themselves to set the new ward boundaries?

**Mr. Teichman:** No. That would be to make the decision under the legislation for the new regional representation. What I'm saying is, that would probably provide sufficient time for the municipalities, based on October 31, to establish the new ward boundaries and then for the Municipal Property Assessment Corp. to determine the Catholic electoral group by February 15 so the school boards can comply with the March 31 date.

**Mr. Prue:** Unless I'm mistaken—and you might not be the right person to answer this—even if the municipi-

palities set those ward boundaries, that is still appealable, I believe, to the Ontario Municipal Board.

**Mr. Teichman:** I understand it is.

**Mr. Prue:** So even if the municipalities set the dates, all it would need is one citizen or a group of citizens appealing to further set back the date and thereby set you further back and MPAC further back.

**Mr. Teichman:** I suppose that could happen, sir, yes.

**Mr. Prue:** Let's presuppose the OMB—because that was not figured in to what you originally told us, and I think what you told us was something I had not thought of either. If you factor in the OMB, is the October 31 date even still possible?

**Mr. Teichman:** No. I hadn't considered your point, and it's a good one. So perhaps October 31 is optimistic. Perhaps it should be earlier. I hadn't considered that point, the possibility of an appeal, but what I'm saying is, it's either advancing the December 31 date, make it sooner, or have a parallel amendment to the Education Act regulation so that if a school board doesn't have the information by March 31, that date is extended and the school board has a reasonable opportunity after receiving the information to make its determination.

**Mr. Prue:** A further option, I guess, would be to forget 2006 and aim for 2009.

**Mr. Teichman:** Well, it's really beyond my mandate to comment on that, sir.

**Mr. Prue:** All right. Thank you.

**The Chair:** Thank you for your presentation.

#### CITY OF MISSISSAUGA

**The Chair:** Janice Baker, would you please come forward? I've noted the smiles from persons when I repeat this, but I have to do it. You have 10 minutes for your presentation. You may leave time within that 10 minutes for questions if you wish. I would ask you to state your name for the purposes of Hansard.

**Ms. Janice Baker:** Thank you for the opportunity to address the committee today. My name is Janice Baker. I am the city manager for the city of Mississauga. Bill 186 is a very important piece of legislation for both the city of Mississauga and the region of Peel, as it represents fairer representation for our city's residents than they have had for many decades. I'm about to give the committee a little history lesson.

Today I will focus on the process by which the many city of Mississauga councils and city staff have dealt with the representation issue. It shows Mississauga's clear attempt to follow a consistently solid and inclusive path to try to rectify the imbalances on both councils. The question has been raised, "Why now, after 30 years?" Our response is, "Finally, after 30 years."

Mississauga's current nine-ward model has been in place since its inception in 1974, when the city and the region were created. The exact number of representatives from each of the three municipalities that make up Peel region was spelled out in the 1974 legislation. Mississauga councillors have always been both city and re-

gional councillors, each representing a separate ward. This representation model, where residents have a single point of contact, was recognized by Mr. Adams, the provincially appointed facilitator, as the preferred model. That model has served the residents of Mississauga well, and we want to retain it.

It has been suggested that we can solve the problems of a couple of wards by rebalancing the whole of council. We have already done this several times. Because Mississauga has been one of Canada's fastest-growing cities, we have had to amend the ward boundaries many times to rebalance the population of each ward. The ward boundaries were realigned for elections in 1978, 1985 and again in 1991. Every time we have realigned the wards, we have had to confront the issue of the councillor-to-resident ratio. However, each time the boundaries were amended, the number of wards remained unchanged. By 1987, it was clear that the realignment of ward boundaries was not enough and that the city needed to add more wards. City council directed a review of the matter, which resulted in a resolution to take the necessary steps to add additional wards representing Mississauga at regional council.

In 1991, an Ontario Municipal Board decision addressed not only a new ward configuration but also the issue of the number of wards. The board spoke to the need for a more permanent solution to the issue of councillor-to-resident representation at the region and called for a solution within an appropriate amount of time. That was in 1991, when our population was 465,000 people. Now, 14 years later, our population has grown to 695,000, and we still have the same number of seats at regional council.

Mississauga's population is 62% of the region, yet we have 48% of the representation. A pillar of a democratic system is representation by population, and this has not been the case in Peel for 30 years. Most recently, our city staff began again to work on identifying new ward boundary options in 2003. A report outlining two preferred ward alignment options was brought to city council in June 2004, and it should be noted that the report used similar criteria to those used in the previous OMB decision, including ward population, the percent variation from the average ward population, use of natural and artificial features, geographic form and area, impact on historic communities and communities of interest, impact on business improvement areas and the number of official ratepayer associations.

The two ward realignment options were circulated for comment to all ratepayer associations in Mississauga, Mississauga's three business improvement districts, the Peel District School Board, the Dufferin-Peel Catholic District School Board, the Mississauga Board of Trade, the Urban Development Institute, Peel Chapter, MPPs for Mississauga, the region of Peel, the city of Brampton and the town of Caledon. Last November, we reported on the comments we had received from that circulation, which were supportive of the proposal to add additional councillors, and we have the required public meeting scheduled for May 30, 2005, regarding this matter.



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I believe that in the description I have just presented regarding the process Mississauga has gone through, it is clear that talented professional staff have spent a phenomenal amount of time analyzing the information to ensure the residents have the best possible representation at both the city and regional level. The OMB members also saw the need for more wards. This process has not been haphazard or rushed, but rather an organized, sound and common-sense approach handled by seasoned professionals in the pursuit of fairer representation for its citizens.

I would like to remind the committee that if new ward boundaries are not in place by the end of this calendar year, Mississauga will not have better representation in time for the 2006 municipal elections. That would mean another three years before Mississauga could hope to have equitable representation. As I indicated earlier, 62% of the region's population lives in Mississauga. With the proposed two additional councillors on regional council, Mississauga will have 50% of the representation. This is a reasonable and modest approach to starting to address a long-standing imbalance. We have done our work, as we always do in Mississauga, in a consistently professional fashion.

Thank you for your time. I would be happy to answer any questions.

**The Chair:** Thank you. We have about a minute per caucus, and we'll begin with the official opposition.

**Mr. Hudak:** Thanks for the presentation. Maybe, from your experience with the city, you could describe how the region fails to function in Mississauga's best interests. What would this change in representation help to address, from the city's point of view?

**Ms. Baker:** I think they're two different questions, quite frankly. In terms of how the region fails to work with the city in terms of our function, we've identified many areas where there is overlap and duplication between the regional functions and the city's functions. In fact, when the mayor speaks, we're going to be distributing a rather large brief that we gave to Mr. Adams, the facilitator. Within that, you will find a 17-page document prepared by our planning staff showing areas where we feel that regional planning responsibilities could be reduced and in fact could be transferred to the lower tier.

With respect to the second part of your question on representation, I think our view is that this is progress. Anything that gets us closer to representation by population is certainly something that we would support.

**Mr. Hudak:** The overlap—

**The Chair:** Thank you. There was only a minute per caucus, Mr. Hudak. Mr. Prue?

**Mr. Prue:** OK, I've got one minute. Your dilemma in terms of Mississauga trying to get 11 wards versus nine would be resolved—just that dilemma—whether it was two additional seats for you and one for Brampton, or two for you and five for Brampton, would it not? I'm going to leave the other issue out for a minute. What you need is two.

**Ms. Baker:** What we need is representation by population that's here today and not representation by population for the future. I think the principle of representation by population is the one that we're after. There's been a concern expressed about Brampton's future growth. I think our position has been that we have no concerns, as time goes past and as growth actually occurs, that Brampton would get additional seats. Representation by population—well, what's good for the goose is good for the gander, and it has to apply to Caledon as well.

**Mr. Prue:** But my question is that you require the two seats in order to redress the structural problems inside Mississauga. Notwithstanding, if you get the two seats, that will resolve that problem. The other thing is a different argument. I understand that.

**Ms. Baker:** But they are inextricably linked. We are not going to alter our local representation if we also cannot address the issue at the region. Our system is such that each of our councillors sits both on local council and regional council. We do not want to go to a council, as others have, where you have some councillors who sit at the region and some that do not. So in our view, they are not two separate issues.

**The Chair:** We will move to the government.

**Mr. Peterson:** Thank you, Janice. It's great to have you continuing the excellent management we've had in the city of Mississauga. We're really talking today about population without representation. In another time and another country, there was taxation without representation and that resulted in the Boston Tea Party. If we don't pass this legislation giving better representation by population, will you join me on the bridge at the Lakeshore over the Credit River for the Mississauga Tea Party?

**Ms. Baker:** Mr. Peterson, I'd be happy to, and being from Newfoundland, I'll even bring Tetley tea. How's that?

**The Chair:** Thank you for the presentation.

#### CITY OF MISSISSAUGA

**The Chair:** The city of Mississauga. Good afternoon. You have 20 minutes for your presentation. You may leave time for questioning if you wish within that 20 minutes, and I would ask you to identify yourself for the recording Hansard.

**Ms. Hazel McCallion:** Hazel McCallion, mayor of the city of Mississauga.

I appreciate the opportunity to appear before you today and to present the city of Mississauga's case.

First of all, the citizens' task force, Brad Butt, has clearly indicated to you as to how we got to where we did by looking at the future of Mississauga. That report came to council, and then we proceeded to involve the public in many, many ways. We held public meetings; I sent a letter out to every resident in Mississauga with a return card to be sent back to us; we asked Environics to do a study; the councillors held public meetings in the differ-

ent wards. It was a great, great debate, public participation, and so we really did our homework in regard to consulting the public.

We have resolutions that you'll see in this book—by the way, I have a copy for each member of the committee; it's being distributed now—support from many, many organizations in Mississauga, as well as from individual citizens. I spoke on many, many occasions on the issues. Our MPPs have studied. We met with them and briefed them thoroughly on numerous occasions to make sure that they understood the situation. So let there be no doubt that we have the full support of our residents to separate from the region of Peel.

One of the reasons is the representation that's been well covered by a number of deputants; duplication and overlapping of services; fair representation of Mississauga residents at the region. Now, this has been going on for 30 years. We have been under-represented for 30 years. Caledon has been over-represented for 30 years. When you think that we have 10 people on regional council, Brampton has six and Caledon—in 1974, the population of Mississauga was 219,000; we had 10, Brampton had six, and Caledon had five, for somewhere around 30,000 to 35,000 people. So it really was screwed up from day one in regard to the representation.

We knew the inequity existed, and one of the reasons the region of Peel has been a success is the major contribution made by the city of Mississauga with the 10 people who have represented. I've been on the regional council for the 30 years that the region has existed. Some of my councillors have 18, 16 and 14 years. There have been many changes in the city of Brampton and the town of Caledon representation on regional council. We have done our homework. We hired an independent financial consultant to study the financial impact of the city pulling out of regional government, and they estimated that we could save \$32 million a year. If we pulled out of the region of Peel, Caledon's taxes would go up 12% and Brampton's would go up between 7% and 8%, so that gives you an idea that the taxpayers of Mississauga have been subsidizing the taxpayers of Brampton and Caledon for 30 years. The time has come that our costs are increasing. We're a mature city, our taxes are going up, and therefore we can no longer be subsidizing the property taxpayers of Brampton and the town of Caledon.

After going down to the province and meeting with the Premier, we got the message, "We're not going to support separation from the region of Peel." So we came back to the city of Mississauga, put our heads together and said, "How do we deal with it?" We came up with plan B, which means the region would remain, and that document is in here. We submitted that document informally to the two mayors, the mayor of Brampton and the mayor of Caledon. I asked them to take it to their councils and let us have their comments as to what they thought about it. We did not hear back. Then, after council endorsed plan B, we transmitted it to Brampton and Caledon. The mayor of Brampton acknowledged it and said she would refer it to her council for consider-

ation. We have never heard from them. The mayor of Caledon acknowledged it and said that the only concern she would not support would be Mississauga having a majority vote in the region. Those were the only comments that we ever received from the two municipalities. We were prepared to discuss the issue.

#### 1500

Needless to say, we did not take it to the region of Peel council, because how in the world would you ever win with the voting situation that exists there? In other words, we would be asking the mayor of Brampton to vote to increase their taxes and the mayor of Caledon to vote to increase their taxes. I don't know what mayor would do that.

So we felt we had to go to the province. We took plan B to the province, and it took quite a while for them to come back and say that they would like to appoint a facilitator. They asked us for suggestions. We recommended a very experienced person who is at the local, regional level to do the job, because he had worked for the province on the restructuring of government in a number of places in the province. Instead, the province appointed a judge. I recall the first day we met with him, and he said, "I know very little about local or regional government. I'm a facilitator, and my job is to try to get a consensus. That's my job." We asked him, "Will you make recommendations?" and he said, "Well, I don't know."

We went through the process. He met individually, he met jointly. Then the proposal brought forward by the mayor of Brampton was that they wanted five more members; they didn't want any change to Caledon. I unequivocally said to the commissioner, "Under no circumstances will my council support that." There was no consensus. When you read the facilitator's report, he too said that there may be a consensus forged; he didn't say there was a consensus. So I want to clear away that myth that there was a consensus. We then proceeded to deal with the issue with the province and submitted reports, hoping that a decision would be made very quickly because of our ward boundaries and the need to go forward.

Bill 186: Let me deal with it. It is definitely not what we want. But when you get a little progress in something that has been stalemated for 30 years, you've got to show interest and support. So we do support Bill 186 in giving us representation.

By the way, the province has directed us to sit down and look at what Mississauga has been saying for years: Realign the services of the region of Peel for the benefit of the taxpayers of the region of Peel. Duplication and overlapping in government today has got to end because of the way our property taxes are increasing.

We agree that when they get the population, Brampton should have—I hope that Brampton will not suffer what we suffered for 30 years. We've gone from 219,000 to 700,000, and we've had no change in our representation. We would not want that to happen to Brampton. But I've got to tell you that if Brampton's representation goes up, then I think Caledon's should come down. Otherwise,

you're going to create a huge regional council. I think there are too many people today. Look what happened in Toronto.

We would like what the Peel Board of Education has. Their makeup is 12 trustees, one for Caledon, four for Brampton and seven for Mississauga. Do you know what? Mississauga has control of the vote at the Peel District School Board, and it seems to operate extremely well.

So I say that we do want Bill 186 passed, and I think it should be passed very quickly.

We have made a major contribution to the region of Peel. I can tell you that we are not prepared any longer to subsidize Brampton and Caledon taxpayers. We're all faced with challenges. I just came from the large urban mayors' meeting, and everybody is worried about the increase in property taxes.

This book contains all the information. We did our homework, because I don't believe that you go to government with just a request to do something. We did our homework, we got the independent financial statement—not our statement of figures; it's independent—and all of it is in here. I think when you want to do something, you have to do it right, and you have to give the necessary background and data for those in the decision-making process to make the right decisions.

I'd be glad to answer any questions.

**The Chair:** Thank you. We have about three minutes per caucus. We begin this rotation with the NDP.

**Mr. Prue:** I'd just like clarification, because I've reread what the learned justice had to say. I'd like to quote, because some people are saying this was a signal that there was some kind of agreement from the mayors and you're saying there was not. I'd just like to hear precisely your view on his statement here when he says, "The discussion over these four days of talks, albeit heated and even gut-wrenching at times, exhibited a remarkable capacity by the mayors to work together."

**Ms. McCallion:** I don't really know what he meant by that, because, quite honestly, I think when it came to the realignment of services that we dealt with, there was some support for looking at planning and works etc.—there definitely was—that it should be looked at.

The only problem with that is that with the things that Mississauga wants to do to realign the services—and I said to the facilitator, "Who will make the final decision, if we sit down and discuss this?" which we are now directed to do, and we look forward to it; we're going to be ready to do it immediately following the passing of the bill. "Who will make the decision if there is a deadlock in the way it should be done?"

Because of the vote at regional council—weighted assessment is the reason why we subsidize the taxpayers of Brampton and Caledon. We would like services to be allocated based on per capita. Police is; garbage collection is. The tonnage that we contribute to waste disposal is on a tonnage basis. We believe that the services should be allocated based on use. If we produce more garbage, we should pay for more garbage.

But when it came to representation, I very clearly stated to the facilitator that under no circumstances would my council agree to representation without population. I think it's a new democracy that I haven't really—now, I have to admit that Caledon does have that. They have representation without population.

**Mr. Prue:** That's what I want to get to, if I have a minute or two left.

**The Chair:** You do; you have about a minute.

**Mr. Prue:** We all know that Brampton is going to expand. Brampton is expanding at a huge rate; we know that. You can argue whether you're going to look ahead or not look ahead, but the problem seems to be that, with the greenbelt legislation, the reality is that Caledon will probably never expand much beyond its current levels. So Caledon will never have, say, 100,000 people. Caledon will be surrounded by farms and greenbelt and rolling hills. That's what the government intends. Do you think Caledon is the sticking block and not Brampton? Because it's mostly Brampton that is challenging this legislation.

**Ms. McCallion:** Well, I understand Caledon is challenging it.

**Mr. Prue:** They are there as well, yes.

**Ms. McCallion:** Well, I can't figure it out, because the province has done nothing to Caledon's representation, and they really should have. But the point is, that was a decision they made, and what can we do about it? I would hope that if Brampton gets more representation—which they should and which we would support when the population is there—Caledon's representation would go down and bring it more in line with the people they represent.

#### 1510

Let me give you an example. We get \$41,000 a year as a regional councillor. A regional councillor in Caledon represents about 10,000 people. A regional councillor like Councillor Saito, who spoke, represents 116,000 people. They both get paid the same amount for representing the population. Secondly, I think you should also know that the taxpayers of Mississauga pay a greater amount of salary to the regional councillors of Caledon than their own taxpayers do.

**The Chair:** Thank you. We'll move to the government.

**Mr. Duguid:** I'll ask two questions, in the interests of time. I probably won't get time to get back for the second one. John Tory has indicated that he opposes this bill. Worse than that, he's failed to take a clear position on what he would do if he were in government. In fact, he's riding the fence. The first question is, do you believe any politician wishing to represent this province owes it to the people of Peel to take a clear position on this?

Secondly, there's been a lot of talk about concerns regarding the new Peel council being deadlocked in choosing a chair. I've said, and the Premier and the minister have said on numerous occasions, that we're quite confident, given yourself and your colleagues, that you'd be quite capable of coming to a consensus on choosing

somebody who would be able to represent the interests of Peel. Do you agree that you and your colleagues would be capable of reaching a consensus and avoiding a deadlock in choosing a chair?

**Ms. McCallion:** Let me answer your first question. I don't know what the Leader of the Opposition knows about our presentation. I have never had a call from him to explain our situation. He did call me the day the legislation went before the House. My best advice to him, as I would say to anybody, is to do your homework before you take a position. Therefore, you should learn what we are providing when taking a position. I noticed the day he made the presentation in the House, he did talk about process more than the content of what we wish to do.

Your second question was in connection with?

**Mr. Duguid:** With the potential for a deadlock in choosing a chair.

**Ms. McCallion:** Well, we have deadlocks. There are deadlocks in many municipalities, and there's always a way to find a way out of it. I don't see a problem at all. I must say that when your government was thinking about electing the chairman, which I heard, I want you to know that we did not support that as a council. I don't know why, because if we had, I'm sure the next chair of the region of Peel could be a Mississauga person. But we were, again, trying to compromise. We have compromised all the way on this. My biggest disappointment is that Brampton and Caledon have never responded officially to the city of Mississauga in this regard. I think it is a sad situation. I don't know why, but there's been a lot of opposition to it in the last while, when the government made a decision.

**The Chair:** Thank you. We'll move to the official opposition.

**Mr. Hudak:** Your Worship, thank you very much for your presentation today.

To the parliamentary assistant, on what's been a largely non-partisan afternoon, he likes to take these shots. Brad Duguid is not that kind of guy. I don't think you're right in that. I think it's that fellow behind you, or maybe the Premier's office tells you to read those things. At least John Tory has taken a position and stuck to it, Brad. I could take out about this much paper from my binder to show you about 20 different letters and broken promises by Dalton McGuinty on this topic. He told Mayor Fennell one thing; he told Chairman Kolb something else; he told Mayor Morrison something else. He's been in the paper saying that he wouldn't restructure. So please, no lectures on consistency from the party of Premier Pinocchio. Sorry; I had to get a little partisan there in return.

Your Worship, I appreciate this presentation, particularly the thick blue binder. It's a lot of homework for us to do. You talked about weighted assessment, and you have a list of those services where Mississauga pays a significant portion of taxes but receives a lot less in benefits: regional roads, long-term-care facilities, heritage facilities, land ambulance and PIL revenues. Caledon and Brampton would be nervous, I think justifiably so,

that that would shift back to their municipalities if Mississauga had two more seats and 50% of council. Are their fears justified? If we get the new seats, will we see these things shift to the other municipalities?

**Ms. McCallion:** That's why we want to deal with the realignment of service and sit down and discuss it. There are regional roads in Caledon. There shouldn't be regional roads. The regional roads are a can of worms.

What Mississauga has been doing is taking over regional roads. We want control of our roads. We feel the development along the regional roads, the access to it, the signage on it is not our responsibility when it's a regional road.

Also, we're often involved in controversies: the Khalsa Day parade, which occurred just a while ago. I think we had three to four meetings in my board with regional staff sitting there, because, you know, they're going to go on a regional road; city staff sitting here, because they also go on a city road. What a waste of time.

So we want to take over the regional roads. We want to be responsible for the roads of Mississauga. It shouldn't be a problem for Brampton, but it will be a problem for Caledon. There's no question about it. I think there is a solution to that that we would propose. We're prepared. We're prepared to work to find solutions, but we want to control it.

You know, I say to you folks, it's hard for me as mayor of the sixth-largest city in Canada, third-largest in Ontario. I sat beside the mayor of Barrie today, the mayor of Windsor, the mayor of London, and they have more authority than I have as mayor of the sixth-largest city in Canada. The Davis government created a situation where a monster was born in the region of Peel, and that's the city of Mississauga.

**Mr. Hudak:** One of the points you've made very consistently was it's been an issue for Mississauga for 30 years since the region was originally created, and you did make a point that I wanted to explore as well. You talked about somebody from Brampton, if Brampton continues to grow, and making sure they get their fair share. Do you think we should have an amendment to this bill that if Brampton does grow quickly, we should revisit the seats at regional council? Is that as fair to Brampton as this bill would be fair to Mississauga?

**Ms. McCallion:** Well, let's put it this way: I would hope that Brampton will not be treated the way that we've been treated for 30 years, or anybody would be treated that way. That is, if Brampton's population grows, as I've said, we would not object to their receiving more representation, but we make it conditional on that Caledon goes down, or else you're going to create a monster council, like was created in Toronto by the province, and then they had to go back and reduce it. What we need to do is balance it and go along the lines of the school board. That's it. That exists now.

**The Chair:** Thank you for your presentation.

ECONOMIC DEVELOPMENT  
ADVISORY COUNCIL

**The Chair:** I call on the Economic Development Advisory Council to come forward. Good afternoon. You have 10 minutes for your presentation. You may leave time within those 10 minutes for questions if you wish. I would ask you to identify yourself for the purposes of our recording Hansard.

**Mr. Steven Offer:** My name is Steven Offer, and I am chair of the Economic Development Advisory Council for the city of Mississauga. I begin by thanking you for the opportunity of presenting our position.

You should know—and some might—that not long ago, I had the honour of representing the riding of Mississauga North as the member of provincial Parliament. That was from 1985 until 1995. As such, I have some understanding as to the time constraints and workload you face on a day-to-day basis. It is appreciated that we are given this opportunity today.

Mr. Chair and members of the committee, EDAC is a business education advisory committee whose mandate includes identifying issues that affect the city of Mississauga's ability to attract and retain business. We are a group of volunteers who regularly meet throughout the year to both table and address issues which affect Mississauga. More specifically, this includes: identifying issues that impact Mississauga's ability to attract and retain business; bringing forward ideas for attracting and retaining business; acting as a sounding board in response to issues and initiatives; and determining appropriate actions to deal with those issues and initiatives.

Today, I come before you as a representative of our committee and to let you know that we have examined and been involved in this issue for some time. EDAC met on numerous occasions well over a year ago to both understand the issues and formulate a position. In fact, in our analysis, we invited the mayor and city manager to attend our meeting and respond to our questions, which they did.

1520

Following these discussions as a committee, and with the mayor and city of Mississauga, we co-hosted a public meeting. In fact, it is coincidental that it was almost one year ago to this day—May 11, 2004, to be exact—that we co-hosted a meeting concerning the future of the city of Mississauga and to deal with the issue of Mississauga's place within the region of Peel.

At that meeting, which was attended by over 60 representative groups from the business community and education sector of the city, it was clear that change had to occur; the status quo was no longer acceptable. The population growth of Mississauga demanded change to the representative framework. Let it be clearly understood that EDAC fully supports the legislation as tabled and urges its speedy passage into law without amendment. Following that public meeting, I, on behalf of our committee, wrote to the Premier indicating our support for such change.

Mr. Chair and members of this committee, we're in favour of this legislation because it is founded on consultation and fairness. It is a recognition of the growth of the city of Mississauga and of the need for change in its place within the region of Peel. Within the region of Peel—I know that you have heard this throughout the day—Mississauga now accounts for 62% of the population but today only has 48% of the vote on regional council. This legislation moves to remedying the imbalance.

This is a piece of legislation whose importance must not be measured in the length of the bill—six sections—or the number of pages—three in total. This legislation is important because it puts in place the framework which fundamentally alters and improves representation not only within the region of Peel but throughout the city of Mississauga. We are in favour of the addition of the two seats for Mississauga, from the current 10 to 12. This is a bill of fairness; this is a bill of responsiveness; this is a bill which reflects the reality of Mississauga and its place within Peel.

I know that there will be other matters which you will be involved in. There will be issues of great social import and, of course, financial significance. But this bill in its current form gives to the people of Mississauga a representative framework that is more in line with the growth of the city and its place as the sixth-largest city in Canada.

On behalf of the Economic Development Advisory Council, I urge you to move this bill forward without amendment and its speedy passage into law. I thank you very much.

**The Chair:** We have a little less than two minutes per caucus. We begin with the government side.

**Mr. Delaney:** Thank you, and welcome, Steven. The first job I ever had that someone else had before me is the one I have now, and you were one of my predecessors.

Could you tell me, from your own experience—I'm going to ask you as an MPP—about the growth that you saw in the city of Mississauga in the years 1985 to 1995, when you represented Mississauga North, and as a very active business person since—the growth that you've seen and the way in which it's changed since?

**Mr. Offer:** Thank you very much for the question. I will say that when I was first elected in 1985, the riding of Mississauga North, as it was part of Mississauga, was much smaller in population, of course, than it is now. Mississauga has grown over the years to what it is now. I think it was at one point 250,000, 300,000, and it now represents about 680,000 people.

It is important that the representative framework for the people reflect that growth. You know, I see members of the three parties, and you sit here truly in representative proportion to the last election. This legislation gives to the city what you now have as a committee. We believe that it must reflect the growth that has taken place in the city and its place within the region of Peel.

**The Chair:** We'll move to the official opposition.

**Mr. Hudak:** Mr. Offer, thanks very much. It's great to have a member who has experience in the Legislature

as well as your experience in the business world here today.

I appreciate your analogy. But if truth be told, there is a concern that Caledon and Brampton and some other municipalities would have. You give an analogy of the representation at committee. We keep seeing over and over again that the government will pass bills without much consultation or very few amendments by the opposition. Basically, the will of the majority has their way every time. I'm not convinced that that's a precedent that's going to make the smaller municipalities very happy. All parties have been guilty of that over their time. I'm not colouring one party different than others, but I'm saying that majority governments will tend to get their way all of the time and the opposition, the smaller groups, which would be Caledon and Brampton, wouldn't get that.

The point I want to ask you about is this: You said "without amendment," and I know you're enthusiastic about the legislation and you want to see it passed. You're very clear about that. There are some aspects of the bill, though, that we've heard some very good arguments for amending, whether you agree with the seats or not, one being the appointment of the chair as opposed to election. You used the word "appointment" and not "election." There's no mechanism to split a tie if a tie were to occur. Section 4 of the act gives the Minister of Municipal Affairs and Housing extraordinary powers that are, in his opinion, "necessary or expedient to conduct the regular election in 2006," including setting ward boundaries for Brampton, Caledon and Mississauga. These are pretty significant powers. Would you at least think that maybe these need to be amended or have a solid second look at?

**Mr. Offer:** No. I actually have thought of that, and I thank you for the question. I guess I hearken back to my days as a representative. It doesn't matter what party one represents or if they represent any party. I am an individual who believes that people will, in the end, work together. I don't subscribe to this block type of vote where there are equal votes on one side or the other.

I have had, and I'm sure that all members here have had, experience where there is a greater will. The greater will is that when one talks about block votes, 12 on one side, 12 on the other, that's the world of the mathematician; it's not the world of the politician. Politicians are moved by the world of representing their people and making things work.

Yes, sometimes one looks at numbers, as I say, 12 on one side, 12 on the other, and it obviously can't work. That is not the world of political representation that I believe we are all either part of or have been part of. Politicians make these things work, and I believe that the framework of this bill is right, it's proper, it's workable, and it's workable because it's not run by mathematicians, it's run by individuals elected by their constituents who are charged with the responsibility of making their city, their region or their province work. This bill embraces that.

**The Chair:** We'll move to the NDP.

**Mr. Prue:** I'm puzzled a little by one statement you made, that you think that there was adequate and fair consultation. I think that's the way you phrased it. We have had people bringing us information all day. The mayors of Caledon and Brampton said they were not consulted at all, merely called in and told what the legislation would be the day before it was introduced. The councils have never been consulted. The regional municipality, Mr. Kolb, was never consulted. The people, the business associations—the line-up was enormous. You are first one—and even of those in favour this afternoon—who has said there was adequate consultation. Were you consulted?

**Mr. Offer:** As a matter of fact, I view this as a long process. I must tell you, I am surprised that there would be a concern raised over the process that was undertaken. I tell you that as the chair of the Economic Development Advisory Council for the city of Mississauga, which is a group of volunteers who meet on a regular basis, we have been involved in this area of issue for well over a year. We are aware of the work that has been done by the city of Mississauga, the youth group, the citizens' group. We're aware of the report that was made. I believe that's all part of the consultative process. It has resulted in the bill that we are speaking about today, but I am taken aback when people think that this might be a surprise. This has been going on for quite some time, and I believe that the bill is the product of all the consultation, the process and the opportunity to input for well over a year.

1530

**Mr. Prue:** The member for Brampton Centre, who is a Liberal caucus member, has made a statement in the House and to the press that she was assured that this bill was not coming forward, that it was not on the radar, and that kind of thing. She does not feel that she was consulted, even as a member of government. Then again, I still have to ask you the question.

**Mr. Offer:** I'm going to have to hearken back to between 1985 and 1995. I think that might be a question that's better posed to the other side. I can only tell you that as a citizen of the city of Mississauga, I don't feel I was left out of the consultative process. I do not believe that I was ever not able to provide input or opinion as to this particular issue. I will stand aside and I certainly would not comment on what some other person might say, but I can tell you, from my perspective and as the chair of our council which represents education and business throughout the city, they were well aware of the consultative process and the opportunity for input. This bill is just the outsource of all that which has taken place.

**The Chair:** Thank you for your presentation.

STEPHEN WAHL

**The Chair:** Good afternoon. You have 10 minutes for your presentation. You may choose to leave time within that 10 minutes for questions if you wish.

**Mr. Stephen Wahl:** I am Stephen Wahl, citizen of the city of Mississauga, in the region of Peel, in the province of Ontario, Dominion of Canada, proudly. I'm a private citizen. I appreciate my privileges under the charter of rights, and I take my duties and responsibilities under the Charter of Rights and as a citizen seriously, which is why I have contributed, over the years, thousands of hours of volunteer time in the city, in various organizations. I've also just gotten my silver blood donor card.

I'm here to speak as not in favour of Bill 186. For me, as a citizen—and I've been involved and I've been watching things going on here in Mississauga—for all its laudable sense of purpose, Bill 186 will at best make no difference in the way things are really done here. Representation by population within the realm of Mississauga, in fact worldwide, is genuinely a myth. It's an ideal. I believe in that ideal of representation by population, but such is not the fact here in Mississauga. Bill 186, giving two extra seats to our mayor on council, will not represent the population, the people who elect those representatives.

Here are a few examples of where I personally feel, and it's on record, the citizens of Mississauga have not been represented either by their population or by their representatives elected to do so.

There was a development in the largest ward in Mississauga, and there was a heritage property on that development as well as an environmental situation. The representative of the city, the councillor, sat with the landowner at a heritage advisory meeting where myself, other citizens, members of the advisory committee, members of the heritage organizations and members of a local neighbourhood association sat. Who did the councillor represent, sit shoulder to shoulder with at that meeting? He sat with a developer, the owner of land in the ward, not a landowner in the ward, not a citizen, not even a constituent.

Most of the issues relate to heritage and environment, because those are the two main groups I'm involved in. On Mississauga Road, near Woodchuck Lane, Mississauga possessed one of the finest heritage homes in the province. A person bought that property, became the landowner and wanted to demolish that fine home and build another legendary structure of their own. That home was delisted, given a demolition permit, and the property owners got to build their new house. The ward councillor did not inform the heritage advisory committee, did not inform the residents, did not inform the citizens. It went quietly, and only through the freedom of information act was that little bit of information obtained. Whom did that elected official in that ward represent? I don't know. Will Bill 186, giving two more seats on the region, help the citizens with that?

Another situation recently took place. The same guy, different ward, buys a property, wants to demolish a heritage home to build another one of his legendary properties. That home, to end the discussion, was demolished without a permit. The city, five days later, issued that permit for demolition and then quickly issued a building

permit. Were the citizens represented by that ward councillor? Were the citizens represented by our staff, by our mayor? Where's the representation by population there? What difference will Bill 186, giving two more seats to Mississauga on regional council, make? What difference will that make to our representation as citizens; not developers, not landowners, not businesses, but as citizens of Mississauga, what will our representation be? How will that be increased?

An initiative of my own in the centre of Mississauga, at the very centre, a natural environmental heritage asset: demolished. I was given the opportunity to speak, in all fairness. Yes, I spoke many times to this issue at our city council and planning, and nobody listened. The process was done, and the purpose was lost.

In Canada we're entitled to peace, order and good governance. In Peel and on our council as it existed, we had harmony. We didn't necessarily have symmetry, we didn't have balance; we had harmony. When it was observed that, yes, it's working—it's not balanced, but it's working, it's harmonious—it was then broken. Then something had to be done, so we had to get Bill 186. We just had to do something, and I see the good intentions in that. So the provincial government chose balance. I won't give my friends in the government the benefit of the doubt, because I don't doubt that you had good intentions. For anywhere else, that makes sense. That is what should happen. A balance, representation by population, should work. The intention is there. It can work, it should work, we want it to work, but from all my experiences here in Mississauga, it does not.

One of the numbers I'll give—I'm tired of being referred to as a number. I'm tired of being referred to as a taxpayer—I am a taxpayer. I'm tired of being referred to as a consumer in Mississauga. I'm a citizen. I do use our services from the city and from the region, but I am not a consumer; I'm not just a taxpayer. We've lost the harmony, and now through a formula that should work—it could, but will it? You've chosen balance, but it's not an equal balance. You have a ton of feathers, you have a ton of bricks, and that's being balanced on the back of the chair. Which way is the chair going to twitch when the time comes? Some of the feathers are going to get blown off; some of the bricks will get pushed off. Where's the balance? It's not equal.

There are retool issues that are not the fault of the region or the doing of the region, and we've never been denied anything as citizens from the region. We've got the Britannia landfill. The city of Mississauga council—not regional council—begins by approving planning of housing in subdivisions right up to the fences of the Britannia landfill. Then they're flooded by complaints from citizens. Well, gee, what a wonder. How did that happen? We've approved it right up to the dump, we've told everyone well, yes, we are—no real answer. But they built it up, they get the complaints and they close it.

Then another issue is heritage and planning. There's a place referred to as Mount Charles. It's a designated heritage site under the Ontario Heritage Act, at Dixie and

Derry Roads, a fine group of structures. Everybody wanted this to work. There's a major regional road restructuring there, a multi-million dollar project to improve that intersection within the boundaries of Mississauga. When the heritage committee and myself approached the region and the landowner to say, "What can we do with this, how can we save it?" the region was responsive, the regional planning department was responsive and the regional councillor for the area was responsive.

If I may, I've been waiting three years for this, so I would like to continue—

**The Chair:** You have about a minute left.

**Mr. Wahl:** The regional councillor was responsive. Things were moving along and even the landowner was making a half-hearted effort to preserve the building and its structure. Mysteriously, the city ward councillor kind of got pulled away from the situation, but that's no surprise, because only in Mississauga the city ward council-

lors and the regional councillors are the same person. How are two more seats on regional council going to help represent by population?

We all know, and everyone before me has said, it's not over. We all know the real goal. The mayor will fight on. She said so in my face just days ago and here in front of all of you just now. I'm told that the province, upon further request, will say no. That's great, but what will prevent all this continued waste of time, effort and money of the city and the citizens? Who will say no? Who will tell the mayor, the council and staff to stop this nonsense and get back to work for the citizens?

**The Chair:** Thank you. You have used your 10 minutes. We appreciate your comments.

The Churchill Meadows Residents' Association? I was advised that they may not be in the room. We are adjourned.

*The committee adjourned at 1539.*







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