



ISSN 1180-4335

**Legislative Assembly
of Ontario**

First Session, 41st Parliament

**Assemblée législative
de l'Ontario**

Première session, 41^e législature

**Official Report
of Debates
(Hansard)**

Tuesday 29 September 2015

**Journal
des débats
(Hansard)**

Mardi 29 septembre 2015

**Standing Committee on
Government Agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

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Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 29 September 2015

Mardi 29 septembre 2015

The committee met at 0901 in committee room 2.

The Chair (Mr. John Fraser): I'll call the meeting to order. Good morning, everyone. It's nice to see you again. I miss you guys so much.

Interjection.

The Chair (Mr. John Fraser): He's got a tear in his eye; there we go.

SUBCOMMITTEE REPORT

The Chair (Mr. John Fraser): To begin with, we have our subcommittee reports. Our first order of business is to call the subcommittee report dated Thursday, September 24. Can someone please move the adoption of the report?

Mr. Randy Pettapiece: I move adoption of the subcommittee report on intended appointments dated Thursday, September 24, 2015.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Carried. Great.

INTENDED APPOINTMENTS

MS. RENU MANDHANE

Review of intended appointment, selected by third party: Renu Mandhane, intended appointee as member and chief commissioner, Ontario Human Rights Commission.

The Chair (Mr. John Fraser): Our first intended appointee is Ms. Renu Mandhane, nominated as member and chief commissioner, Ontario Human Rights Commission. Ms. Mandhane, can you please come forward. Thank you very much for being here this morning.

Ms. Renu Mandhane: Thank you for having me.

The Chair (Mr. John Fraser): You may begin with a brief opening statement. Any time that you use will be taken from the government's time for questions. You'll be questioned by members of all three parties, beginning with Mr. Gates. Thank you again for being here. You may proceed.

Ms. Renu Mandhane: Good morning. Thank you for having me. I will try to keep my remarks brief so that we have some time for engagement.

Since my nomination was announced in August, I have received notes of congratulation from around the world from former Supreme Court justices, past foreign ministers and Governors General, law deans and univer-

sity presidents, grassroots activists and social justice lawyers, neighbours, colleagues and otherwise concerned Ontarians. In the human rights sector, my nomination has been heralded as evidence that the public appointments process can deliver the right person for the job. The Toronto Star headline read, "Human Rights Watchdog Champion of Underdogs."

I sincerely believe that I am the right person for the job of chief commissioner of the Human Rights Commission. I will bring intellectual depth and rigour, bold yet pragmatic leadership, and the highest standards of integrity and professionalism to the role.

Foremost, my deep and unwavering commitment to human rights makes me uniquely poised to lead the commission. I am a lawyer with a graduate degree in human rights law from New York University, and have been called to the bar in Ontario since 2002. While I am relatively young, I have already had a long and distinguished career focused on the rights of the most marginalized members of our society.

As a student, I became involved in the women's movement, delivering public legal education seminars to survivors of gender-based violence, advocating for women's reproductive rights, and quickly taking on leadership roles on the board of directors of a number of local organizations.

After articling at Torys on Bay Street, I got right back into the trenches as a criminal lawyer focused on representing women in conflict with the law, survivors of sexual abuse, and prisoners. This made me keenly aware of the systemic discrimination facing aboriginal people, racialized minorities and those with mental health issues.

Since 2009, I have been the executive director of the international human rights program at the University of Toronto faculty of law, including its award-winning legal clinic. In that role, I have appeared before the Supreme Court of Canada and the United Nations, trained Canadian and foreign judges, and made numerous media appearances nationally and internationally. I have also taught and mentored countless law students.

I have established myself as a trusted ally of countless Canadian NGOs and have an untarnished reputation for credibility and non-partisanship. I'm also a bold and fearless leader who is both strategic and pragmatic. I prioritize lasting impact over rhetoric and ideology. Precedent magazine, a publication for young lawyers, described me as an "agent of change."

This past year, I led research that exposed rights violations against non-citizens present in Canada. I presented these findings to ministers, MPs and provincial MPPs and urged them to act. I spoke about our report on all major Canadian news outlets. I wrote op-eds. I presented my findings to the UN in Geneva. I did this despite the fact that other lawyers and NGOs felt immense pressure not to voice their concerns. In so doing, I think I helped to open space for a more humane and rights-focused conversation about migrants, a conversation that seems to continue on today.

I hold the highest standards of integrity and professionalism, and will ensure that I remain accountable to the people of Ontario in all my work. I will be guided by the goals of the commission at all times—namely, to ensure that Ontario remains a leader in the fight against discrimination—and never by my personal ambitions or opinions.

A lot has changed since the Human Rights Code was enacted in 1962. We now have constitutional rights protection and a flourishing civil society working on these issues. I'm excited to lead the commission and to ensure that it has a strong and relevant voice in an increasingly crowded field, and to ensure it has a positive impact on the lives of the most vulnerable members of our society.

The Chair (Mr. John Fraser): Thank you very much, Ms. Mandhane. Mr. Gates?

Mr. Wayne Gates: Good morning. How are you?

Ms. Renu Mandhane: Good. How are you?

Mr. Wayne Gates: Sounds like a very impressive resumé.

Ms. Renu Mandhane: Thank you.

Mr. Wayne Gates: Question: One of the things that I think is on the minds of everybody, certainly over the last few weeks, is the Syrian crisis. What are your feelings on the situation that's going on there, and what do you think Canada should do or not do?

Ms. Renu Mandhane: First of all, I'd say that I would be speaking personally, because I don't believe that this falls within the jurisdiction of the commission, per se. But actually, right now, my program at U of T is engaged in research on some of the barriers to resettlement of Syrian refugees. We actually had researchers in Jordan and Turkey interviewing survivors of the Syrian atrocities as well as policy-makers and members from the UN. So we're actively poised to be releasing research after I'm gone, in December, on some of the barriers in the system. Obviously, I think Canada should continue to play a leadership role in providing humanitarian assistance, but I think what we need now is not just more commitments to increased numbers but actually addressing some of the bottlenecks in the system that are really meaning that people can't get to Canada as quickly as they otherwise could.

Mr. Wayne Gates: You said something that jumped out at me: You're a "fearless leader." Somebody said that about you. How do you look at yourself on that? Can you explain why you feel you're a fearless leader, or others may feel that way about you? I kind of like that.

Ms. Renu Mandhane: I think that because in this field there is a lot of tough issues and there is a lot of different stakeholders, and I think you need to always be weighing the approach. You always want to work collaboratively with government and with other stakeholders, but I think you also need to, I guess, be fearless when you need to be in terms of really using some of the other powers that you might have. In my current role, that means that we obviously do lots of advocacy that is aimed at government, through meetings and through correspondence, but we also engage at the Supreme Court in interventions and more legal strategies. I think just being unafraid to do that when it's warranted.

Mr. Wayne Gates: It's a lot like a politician. Fearless leaders.

Ms. Renu Mandhane: I guess so.

Mr. Wayne Gates: I guess, yes. You said in your opening comments—although you didn't speak for a long period of time, you did say a lot—that you want to be an agent for change. Can you explain more on that, and maybe touch a little bit on what you think are some of the most important issues facing Ontario and Canada today?

Ms. Renu Mandhane: First of all, I think that the real reason I use the words "agent of change" is more just always being focused on impact. What is the impact of every action that the commission takes? I want to make sure that we are really impact-driven.

0910

The whole system has been going through a lot of changes. In 2006, there were changes to the commission's role, so I think that embracing that new role of not dealing with complaints but actually dealing with persistent systemic discrimination—so being bold in considering what those sorts of areas are and then really focused on what is the impact this unique organization can make.

I think what I'm really interested in is going from—I've always been in an outside role, either in the NGO role or at the university, and what is the change that you can make from the arm's-length government-type role.

Mr. Wayne Gates: You mentioned mental health. Can you elaborate a little bit on mental health? Because I think that's certainly misunderstood in our society.

Ms. Renu Mandhane: We've done quite a bit of research at the clinic that I run on mental health as a disability, and really understanding mental health and stigma and discrimination that people with mental health issues face, as a form of discrimination on the basis of disability.

I think that is a very cutting-edge sort of idea, because it's actually adopting what some people see as a health issue and making it a human rights issue. I think when we see the over-criminalization of people with mental health issues, and the kinds of negative interactions they often have in prisons or with police, we really do need to see it as a systemic discrimination issue.

Mr. Wayne Gates: A surprising stat to me on mental health is one in five and growing. It's certainly misunderstood by a lot of people in society—not just jails;

even workplaces. I see it a lot in workplaces, where people don't understand the mental health issue at all.

Ms. Renu Mandhane: I think we're in a really exciting time. I think even in the last five years, we've seen an opening of conversations about mental health. I feel like the Human Rights Commission can play a role in reformulating some of those conversations as being about rights, and I think that that can be quite powerful.

Mr. Wayne Gates: The last question I'll ask you about is, you've been involved as a lawyer around sexual abuse.

Ms. Renu Mandhane: Yes.

Mr. Wayne Gates: I just wanted to compliment you on that, because it is a huge issue and not a lot of lawyers take it on. I'm glad that you're doing that and sticking up for women. Congratulations. I'm sure you'll be fine through the process. It's nice talking to a young lady who wants to give back.

Ms. Renu Mandhane: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. On the government side: Madame Lalonde.

Mrs. Marie-France Lalonde: Thank you very much—

The Chair (Mr. John Fraser): You have about six minutes.

Mrs. Marie-France Lalonde: That's fine.

I want to say thank you for being here. You're describing yourself as young, but I hear certainly a wealth of experience already. Maybe I can ask you, what's your interest in putting your name forward and being our commissioner?

Ms. Renu Mandhane: Why I applied for the job?

Mrs. Marie-France Lalonde: Exactly.

Ms. Renu Mandhane: First of all, I've been at U of T for a while; I've been there since 2008. So in a lot of ways, I wanted a change and I was ready to kind of—I think I had gained a lot of the skills in a very parallel sort of world. The university is quasi-government in a lot of ways. I was quite excited to bring the senior leadership skills that I had gained at the university to a larger playing field. Obviously, in this field, there aren't a lot of opportunities to grow, so this was, to me, a very unique opportunity. I can say openly that I had never applied for a job before this role came up. For me, this spoke to taking the skills that I had already built and really engaging at a different level.

The last thing I would say is I'm really excited about working in Ontario, because Ontario, internationally and nationally, is seen as a leader on many human rights issues. Some people could say, "Why do you want to work in a province that has such great human rights protections already? What's the impact you're going to have?" But I actually think that on some of the work that the commission is doing related to sexual minorities, mental health, carding—those could have ramifications across other jurisdictions, so I'm really excited to be at a place that's really on the cutting edge of human rights protection.

Mrs. Marie-France Lalonde: Thank you very much.

Ms. Renu Mandhane: Thanks.

The Chair (Mr. John Fraser): Thank you very much. Mr. Pettapiece?

Mr. Randy Pettapiece: Thank you, Chair.

Good morning.

Ms. Renu Mandhane: Good morning.

Mr. Randy Pettapiece: Is it Mandhane?

Ms. Renu Mandhane: Mandhane.

Mr. Randy Pettapiece: Thank you for coming this morning. I see you have experience with the Canada committee of human rights?

Ms. Renu Mandhane: Yes.

Mr. Randy Pettapiece: Can you expand on that? What experience from this committee will you bring to the Human Rights Tribunal of Ontario?

Ms. Renu Mandhane: Sure. Human Rights Watch is one of the largest human rights NGOs in the world. They have quite a stellar reputation for non-partisan research and research that speaks to the voices of vulnerable people but is also rigorous and has the highest standards of credibility. With the Human Rights Watch Canada Committee, for a period I co-chaired their advocacy committee. In that capacity, for example, we conducted meetings with MPs on Parliament Hill to let them know about some of the research that Human Rights Watch was doing, including on missing and murdered aboriginal women.

I think the biggest thing that I've learned through that role is maybe not as interesting, but it's that Human Rights Watch is a very big organization, and so you really need to understand your role within that organization. On the Canada Committee, our priorities were dictated by the New York head office and so we really took direction from them as to what their priorities in Canada were, and really understanding how the organization works and how we could further the impact of their work.

Mr. Randy Pettapiece: Okay. Is there anything that you plan to prioritize or champion as chief commissioner?

Ms. Renu Mandhane: I don't actually have any set ideas. Obviously, the commission is already doing work on a number of issues that I think we'd want to continue doing. I've been getting briefed on, for example, creed and racial profiling and carding, and so I'd want to continue the work that the commission is doing in those areas.

I think that one of my priorities would be to establish a transparent process for how we choose the issues that we want to work on—developing criteria for when and how we decide what issues we want to work on. I did that in my role at U of T, obviously in a smaller capacity, but that has been very helpful in terms of communicating with stakeholders on how we actually determine the issues that we want to work on.

The last thing I would say is that I was in Geneva in July participating in Canada's review by the human rights committee, and there is quite a privileged role

given to what they call NHRIs—national human rights institutions. I'd like to explore the way that Ontario could engage at that level, to be a leader internationally on some of these issues.

Mr. Randy Pettapiece: In regard to current public policy on human rights, what changes do you believe are needed?

Ms. Renu Mandhane: That's a big question.

Mr. Randy Pettapiece: How much time have we got?

The Chair (Mr. John Fraser): Six minutes and 29 seconds.

Ms. Renu Mandhane: You know what? I don't feel like I could really answer that question in the time we have, but also in the background that I have. I've been working at the international and federal level. I'm quite aware of the issues in Ontario just as a layperson reading the news, etc., and I would say that obviously issues related to aboriginal people is huge and needs to be part of what the commission is working on; persistent discrimination based on race, especially in policing, is a big issue; and mental health, as I mentioned. But I think one of the unique things about the commission as opposed to even the charter is that it has jurisdiction over employers and landlords and people who are not part of government, so I think that needs to be a priority for the commission as well.

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Mr. Randy Pettapiece: As an educator, what plans do you have to educate the public on their rights and ensure that those responsible for upholding human rights are aware of their obligations?

Ms. Renu Mandhane: I think, already, the commission has done a lot in terms of putting out policy papers and documents that really aim to educate the public but also key stakeholders about how the Human Rights Code should be interpreted progressively. I think the next stage of that is—and I think we've started this—translating that for this next generation.

Before I started in the program at U of T, the program didn't have a Facebook account, and basically I was told that we didn't even exist unless we had a Facebook account. I think it's also just being creative as to how you actually get that information out to different stakeholders who might not come to the website or might not engage in conventional means.

I think that that's a challenge in terms of, how do you actually translate the work that you're doing into something that people understand?

Mr. Randy Pettapiece: I would suggest that unless you're involved in something like this, in this process, on whatever side you're on, you really don't know a lot about it, until you're involved with it. It certainly might frighten the ordinary person if they got involved in this commission. What do they say? "Ignorance of the law is no excuse"—I think that's the term that's used. Still, in all, it's very difficult to keep up with everything. That's why this question is quite important to me, that any commission such as this is fair to both sides. Just because you didn't know something doesn't mean you're yielding to doing something. I'm just saying.

The former chief commissioner listed the area of competing rights as business that has been left unfinished upon her departure. Do you agree, and is this an issue that you plan to address?

Ms. Renu Mandhane: I think in a modern, multi-cultural society like Ontario, this is a pressing issue. We're seeing at the federal level all of the debates about the niqab and whether you can wear it at a citizenship ceremony. To me, that's a very classic competing rights issue, and so I think that we would definitely need to continue to engage on that issue. My understanding is that the commission, a few years ago, did put out a step-by-step framework as to how you would actually assess a competing rights argument. But I think this is something that is going to continue to come up over and over again.

The value of the commission is, I think, rather than engaging in individual disputes over competing rights, to articulate that framework of how do we really think about reasonable accommodation and how do we assess rights claims that do come in conflict with each other? But I think this is, quite honestly, one of the most pressing issues facing human rights internationally, federally and locally. I can't imagine that we wouldn't continue to work on that issue.

Mr. Randy Pettapiece: Okay, thank you.

The Chair (Mr. John Fraser): Mr. Bailey?

Mr. Robert Bailey: I'll just be a moment. I think everybody has pretty well asked all of the questions on the issues that I would have liked to have raised.

Reading your resumé, I think you're very well prepared and very well set to do a good job. I wish you well.

Ms. Renu Mandhane: Thank you so much.

The Chair (Mr. John Fraser): Thank you very much, Mr. Bailey and Ms. Mandhane.

This concludes the time for our interview. Thank you very much for being here this morning. We will consider the concurrences at the end of our meeting, after we're finished our interviews. You are welcome to stay if you like.

Again, thank you very much for being here.

Ms. Renu Mandhane: Thank you so much.

MR. WILLIAM FISCH

Review of intended appointment, selected by third party: William Fisch, intended appointee as member, Metrolinx.

The Chair (Mr. John Fraser): Our next intended appointee is William Fisch, nominated as member, Metrolinx. Mr. Fisch, can you please come forward?

Thank you very much for being here this morning. You will have time to make a brief opening statement. Any time that you use will be taken from the government's time for questions.

Just before we begin, I actually started in the wrong order, so it's the official opposition who will get the first round of questions this time around, just so you're aware.

Mr. Fisch, you may begin.

Mr. William Fisch: Thank you very much, Mr. Chair and members of the committee, for inviting me to this meeting. It's a pleasure to be here. I'm really here to give you my qualifications, my experience with regard to Metrolinx.

Excuse me; I'm going to get some water because I've had a cold all weekend.

So let me say, I'll start with my education, if I might. Way back in 1971, I graduated from Queen's University with a bachelor of commerce degree in accounting and finance. I went into accounting for a very brief time. It wasn't for me at all and I decided to go into law school. I'm pleased to say I graduated from Osgoode Hall Law School in 1974 with a doctorate of jurisprudence.

I practised law for about 20 years. About six years into my practice I got involved in community events. I should tell you, and most of you will know, that once you get involved in your community, the political bug can grab you pretty quickly and before you know it, you're involved in many different things across your community.

As a result, in 1988, I ran for ward councillor in the town of Markham, now the city of Markham. I represented the Thornhill area. I had two terms as a ward councillor—1988 and 1991. In 1994, I ran and won as a regional councillor for the town of Markham, as it was then, now the city of Markham. Three years later, I was elected chairman and CEO of the region of York. I'm pleased to say I spent five wonderful terms as the chair and CEO, 17 years as the chair. Last year, after about 15 years, I realized it was time to bring my post to an end, let others get involved, but more importantly, let myself get involved in other things. As a result, I voluntarily retired, not happily to my council; they tried to keep me on, but I was pretty adamant with it and I did retire in December of last year.

When you're involved as the regional chair, you get involved in many things across the GTA in particular, but the province as well. During my tenure as chair, I was involved in many Ontario committees as well as many committees across my region, of course, many charities—much involvement in many boards and committees across the region.

I'm particularly proud of a few boards that I sat on. First, the police services board of York region: I was on that board for 20 years. I was the longest-serving member of our police services board ever. I'm very proud to say that a few months ago, the police service decided to change the name of their headquarters and place my name on the building. I can tell you, that's quite a thank you. I was very surprised when they did that and very pleased, of course.

I was a member of AMO, the Association of Municipalities of Ontario, for nine years and I chaired MARCO. All these acronyms can drive one crazy in this business, but nevertheless, MARCO is the Mayors and Regional Chairs of Ontario. I chaired that committee for five years.

I sat on the Oak Ridges moraine panel about 12 or 13 years ago, I think. I sat on the Smart Growth Panel also 12 or 13 years ago, and I chaired the waste management

portion of that panel—a number of other things that I was involved in, as I'm sure all of you can appreciate. I know that you all know what the regions of the GTA are and beyond the GTA. The chairs get involved in quite a bit.

In the transportation file, which is what I'm really here about, I've had a great deal of experience. I did sit on the GO Transit board for nine years and then moved over to the old—I'll call it the old—Metrolinx board, which was the original board that was started in 2006, for about four years, and then they switched over to Metrolinx. Now that I am retired, I've been asked to consider coming back to that board and I'd be very pleased to do so.

Within the region, however—and some of you may know that the region of York has been a leader in the transformation of transit across our region. I have to say that I've come to the realization that maybe I actually led the charge without quite realizing it. York Region Rapid Transit Corp. was formed in about 2002. We amalgamated all of our transit organizations across the region and we began to grow very dramatically from that time frame. We are now known as Viva.

You may have heard about Viva; it's world-renowned. We've won awards across the world—internationally, nationally, within our province and here at home. I'm very proud of what we've accomplished. We are the first municipality to get funded, way ahead of all municipalities across Ontario, including, I might say, the city of Toronto, even though they can get funded very easily, generally. We moved forward very quickly, expanded our transit system dramatically, expanded our ridership threefold in about 10 years and made a real impact, I think, not only in the region of York but across the province.

0930

I think many other municipalities—I'll use the phrase—have copied us, which I think is a good thing. We were the first BRT to be formed. We're now building about \$2 billion worth of infrastructure within the region of York, thanks to the government, in fact, in terms of the monies that they have provided. I think we're headed to an incredible system in York region, and as a result of that, I think we've made real impacts across the GTA.

I know I was very proud of the work that we did in Metrolinx to get things started from 2006 to 2009, and here we are today, I think, making true inroads across the GTA, across the GTA and, I think, way beyond that as well. I'd like to continue to be a part of that, and that's why I'm here with you this morning.

On that note, Mr. Chairman, I'm happy to answer any questions, if I can talk any longer.

The Chair (Mr. John Fraser): Thank you very much, Mr. Fisch.

There we go: Mr. Pettapiece. Oh, Mr. Bailey.

Mr. Robert Bailey: Yes, I'm going to go first here. He gets all the questions, so I'm going to ask a couple.

Mr. William Fisch: Okay, who's going first?

Mr. Robert Bailey: I wanted to thank you for coming in today. I actually ride your transit system. I don't know

how many of the other members do, but I ride it on a regular basis.

Mr. William Fisch: I'm glad to hear that.

Mr. Robert Bailey: Yes, and so I want to commend you. I'm very impressed. I come from a riding way over, Sarnia–Lambton. I wish I could get the GO train from Sarnia. Maybe eventually you'll get there. We'll have to have a chat about that some time.

I was interested in your conversations there about the expansion into further rural areas, Kitchener and further out, and I certainly commend it. I think we need to get more people off the road. When I'm on GO Transit and I'm going by there, and I see everybody sitting on the Gardiner not moving—I drive to Aldershot and come in from Aldershot. I can't say enough about it. I even qualify for the reduction. I had a special birthday last month, so it's pretty reasonable. It's a pretty reasonable—

Mr. William Fisch: Congratulations. You finally hit 50. Is that what happened?

Mr. Robert Bailey: Yes. It's a pretty reasonable way to travel.

Those are all the questions I have. I just wanted to commend you on the system and encourage as many people, if they're not riding it, to certainly take an opportunity and use it.

Mr. William Fisch: Thank you.

The Chair (Mr. John Fraser): Mr. Pettapiece?

Mr. Randy Pettapiece: Thanks for coming in this morning. As a previous member, you must have looked at the system and the way it is now. Do you have any idea of any changes you'd like to make in the system?

Mr. William Fisch: Well, it's interesting that you say that, because five years ago, when I left the board, the task of the board at that time was to prepare the plans for the future and hopefully get something done. I've reviewed what the board has done and what Metrolinx has now done, and they are way further ahead than I would have thought we would have been when I was on the board five years hence. They're actually building things. They're growing dramatically—

Mr. Randy Pettapiece: Excuse me.

Mr. William Fisch: Sorry?

Mr. Randy Pettapiece: I'm having real difficulty hearing him.

The Chair (Mr. John Fraser): Can we turn the sound up?

Mr. William Fisch: Am I not talking into the mike well enough?

Mr. Randy Pettapiece: No, it's the noise.

Mr. William Fisch: I've been in this room before. I've heard that noise before.

Mr. Randy Pettapiece: I'm sorry. Go ahead.

Mr. William Fisch: So they're way further ahead, I think, than I thought they might have been when I left the board in 2009. They're actually building things.

Having said that, my expectation is that the board will continue, and Metrolinx will continue, to develop, grow and build a much larger system over the next five to 10

years. It will grow, I think, beyond its present borders, but first it has to deal with its present borders. My expectation is—and I hope to be part of it—that it, GO Transit in particular, will become even more of a mainstay for transit use across wider than the GTA, but nevertheless certainly within the GTA.

Mr. Randy Pettapiece: I come from the Stratford area.

Mr. William Fisch: Ah, yes.

Mr. Randy Pettapiece: We are going to lose our train service. Via is going through; that's the major one. That's the way it looks right now, anyway, unless something really changes that. The Premier, in the last election, had said that two-way GO service was a priority for us out there. That doesn't seem to be in the plans right now. I wonder if you have any thoughts about expanding into the rural areas. Transportation is one of the major concerns in rural Ontario because of the way things are changing. So I wonder, sir, if you have any ideas, or if you've studied that at all—

Mr. William Fisch: Let me say this: York region, even though people think that we're the largest and the fastest-growing region in the province—and probably we are—we still have a very large rural component. It was my job over the last 17 years to assure that not only did our urban areas get service, but our rural and non-urban areas also had an opportunity to be able to use public transit if it was available through both GO and our own system. I helped to convince GO to go beyond what they wanted to go beyond initially, into our rural areas, as well as I ensured that York Region Transit got into some of our rural areas.

Having said that, they're not quite as rural as what you're talking about, and I think it's important to understand that Metrolinx has a specific mandate, a geographic mandate, and they just can't go out, even if they want to, as easily as one would expect. But certainly I think over the next number of years they'll be looking at expansion, and there will have to be discussions in that regard.

There's pressure brought to bear, of course, by—I did it myself as a politician, and I expect all politicians across Ontario who want service do the same kinds of things. But certainly in the next year, as they go through the 10-year review—I was part of that in 2005. Now it's 2015 and we're about 10 years down the road, and I know that Metrolinx is going through a review with the province. It is time for other municipalities, if they wish to be involved with GO Transit, to really push hard.

There are issues certainly, though, with the rail lines. CN and CP do not give up their rights as easily as I thought originally when I got on GO Transit. In 1997, when I got on GO, I thought—and I spoke to the chair of GO at the time. I said, "We just should bring more trains. How simple is the answer?" I didn't know that it was not simple at all and that CN and CP have incredible rights—stronger rights than, in some respects, the federal government. It's not as easy as I expected. Having said that, it can be done, but it takes time and energy, though.

Mr. Randy Pettapiece: I've had several delegations down here meeting with Metrolinx and I understand what

you're talking about. There's just no magic wand here that is going to put a train—

Mr. William Fisch: I thought there was, but it seems there is not.

Mr. Randy Pettapiece: Yes, exactly.

In rural Ontario, certainly we are looking for some sort of a commitment that maybe this is going to happen at some point, and I think that's something that we're missing right now: an interest in doing this. That's something that I hope the people at Metrolinx would at least put on the table.

I understand the other issues—CP and CN or whatever else; I understand all of that stuff. But in our part of Ontario, we feel that we're getting cut off or left out of this discussion, so I would hope that's something you could address when you get there.

Do you believe that the current Metrolinx transit building plans are adequately funded?

Mr. William Fisch: In 2006, when we put the plan forward, we asked for \$50 billion. Even that was not going to be a Cadillac system but a Chevrolet system, if I can use that analogy. I don't think we'll ever be funded well enough, but having said that, as I think I said earlier, York region certainly worked hard to get a certain amount of funding. The present government has provided more funding than I ever anticipated that we would ever consider getting and we're at the \$20 billion to \$40 billion—\$20 billion within the GTHA basically and another \$20 billion elsewhere.

Is it enough? No, I don't think it will ever be enough, but you have to have constraints on your spending. I think the government presently has put a pretty good chunk of change out to get a lot of things done over the next 10 years. I'm very impressed, quite frankly, by what we can accomplish over the next 10 years with the dollars that we have been committed.

Mr. Randy Pettapiece: Do you have any ideas or recommendations on other ways to fund these projects?

Mr. William Fisch: Yes. I was part of a group that talked about various investment strategies. Certainly I'm hopeful that in the future that will come forward again. Fifty billion dollars is a lot of money, and it's pretty hard for us to get those kinds of dollars without making changes to our system. There are a number of ways that have been talked about. Metrolinx has put forward its plan and has adopted three or four different tools that can be used.

Having said that, we are a creature of the government and I think the government has to figure out what dollars they can expend on transit and, as you know, the thousands of other priorities that are on your plate every day. There are a number of tools that can be used. I'd like to be able to look at them. Metrolinx is a place where those discussions can be had, where they can be more public, and hopefully in the future that will be available to grow transit and transportation generally across the province.

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Mr. Randy Pettapiece: I looked at taking the train into Toronto when I was first elected and it just wasn't

working for me. I wish that was available to me. I could certainly drive to where Bob drives to, but I'm almost in—time-wise, it doesn't make any sense. But then I come across the GTA on Sunday at 2 o'clock in the afternoon and I'm stopped in gridlock. It's incredible how this city, even on a Sunday afternoon, can lock up, and we were stopped a couple of times.

I would hope, sir, that you can press the issue forward, if you can. I understand it takes money. There's certainly no magic wand, like you said before, to help this situation, but I think that especially when politicians say that these are priorities and don't follow through with them, it certainly leaves people in my part of the country a little cynical as to how things are being run. That's my comment.

Mr. William Fisch: Well, let me say this: Seventeen years ago when I began on GO Transit in Thornhill, I couldn't get downtown by GO train. I could get down at 7 in the morning, but I couldn't get back until 5 o'clock at night and it wasn't going to be very useful. I remember asking GO Transit, as the representative from York region, "When will you have"—and I called it—"all-day service?" They rolled their eyes at me. I said, "No, you really have to think about this across the entire system." Today, 17 years later—

The Chair (Mr. John Fraser): Thank you very much, Mr. Fisch. That's all the time we have for this question.

Mr. William Fisch: Thank you.

The Chair (Mr. John Fraser): Mr. Gates.

Mr. Wayne Gates: How are you doing, sir?

Mr. William Fisch: Very well, thank you. How are you doing?

Mr. Wayne Gates: I'm good. I see you were a city councillor, a regional councillor. You ended up being the chair. Was that an elected position?

Mr. William Fisch: Elected by council.

Mr. Wayne Gates: So it wasn't elected at large, just by the council members?

Mr. William Fisch: That's correct.

Mr. Wayne Gates: The reason why I ask is that we're having that debate in Niagara—

Mr. William Fisch: I know. I'm sure you are.

Mr. Wayne Gates: —on whether it should be appointed by the fellow 39 or 40, whatever it is.

Did you ever run for a party?

Mr. William Fisch: I did; in 1997, the Progressive Conservative Party, federal government, under Jean Charest. I didn't do very well and am very pleased to say that I was quite happy that I did not do very well. It turned out extremely well for myself.

Mr. Wayne Gates: I might be able to relate to that.

There are a few things. It's interesting that you mentioned that you sat on a panel that took a look at other revenue. Would that have been the 13-member Transit Investment Strategy Advisory Panel?

Mr. William Fisch: No. No, it wasn't. It was the Metrolinx panel. We came forward in 2008 or 2009 with an investment strategy. I think that was the strategy that

was taken out to be reviewed, and I think the panel you spoke of used that as part of their input.

Mr. Wayne Gates: Because they came up with a couple of recommendations that talked about, as you're probably aware, the gasoline and fuel tax and putting some of that kind of stuff on to it. The two recommendations from that panel the government did not use and decided to look at selling off a public asset, such as hydro.

Your question was interesting to me, that you talked about that there's never going to be enough money, and I kind of agree with that. Should we look at selling off other assets or do you have any thought on that?

Mr. William Fisch: No. I think Metrolinx then and now took the correct position, and that is, there are a number of tools that are available which are easy to implement. For me, that was the real methodology. Those tools are available and if we're looking to go beyond the \$40 billion, which is a large amount—if we're looking to go beyond that, I think those are the kinds of tools that would have to be used.

Mr. Wayne Gates: Given the declining ridership of Metrolinx's new flagship, the UP Express—it's now down to 10% capacity—what skills do you bring that will increase ridership?

Mr. William Fisch: I think certainly the skills that I bring are the skills that I've shown. For example, at York region we increased our ridership from seven million rides a year in 2003 to 23 million rides here, this year. We tripled our ridership in about 10 years. The way you do that of course is by increasing the understanding of your community as to what is available to them, making sure that you have a solid system, a very comfortable ride and one that they'll be willing and wanting to take in the face of so much competition.

In York region, we all have cars; that's the reality that I faced. In fact, in York region we had the highest proportion of four-car families in North America, which means in the world, and that was in 2001. I assumed that we had more cars than most European countries and so on. I knew, in 2001, that if we didn't do something different, we were in very, very serious trouble. So we came out with what is a very incredibly solid, comfortable, good system that our citizens would be willing to take. They only wanted to take a good system; they would not take something that was unacceptable. The same would hold true, I think, with anything that you build.

UP Express, of course, only got started two months ago and had a big push at the beginning, as most new products have. Now I think it's reaching a plateau, and it's going to be up to Metrolinx to grow that system. I've read in the paper, by the way, as we all have perhaps, that they're taking steps—which I'll be a part of, I hope—to grow that system, raise the revenue required to assure that it at least breaks even, maybe even makes a few dollars for the system, but it's just beginning.

I read the news and I'll tell you that I thought that they're a little premature in their concerns. They may be

correct, but we'll know in about a year or two. You don't know in the first two months.

Mr. Wayne Gates: How much time have I got left?

The Chair (Mr. John Fraser): You have about five minutes.

Mr. Wayne Gates: Okay. I'm going to ask you a question but don't take up the whole five minutes because I have another one.

Mr. William Fisch: All right.

Mr. Wayne Gates: I'm just saying you like to talk, so I don't want you to—

Mr. William Fisch: I do. I am a politician, after all.

Mr. Wayne Gates: The new UP Express train currently costs about 30 bucks. It is currently, in my opinion, unaffordable for most people who want to use it. Are you committed to ensuring that any future Metrolinx projects have reasonable price fares so they can actually be used as public transit?

Mr. William Fisch: Yes. I think all our systems could be used in a public way. That's the purpose of the exercise. But at the same time, of course, you have to try and either break even or get somewhere so your subsidy is not too great. The cost of UP Express is actually, if you put your cards right, about \$19. For new people, somebody coming from Europe, they're not going to buy a Presto card; they may consider it, but probably not. Around this city and around this area, it's going to be \$19, which is perhaps a little high, but I think we have to consider the operating costs overall and try to either break even or keep it to some reasonable level of subsidy, as we try in York region for our transit system. That's kind of where we're at.

Mr. Wayne Gates: I can appreciate you saying the \$19, but there are some things you have to do to do that. The second thing is that it's still a lot higher than a lot of other countries that have similar systems.

The question that I really want to get to is—because I think my colleagues over here talked about it as well—that there is another part to the province other than Toronto. The Premier and members from my area—I'm from Niagara, which I'm sure you're familiar with, being involved with AMO and all that kind of stuff; you've been down that way—

Mr. William Fisch: I am; correct.

Mr. Wayne Gates: —and also from St. Catharines and the entire area have all said during the elections that bringing a GO train to Niagara is a priority for the government, meaning the Liberal government, but they have taken no action on that front.

Will you work to ensure that governments follow through on commitments and look at bringing two-way GO service to Niagara? In our area, we believe it's a game-changer. Some of the problems that I see even with Metrolinx—and I found this out last week from a gentleman from Kitchener who used to be a mayor; I can't remember his name off the top of my head. There is nobody on the Metrolinx committee from our part of the province, and I don't believe there's anybody from the north and rural Ontario, which I think is a mistake. I'd appreciate you answering that question.

Mr. William Fisch: Carl Zehr will be a very—I know who you’re talking about—good candidate; in fact, I think he’s been approved on the board, if I’m not mistaken. He will represent not only his own area but other areas as well, as I would. I’ve always felt that while I represented York region, I was way beyond York region, and I think my reputation says that.

As far as Niagara is concerned, I did say that in the next six months to a year, there’s that process going as to where Metrolinx is headed and what its plans are, and you and others, I’m sure, will be involved in that process. I’m not against it at all, but you have to make a business case. You just can’t say, “Let’s just send a train out” to pick up nobody, which has happened in my region, by the way, not with trains but with our own buses. Certainly, if the ridership is there, if the needs are there, it can be a game-changer; you’re 100% right. It has done that in my region and it should do it in other regions as well, assuming, though, that it makes sense. I think that’s the key. Make sure that it makes sense, and I’m sure that Metrolinx will listen to that.

0950

Mr. Wayne Gates: Well, I don’t want—

Mr. William Fisch: I thought you were running out of time.

Mr. Wayne Gates: I don’t know how much time I’ve got. I don’t want to get into a debate just on Niagara, but it would be a game-changer. We have 13 million people come to Niagara Falls every year.

Mr. William Fisch: I was there last year.

Mr. Wayne Gates: They have put a business case. I know they met with Metrolinx. But I think it’s important to understand all of the problems and how important a service like this could be. The government has promised, I believe, around \$18 billion outside Toronto and I think they have to make sure they are spending that wisely. The business case in Niagara has been very clear, and you being a politician, particularly on the regional—

Mr. William Fisch: Not anymore though.

Mr. Wayne Gates: No, but you were at the table.

Mr. William Fisch: Yes, I was.

Mr. Wayne Gates: And I guess the point I’m going to say is that you know how hard it is to sit around that table of 30 or 40 people and get everybody on board, rowing the same way and saying the same thing.

For the first time in Niagara, every single mayor in Niagara, every single regional councillor and the chair are all saying that we need GO service down to Niagara. They put the business case together. It’s been promised by the Premier; it’s been promised by Mr. Bradley, who is an MPP in St. Catharines. I guess what I’m saying to you is that I want to make sure that you’re aware of it, because you’re probably going to make it through this process, how important it is for not only Toronto and Markham and all the other areas that are getting some extra service, some dollars spent. It’s got to be spent in other parts of the province if it’s going to work.

Mr. William Fisch: I do recognize that.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. Your time is up.

Mr. Rinaldi.

Mr. Lou Rinaldi: Thank you. Good to see you, Bill.

Mr. William Fisch: Thank you very much.

Mr. Lou Rinaldi: When I saw “William Fisch,” I—

Mr. William Fisch: I know; I meant to say, “I’m Bill Fisch,” by the way. That would have been better, but they told me to use my formal name.

Mr. Lou Rinaldi: I just want to get out at the outset, to do my part for the region that I represent, that we too need GO service in Northumberland county and Durham and all of those places. So I’ve said that.

Mr. William Fisch: Okay.

Mr. Lou Rinaldi: Just putting you on notice.

Mr. William Fisch: Got it.

Mr. Lou Rinaldi: Mine is not so much of a question; it’s more of a comment. Certainly you have an impressive resumé from the municipal sector and other agencies that you’ve worked with. I remember working with you as regional chair when we were doing the Greenbelt and Places to Grow—always a huge participant in that piece, and very, very helpful.

I just wanted to say thank you for what you’ve done through your municipal and regional work that you’ve done in the past. Thank you for considering doing this, because even when I look at the remuneration piece of it, for somebody of your calibre to put in that kind of time and effort, I certainly appreciate that it’s not for the money; it’s really for the community. So thank you for doing it.

Mr. William Fisch: Thank you very much, Lou. I appreciate it.

The Chair (Mr. John Fraser): Thank you very much, Mr. Fisch. That concludes the time for the interview. We will consider the concurrences at the end of the meeting. You may step down. Thank you very much for being here today.

Mr. William Fisch: Thank you. It’s a pleasure.

The Chair (Mr. John Fraser): All right. We will now consider the concurrence for Renu Mandhane, nominated as member and chief commissioner, Ontario Human Rights Commission. Could someone please move the concurrence? Mr. Rinaldi.

Mr. Lou Rinaldi: Chair, I move concurrence in the intended appointment of Renu Mandhane, nominated as member and chief commissioner, Ontario Human Rights Commission.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Carried.

Congratulations, Ms. Mandhane. Thank you very much.

We will now move to consider the concurrence for William Fisch, nominated as member, Metrolinx. Can someone please—Mr. Rinaldi.

Mr. Lou Rinaldi: Chair, I move concurrence in the intended appointment of William Fisch, nominated as a member of Metrolinx.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Motion is carried.

Congratulations, Mr. Fisch. Thank you very much.

That concludes our time for the meeting today. The special project people are here, so if everybody could stick around.

Mrs. Marie-France Lalonde: We're the special project.

The Chair (Mr. John Fraser): We're the special project, yes. I am the special project.

Meeting adjourned.

The committee adjourned at 0955.

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