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**Thursday 17 September 2015**

**Jeudi 17 septembre 2015**

Speaker  
Honourable Dave Levac

Clerk  
Deborah Deller

Président  
L'honorable Dave Levac

Greffière  
Deborah Deller

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**LEGISLATIVE ASSEMBLY  
OF ONTARIO**

Thursday 17 September 2015

**ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO**

Jeudi 17 septembre 2015

*The House met at 0900.*

**The Speaker (Hon. Dave Levac):** Good morning. Please join me in prayer.

*Prayers.*

**ORDERS OF THE DAY**

**PROTECTING CONDOMINIUM  
OWNERS ACT, 2015  
LOI DE 2015 SUR LA PROTECTION  
DES PROPRIÉTAIRES  
DE CONDOMINIUMS**

Resuming the debate adjourned on September 16, 2015, on the motion for second reading of the following bill:

Bill 106, An Act to amend the Condominium Act, 1998, to enact the Condominium Management Services Act, 2015 and to amend other Acts with respect to condominiums / Projet de loi 106, Loi modifiant la Loi de 1998 sur les condominiums, édictant la Loi de 2015 sur les services de gestion de condominiums et modifiant d'autres lois en ce qui concerne les condominiums.

**The Speaker (Hon. Dave Levac):** When we last debated, the member from Trinity–Spadina had time left. The member from Trinity–Spadina.

**Mr. Han Dong:** Good morning, everyone. I'm very pleased to continue the debate. I'll be sharing my time with the Minister of the Environment and Climate Change.

Continuing what I was saying, this is a good bill. It's a very comprehensive bill. It started off with a good idea, and when we look at it now, it offers very practical solutions. I'm speaking of the dispute resolution process. It was done with wide consultation, a full range of consultation. When a government goes out and listens to people, condo owners, stakeholders and other experts, that's how a good government bill comes together.

I remember last year, Minister Tracy MacCharles, who was the minister responsible for this file, made an announcement about this government planning on putting together a regulatory body for the management. I was there at the announcement, listening to every detail, and I had a chance to chat with the stakeholders. It was very well received because they all felt that it was necessary, that there was a need for it, including those in that industry.

In my short time of having the honour of representing the great riding of Trinity–Spadina, I also held informa-

tion sessions to talk about the consultation process, to talk about the will of putting together the government's development of this bill. What we've heard in the riding from condo owners and from residents' associations are the same concerns that are captured in this bill.

I want to talk to the registry because I know that if this bill passes it will, for the first time ever, start collecting data from condo boards and have a registry of condo board members. This is a good step forward.

I look forward to more consultation during the development of regulations, as well as in clause-by-clause, and look forward to more discussion on fine-tuning this bill. I think this bill has constructed a very good overall structure, moving forward in the right direction to provide more protections.

In my riding in the summer, I spoke to residents who have great concerns about the current situation, where they, as owners, felt they don't have much say on the board. Now, I remind them to get active and get involved, to be on the board, to keep a constant dialogue with the board and let them know what type of information they are seeking. But I think this bill is going to give more authority, more power to condo owners and bring more transparency to the practice.

The other thing I want to mention is financial management. The proposed act would strengthen the financial management rules for condo corporations to help prevent fraud and mismanagement. Too often we hear cases in our constituencies across the province about possible fraud or mismanagement of funds. For example, it would forbid condo corporations from finalizing some contracts unless they have fulfilled certain procurement process requirements. That is very, very important.

In my riding, there are new condos being built every day. Going forward 10 years from now, 20 years from now, elements of nature will deteriorate the structure of these buildings, and they have to be kept in shape to make sure they're safe to live in and safe for the surrounding neighbourhood. So it's inevitable that the board will have to make procurement decisions, and we want to make sure, with this opportunity, that these decisions are made in an accountable and transparent way to the owners.

Lastly, I want to remind the House that with condo dwellers—a lot of them in urban settings—there comes a need for the attention of this House, actually, and a shift of resources as well. We know that transit is a big concern. We know that social services—I mean like recreation, day care—are a big concern. These services have to be in place to serve these newly founded communities.

People often don't realize they need a comprehensive consumer protection bill when they actually enter a dispute. I commend the government, Minister Tracy MacCharles and Minister David Orazietti for putting so much time into this bill—wide consultation—to put together this fantastic, comprehensive bill.

**The Deputy Speaker (Mr. Bas Balkissoon):** The Minister of the Environment and Climate Change.

**Hon. Glen R. Murray:** The member for Trinity–Spadina and I jokingly refer to our constituencies as vertical constituencies. I think that between the two of us right now, we have 81 towers that are in some stage of construction. As you know, right now we have a federal election on, and our two ridings are now three. The major reason for that is this explosion of condos. I've only been in this House for about five years. In those five years, I think I've added somewhere between 30,000 and 40,000 new constituents. I mean, that's a small city that has been added. So the government is acting with some urgency on this, because the more condos you build, the faster you build them—

*Interjections.*

**Hon. Glen R. Murray:** I have the rapt attention of my colleagues, Mr. Speaker. It's so wonderfully affirming to be on such a—

**Hon. Michael Chan:** We are talking about what you're talking about.

**Hon. Glen R. Murray:** They're jealous that the member for Trinity–Spadina and I have way more condos than they do. I won't describe what kind of jealousy it is, Mr. Speaker, but it has something to do with condos.

**Mr. Mike Colle:** It's called condo envy.

**Hon. Glen R. Murray:** It's called condo envy: envy of big buildings.

I mean, 1.3 million or 10% of the population is very significant, and it's a new concept in housing, because there are so many shared responsibilities that it has introduced a lot of complexity. The MPP for Eglinton–Lawrence has been a big advocate for condo reform, and I want to recognize his contributions to this as well because he was one of the first MPPs here to start to raise this at our caucus, and through his constituents, he started to advocate for these kinds of things.

**0910**

But, Mr. Speaker, most importantly going forward, you realize that in Ontario—not just Toronto, not just Ottawa, not just our big cities—50% of all housing being built right now are condominiums. So while they're 10% of the built residential environment right now, at 50%, they're going to—and they're important as well because our transit investments, our \$130 billion in infrastructure, are very strong, and the great work that the member from Vaughan, the Minister of Transportation, is doing.

We have to build a new type of environment spatially in our communities, whether it's the ION in Kitchener–Waterloo, which we're contributing to, the LRT in Hamilton, the great work that's coming out of London in the planning stages, Ottawa's Confederation Line, the five-minute GO line or the Viva bus systems. I could go

through a whole long list of them, but it's interesting that one of the things that's making transit viable is the fact that we have a high alignment of higher density neighbourhoods.

In my community, 70% of my constituents in the central part of my constituency from Bloor–Yorkville south do not own a car, which is, from a climate change perspective, quite remarkable, given that transportation and vehicles are our largest source of emissions. So this new bike-friendly, condo-friendly environment—and it's happening in smaller communities as well. In Elliot Lake, you see condos that are for retirement. So the complexity of this has really meant that a number of things have to happen to do that.

This bill, and I say this as a condo owner living in a condominium—I remember Margaret Wente in the Star, reading her advice to her followers: The one thing one should never do in life is buy a condo from plans. I bought a condo from plans. It was one of the most exciting experiences of my life when I arrived and there was nothing but two pipes where the bathroom was supposed to be and only half the heating-cooling system was in place, which is costing me about \$12,000 in replacing both the HVAC systems. So you have a lot of issues. My experiences with Tarion were really good.

The issues you get into when you move into a new condominium, especially bought from plans, are one level that you're dealing with. I was very glad that we had a condo board, which deals with a lot of the issues of procurement for the building, because when you move into a building, the common area, the common elements, all involve a lot of—carpeting isn't in place, painting isn't done, the systems and the pumps and the swimming pool were not properly installed.

So having the kinds of protections that we're putting in, that boards have to provide more information to condo owners about any acquisitions or positions, will drive a lot of the fraud problems that have occurred with some management companies—the licensing and disclosure and dispute resolution process actually formalize and legally give all condo owners protection when there are issues that need to be resolved.

Condo management licensing is, I think, one of the most important parts of this bill. Anyone who has been in a condo association knows that the two things that seem to change a lot in the first five years are the condo management company and the security company. No one ever seems to like the one the developer or the builder picked. The proposed act would establish a separate piece of legislation, the Condominium Management Services Act, that delegates administrative authority to regulate condo managers and management firms by establishing a compulsory licensing system. Regulations under the act would set training and education standards for condo owners and for the ethics they practise. Because, as you know, at the root of almost all of the problems we've had with condominiums, when there has been fraud, when there has been tampering with the reserve funds, when there have been transactions or acquisitions by the condo

that were not legal or have burdened condo owners with things that were expensive—it is really setting a standard for condo managers and buildings that's transparent. So now they will be licensed. Both the builder-developer and that first board of fresh young faces that takes over from the condo board will actually now have the ability to go to a place and see an independent assessment and know that they're not fly-by-night operations, and they'll know what the record of the condo management companies is.

One of the other things that I think is really critical is that we start to look at how condos will be run. This act would make it easier for condo owners and boards to participate and vote at meetings. For example, the condo board would no longer have to pass a bylaw in order to hold a meeting through conference calls or use some off-site management technique.

I live in a building with 236 units. Most of my neighbours—some of them are retired folks from the suburbs or from small-town Ontario, often, who have moved into the city, who don't want to have to manage their life with a car; they want to be in a neighbourhood where they can walk to places. They don't want a big house anymore. They want to have to clean only one bathroom and vacuum 700 square feet of space, not 3,000 or 4,000. They generally find it fairly easy to participate in condo life. But the majority of people in my building are young professional folks who work in banking downtown or financial institutions. Some of them are young professionals. Many of them travel, and many of them are single people.

Right now, if you want to do a teleconference or a phone-in conference, you can't. You have to have a meeting in the building and you have to do it on one evening. One of the things we struggle with in my building is that every time we have an annual general condo meeting to elect our new board, to look at our financial statements, to talk about problems with the building, security issues and that, we have to do it physically. This simple change, bringing in such a simple thing as allowing phone-ins and video conferencing, allowing people to participate electronically in these conferences, is going to be huge. It's going to democratize it, and it's going to be very much more realistic, especially for the young generation of highly busy people who work and live in condos who right now can't often—their schedules don't allow them to be there for a 5 o'clock meeting in the evening.

I think I'm going to wrap up. I just thank Minister MacCharles and Minister Oraziotti for their great leadership in this. I hope that my friends opposite will see the value of this bill and support it.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Mrs. Gila Martow:** I wanted to add to what the Minister of the Environment and Climate Change was just saying about the Viva bus system and better transit systems. What I can say is that it's sort of like baking a cake, Mr. Speaker: You can't be missing any ingredients. We're definitely missing some ingredients right now.

In my neck of the woods, up in my riding, we have the World on Yonge, which is an enormous, enormous condo complex of three towers and some retail at the bottom. It has been in the works for quite a number of years, and people are finally moving in. But it was designed to have a subway station in mind below this enormous complex, and yet the Yonge subway line, even though Metrolinx—every time they do a report, it seems to be at the top of the report in terms of priority; it just doesn't seem to get done.

So we are building Viva bus lanes, criss-crossing all over York region. The price tag is getting up to close to half the cost of expanding the Yonge subway. The whole point of building these Viva bus lanes is to connect to a Yonge subway. Without the Yonge subway, why are we building these Viva bus lanes? That's what I'm questioning. So let's get to work on not just protecting condo owners but ensuring that condo owners are not looking to buy condos where there is parking, that they're not looking to even have a car. Too often, north of, I would say, Sheppard, you cannot even contemplate having a condo without having a car. We need to make that a priority, and I hope somebody is looking into that: that, yes, we're going to allow higher condos to be built but not with so much parking—and to get working on the transit that is needed, not just to get cars off the road but so that condo dwellers can enjoy our city without the necessity of the expense of having a car.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for London West.

**Ms. Peggy Sattler:** It's a privilege to rise on behalf of the people I represent in London West to respond to some of the comments that were made by MPPs on the other side of the House. In particular, I wanted to comment on some of the points that were raised by the Minister of the Environment and Climate Change. He highlighted some of the work that has been done by members of his caucus to sound the alarm on this issue and push for reform, but in fact, Speaker, I wanted to remind this House that it was the former member for Trinity-Spadina, my esteemed former colleague Rosario Marchese, who really was the leader in pushing for reform on this issue. He tabled the first bill for Condominium Act reform back in 2007. The government refused to listen. They refused to acknowledge that there was a problem. They said the existing system worked just fine. Rosario didn't give up. He tabled three more bills, with a total of four bills overall. The last bill was tabled in 2012.

**0920**

Really, it was the falling glass from Toronto condo towers that precipitated the condo review that the government finally launched.

I also wanted to talk a little bit about condo manager licensing, which the minister also referred to. Yes, definitely, it's very important, but why was this not fast-tracked? Why is it not covered in the tribunal? The government committed to fast-track this issue back in 2013. There was consensus among stakeholders that this was necessary, and yet we've had to wait two years to

see this come forward. And in the end, condo managers aren't included in the dispute resolution tribunal.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Eglinton–Lawrence.

**Mr. Mike Colle:** I just want to thank the member for Trinity–Spadina and the member for Toronto Centre, the Minister of Climate Change.

The interesting thing here is that I went to a meeting about condo development. I have a lot of it in my riding, too. Someone stood up and said, “Mike Colle, you caused all these condos.” I said, “What are you talking about?” “Yes, it’s because of you.” I said, “What do you mean?” “Well”—and the member from Timmins–James Bay will remember this. We stopped them from paving all of the Oak Ridges moraine. Remember, they were up there, Gilles? They were up there paving every square inch of wetlands up in the Oak Ridges moraine. In fact, we ended up in this House eventually protecting 1.1 million acres of land, the greenbelt, the Oak Ridges moraine.

The developers were saying, “You’re putting everybody out of work. There will be no more work for construction.” I think the developers are doing quite well. You can see they’ve already built 1.3 million units. Sure, there are challenges with condo development, but there’s work. There are 50,000 units under construction and another 30,000 in the approval process. That’s the reality. I have four towers being built right now at Dufferin and Lawrence.

There is so much going on in all of our communities. That’s why this whole issue of condos and changing legislation has been needed, because there has just been an unprecedented amount of construction of these new homes. So it is a very compelling issue. It is necessary. We all have to make this a good piece of legislation because, as I said before, I went through this in 1998 with the Conservative government. It is very daunting to try to get this right.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Wellington–Halton Hills.

**Mr. Ted Arnott:** I’m very pleased to have the opportunity this morning to respond to the presentations of the member from Trinity–Spadina and the Minister of the Environment and Climate Change, who spoke just now on Bill 106, the Protecting Condominium Owners Act.

Yes, it’s my understanding that our caucus is generally supportive of the principle of this bill and, in fact, looks forward to continued discussion on it when the bill goes to a standing committee of the Legislature, hopefully listening to the public and crafting the necessary amendments to improve the bill and strengthen it.

I would like to offer the House a situation in my riding for consideration. There is a beautiful renovated condominium building in Fergus. It was an old mill situated right beside the Grand River. It’s on St. Andrew Street East in Fergus, very close to Gartshore Street. It was renovated a few years ago. Of course, the units were sold. It eventually came to the attention of the condominium owners that situated actually within the building is an electricity-generating turbine. They were concerned about

the vibrations that this electricity-generating turbine was causing in the building, perhaps causing structural issues. They came to me seeking my advice as to whether or not the provincial government regulated these sorts of things. We wrote countless letters to a number of ministers about this issue and we discovered that the provincial government does not regulate these. These situations are actually very unusual and some of the staff indicated to me that they had never heard of such a thing.

This is clearly an issue that needs further discussion. Again, I have written a number of ministers and continue to advocate for my constituents. We need to get some consideration. It would seem something, logically, perhaps, that the Technical Standards and Safety Authority might regulate, but I would ask the government to consider it, and I’ll follow up with the relevant ministers.

**The Deputy Speaker (Mr. Bas Balkissoon):** I thank everybody for their comments, and I’ll return to the Minister of the Environment and Climate Change.

**Hon. Glen R. Murray:** I don’t want to miss my friend from Wellington–Halton Hills, just on the heritage thing, because this is a complex issue, one that I hope should be a non partisan issue.

I’m always frustrated in Toronto because we put these glass towers up and heritage preservation is taking the facade of the building that was there before and attaching it to this glass tower like a sticky note—I call it sticky-note heritage—and the challenges of incorporating building fabric. Today we have private members’ public business, so I think this is one of the issues that maybe this Legislature could start addressing, so I was very pleased to hear you raise that.

I want to thank my friend from Thornhill. I think sometimes we forget what a backlog we have in Ontario. I don’t say this in a partisan way, because we made some mistakes over about 50 years in Ontario. The last Premier to be spending the amount of money and investing what we are in infrastructure was John Robarts. The last year in Ontario that we came anywhere near the equivalent—

*Interruption.*

**Mr. Gilles Bisson:** I think that’s Robarts calling you.

**Hon. Glen R. Murray:** I doubt it. He’s probably calling Mackenzie King.

Mr. Speaker, today’s annual investments of \$13 billion in transit, roads, waters and sewers haven’t been seen since 1967. As a matter of fact, at the beginning of this decade, we were down to \$1 billion a year, which was the lowest level of spending; we were spending 25% of what other provinces were spending for about 40 years in this province, from the 1970s on. It’s only been a decade, really, that we’ve been back at those levels, so the backlog is evident in those things.

I hope the member from Thornhill will be committing and advocating with the federal government to get up to the levels of the spending it had in the 1960s, to match the Ontario government, the BC government and the Quebec government, because you can’t have a condo boom unless you have a transit boom. And I think the member from Eglinton–Lawrence made that point, that land use is so critical—

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. Further debate?

**Mrs. Gila Martow:** What I would say is it's not just an issue that we just throw money at in terms of building the transit for the condo development. It's about prioritizing those transit tax dollars.

What I was mentioning before is, yes, I was saying that we do need to get moving on the Yonge subway since it is a priority project. What I was suggesting is that we need it to prioritize those transit dollars to get the Yonge subway built, because we're spending an exorbitant amount of money on Viva bus lanes, \$640 million already. We're not seeing increased ridership, according to the data. In fact, the increased ridership on the Highway 7 line doesn't seem to even be keeping up with the growth in population.

What are we hearing? We're not hearing about maybe putting a bit of a pause on some of the bus lanes and getting that Yonge subway engineering planning report done. We are hearing a proposal to build Viva bus lanes on Bayview. I have to really question the planning wisdom of how those transit tax dollars are being spent.

Yes, of course, we are behind the times in the amount of money we have invested in these projects. Perhaps there needs to be some kind of transit fee involved in condos, because any of us who have ridings with significant numbers of residents who are dwelling in condos—they say, “Why are my municipal taxes so high? Very few of us have children in school”—which is a good point, but we don't take that into account. “We have our own garbage collection system; maybe we're paying for the city garbage collection system, the way the houses go along the roads and sometimes there are big lots. Why should we be paying for that level of garbage service when we're basically bringing it to the bins and taking it away ourselves? Why are we paying probably the same rate of snow removal service per square foot of dwelling when obviously we have our own snow removal system and we don't require the snow removal system of the city?”

So these are all questions that have to be addressed, and I have a feeling that we're going to see a bit of a revolt at some time from condo dwellers saying, “Listen, we are paying condo fees. We have to pay condo management fees. We have sort of our own municipal tax system built into the condos. Why are we paying such a high tax rate to municipalities?” They're going to want to pull back from that.

**0930**

Maybe what we should be doing is taking the bull by the horns and saying that part of the municipal taxes that condo dwellers pay for, say—I'm just throwing it out there, because I haven't seen any data, but I would guess garbage and snow removal would be the two biggies. That money should be going towards transit development, specifically in conjunction with condos. What I mean by “in conjunction” is when we have the walkways above ground or underground, so that condo dwellers can easily get to trains, subways and bus terminals without

braving too much of the elements or crossing busy streets. I think that would make life a lot more pleasant and safer, and people wouldn't be hearing, as the member suggested, from residents complaining about either too many condos or too-high condos or things like that, because the entire neighbourhood around the condos would be benefitting if there was great retail, great cultural venues and great transit connected to those condos.

Before I got involved in provincial politics officially, I was very often at Vaughan council chambers, listening to the deputations and giving deputations, even. One councillor, Tony Carella, stands out in my mind, because when there were so many issues involving condos, he said, “You know what we need? What we need is a condo councillor. We need somebody who is a councillor not just for a ward but just for the condos in the city.” Basically, all the other councillors would not be in charge of the residents and the condo units; we would have one councillor.

Everybody took it as a joke, but I said to him afterward, “I see your point,” because the condo dwellers had very specific concerns and needs, and there were very complicated governing rules and regulations for the condos. If each city councillor had to be an expert in all the bylaws affecting condo living as well as residents, he felt that maybe we would be better off having somebody who focused on condos. What I suggested to him was that maybe the councillor for the smallest ward would also be in charge of some of the major condo complexes in sort of a supervisory way.

As politicians, we've all done door-to-door canvassing. Ideally, I think if we had to say, “Where do we want to go canvassing?”, we would all probably say, “Townhouses.” I certainly would, because they're close together. They're homes, and you're knocking on the doors, and there's not an access issue. It's sort of a community. People sort of know their neighbours, know if their neighbours are home or not home, or who lives there. I personally find that the most pleasant days of canvassing are the townhouses. The homes with separate lots: Obviously, you're getting a lot of exercise, but you're not accessing as many people, which is the point of canvassing.

Then there's the apartments and the condos. Mr. Speaker, I'm sure you're aware, as everybody else is, that there are challenges to canvassing condos. They don't normally let in what they call “solicitors,” but because of the government regulations—and politicians, I suppose, take care of politicians; they didn't want to limit access for politicians speaking to residents—they cannot not allow us to canvass a condo.

Well, you can have a law, as we all know, in writing—and this regulation is coming out, and it will have all kinds of protections for condo residents. We're all quite aware of that. But oftentimes, just because something is on paper—it's in writing; it's a law—doesn't mean that it's easy to implement.

We have all, I'm sure, had times when we planned to canvass a building and we were not able to get in, be-

cause we don't know anybody in that building to buzz us in. On top of that, whoever is working—the concierge, if there is a concierge—they don't believe they have to let a candidate in to canvass. Maybe there's nobody answering the superintendent's or security's phone number. It's frustrating, because we have literature and we do want to speak to people.

Then there are the times when we do gain access to the condo or the apartment, and people are upset, because they're not used to people knocking on their door, and they're frightened. Oftentimes it's seniors. In many of the buildings, it tends to be a little bit of an older demographic.

I had, I would say, my best experience canvassing—it wasn't a condo; it was an apartment building—when I went up to Simcoe North to canvass for our new leader, Patrick Brown. The superintendent came right out when I pressed the button and said, “No, no, no, we don't like that.” I had the act with me and showed her and read it to her and said, “I'm sorry. Nobody likes to be disturbed. Nobody likes to have knocking on the doors. I understand that the residents might be calling you and complaining: ‘Somebody's knocking on my door. What should I do? Do something.’”

I said to her, “If you don't want to have the people phoning you”—she right away jumped on me and said, “Yes, I don't want the people phoning me.” I said, “Well, if you're not busy now, why don't you walk through the building with me?” And she spent the next hour and 15 minutes walking with myself and my friend who came with me. We went from apartment to apartment, and she physically knocked on the doors, the superintendent, and she spoke to the people.

Oftentimes, while we were at the door, half of it was talking about the coming by-election. The other half was her communicating with people and saying, “Yes, we're going to be looking into fixing that door,” and “Yes, don't forget; last time, you parked too close over into somebody else's spot,” and all the issues. She was very well loved. Her name was Deborah; that stuck in my mind, because she was such a wonderful woman. Deborah was so well liked that I felt she deserved some kind of tribute, almost, for the way she managed this building. She knew who was babysitting, and who was working nights and we shouldn't knock on their door, and she would slip the literature under the door for us.

What we have to recognize is that the condos themselves are communities. They do have boards; they do have management systems. I think, as politicians, we've heard many complaints from residents saying, “What can you do? I love this building, but I cannot stand this management team. They're only in it for themselves. I reserved the party room, but then they cancelled it because they said they needed it for their own meeting.” And there's this kind of infighting. It's a little bit like high school, where you have the cool people, I guess, on the board, and they're doing things that they want to do.

We might think, “Well, it's just a lot of fighting about”—I know I got a call at my constituency office

about somebody who wanted the CCAC to do exercise classes in the party room in the condo. The condo didn't want to allow it. It's a type of seniors' exercise class. They didn't want chairs scraping.

I spoke to the condo manager—the president of the board, I believe. There's the management team that manages the day to day, and they hire the window cleaners. Then there's the condo board, which is more volunteers. That's where I'm talking about more the infighting, that if you're not on the right side or friendly with people on the condo boards, it's harder for you to get your opinions and your desires through.

What the president of the board did say, and she made a good point, was, “This isn't a seniors' building. This is a seniors-only exercise class, and I can't vote for an exercise class in the party room that is only for seniors, and other people can't join.” Well, you know what? People are going to have mah-jong; people are going to have private parties.

What I'm trying to say, Mr. Speaker, is that I think it gets very complicated, and you can't legislate people to get along. I guess that's part of a lot of the problems in the condo units. Yes, we hear of fraud. Yes, we hear of mismanagement and money disappearing. But a lot of the problems that we hear about from condo dwellers are just about people living in very close proximity having a hard time getting along. It's about noise. It's about cooking smells. It's about leaving your bicycle or your dirty shoes out in the hall. It's about damaging joint property. It's about not wanting to pay for the shared costs of running the condo.

Let's face it: In condo buildings, you don't just own your condo. You own a share of that entire complex—not just the building, but the entire complex. I think that people here have heard, as I have, of enormous costs where people have bought condos, they're on a limited income, and a year or two after moving in—maybe that was why the previous owner sold—they are all of a sudden being hit with enormous bills to help pay to rebuild underground parking. We have to be concerned about that, because underground parking garages are very often supporting the buildings, I'm sure. If we're allowing salt or corrosive materials, if people are repairing their cars, if people are storing dangerous materials—I would hope, Mr. Speaker, that we have members, perhaps, of the fire department going around each year and checking the underground parking, checking the ventilation systems of the underground parking, because they can be very dangerous places.

#### 0940

In terms of managing condos, I have to commend the city of Vaughan. They set up a task force of councillors and residents to look at the management of condo buildings, and I think it was because they recognized that we've had this enormous condo development, and with it comes a new set of challenges from residents who are living in the condos or living near the condos.

We have to recognize, as the Minister of the Environment and Climate Change is often speaking about, with

the outdoor climate that we're living in, that the wind tunnels that develop between condo buildings—we see it downtown—can oftentimes, for somebody who's fragile, for somebody who's weak, for somebody who's elderly or has a disability—I can talk from personal experience. I'm not the biggest person around, and I've literally felt myself being almost lifted off the ground by some of these powerful winds. We have to look at that.

We have to look at cell towers that are going on top of condos. I've heard many complaints from residents who say they don't want cellphone towers, even though it has been explained that, "Well, why should we erect a structure to put a cellphone tower when we have condos in the neighbourhood, and that's a tower by itself?" It just makes perfect sense to put this cellphone signal up on top. The data actually shows clearly that the people in the condo right underneath are not getting the signal as well as neighbouring people because it fans out; it doesn't fan out and come around into their units. But they're worried about resale value. We're always hearing, Mr. Speaker, for anything to do with property, that people are worried about any changes because they're worried that it'll inadvertently affect their resale value when they go to sell. They're worried that if their building has a cellphone tower on it, that might make it less desirable, that some people might not want to buy. So why should they want that? Maybe whatever money is being generated could go to the people in the condo to offset their monthly fees. Maybe that would be a way to convince them to have the cellphone towers. You can't take away from people without giving them something.

Perhaps we have to put in this legislation that anybody who buys a new condo cannot block a cellphone tower or other signals or anything from being put on top of the roof—in the fine print, so that later on nobody has to be asked; they've signed, and they've already given permission. It's something that could help us in terms of our ability not to have to build these towers everywhere, which I think are really quite an eyesore. It makes me nervous when you see some of these really high towers just standing there in the middle of nowhere—how safe they can be when they're so tiny in their width.

The condo boom in Toronto, I think, is going to continue. There are 30,000 condos just in the planning stage, I believe was said. We're all seeing that, in downtown Toronto, we're certainly becoming what we would call more than a city; we're becoming a metropolis. We see people on bikes using the bike lanes. We see people walking. That's what makes a healthy city, when there are people out on the streets. So we don't just want to have the condo towers connected underground and that everybody is living in these underground cities. We want to see people out on our streets.

We want to also take into account that a lot of people are now living in condos with children. It used to be that we didn't consider that when condos were being developed. Perhaps more child protection has to be addressed—that we want to see every new building have some kind of a playroom for young children, not just

exercise equipment for adults. Maybe we need to have some kind of a fun playroom for children, because we don't want the kids to be inactive. We know it's challenging, if you're up in a condo, to get the kids outside. I would like to see ways of making condos more family-friendly, Mr. Speaker. Perhaps even up on the roof would be ideal to have some playground equipment or something fun up there for the kids.

I think that we're going to see a lot of challenges ahead. That's our job here in the Legislature, to try and predict what the challenges are going to be in terms of changing our way of living and our way of interacting. Some of the challenges, of course, will be more children and schools, and maybe daycare spaces and things like that.

The other challenge is pets. A lot of condos try to not have pets. I've heard that that's been challenged. I hear mixed reports about whether they are legally allowed to actually ban pets. Maybe we have to take that step of addressing what are appropriate pets for condo living, because when you hear of a Great Dane living in an apartment or a condo, is it animal abuse? I don't think it's fair. I don't think anybody who has had a dog thinks that a large animal in an apartment or a condo is terribly appropriate. Maybe we have to take that into account in terms of the roof space, that it can have a little bit of an Astroturf area for pets or something to that nature.

I think that there is a lot of support, certainly, for the way disputes get managed with condos; the way boards are formed; the way managers are trained, supervised and licensed; and greater transparency and greater accountability.

Especially with computers and systems like that, perhaps we have to say that condo management has to keep their monthly expenses online so that anybody in the condo can see where the money is going, because I think a lot of these complaints are unfounded. They see that they're spending a lot of money and they don't see the results because there are a lot of hidden costs.

I think that condos in themselves are another layer of a sort of governance. We have federal, provincial, municipal and now we have the condo levels of government.

Thank you very much, Mr. Speaker. I'm really happy to see progress in terms of many of the condo dwellers living an enjoyable and stress-free life.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Mr. Wayne Gates:** I'm proud to stand again and talk on Bill 106, and in particular talk about Tarion. Tarion is the only deregulated authority established by the government with the power to create its own regulations without government approval. As a private corporation, the Ontario Ombudsman and the Auditor General are not allowed to investigate Tarion. The average compensation at Tarion is over \$100,000, with an unknown amount going to Tarion's CEOs and nine vice-presidents.

Tarion has a builder arbitration forum where builders can appeal Tarion's decisions quickly and cheaply without going to the LAT, but unfortunately, there is no such process for consumers.

A recent Toronto Star investigation found that Tarion does not disclose its records of risky builders to consumers, even as it—

**Hon. Glen R. Murray:** Point of order, Mr. Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** Point of order.

**Hon. Glen R. Murray:** Mr. Speaker, this bill is not about Tarion. I think the member is out of order. Maybe he could speak to what the bill is about. I'm sure we'd like to—

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you.

I'd ask you to carry on and at least comment on the bill.

**Mr. Wayne Gates:** I believe it's what should be in the bill. That's the problem. If you're going to put a bill together that's supposed to protect consumers, then you should be taking a look at Tarion and finding out what they're doing. That's what the issue is.

I appreciate the person standing up from the Liberal Party and saying something, but let's be clear here. In 2013, Rosario—who, by the way, put the bill forward in 2007, and it's been eight years since it came forward—tabled a bill to put Tarion under the oversight of the Ombudsman and the Auditor General, along with other reforms.

Is Tarion another Ornge? That's the problem that we have. If not, will this government make Tarion open up its books and prove that it's not?

0950

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Ms. Eleanor McMahon:** I'm pleased to stand this morning and join my colleagues from Thornhill and Niagara Falls in discussion of this important legislation. I have several condo buildings in my riding of Burlington, and we're a community that's built out, essentially. Our future in Burlington is going to come through infill development and building up, and that means condos. We have several now; we're going to have several more. So I know that the citizens in Burlington will be thrilled, as I am, to see our government taking leadership in terms of creating a regulatory framework that will help and serve both condo owners and the administrators of condos by bringing transparency and making everyone's life simpler.

There's a commercial on television that's called "pushing the easy button." We should be, and I think we are here, trying to make people's lives easier and more predictable by giving them the tools that they need. The other reason, and I know the member from Thornhill was talking about this, is that cities around the world are investing in transit-related development, and the reason that they're doing that is because they're following the lead of each other. We live in a globally competitive economy, and cities like Chicago and New York and San Francisco are competing against each other, and we're competing against them, too, for jobs.

The future means that more people are going to be living in more condensed and more dense communities, and certainly Burlington is going to reflect that. Attracting future jobs through investment in Burlington means more condos. It means more bike- and walk-friendly communities. It means safer, more connected communities, and so I thank and I applaud and I ask members across the aisle to support this legislation and make sure that they're giving consumers in their ridings the tools they need to govern themselves in a simpler, more effective and transparent manner.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Wellington–Halton Hills.

**Mr. Ted Arnott:** I'm very pleased to respond to the member for Thornhill who gave a very interesting speech this morning. She is an outstanding member of our caucus and a real leader in this Legislature, and I want to commend her for the participation that she offers in this House on a day-to-day basis. But certainly Bill 106, Protecting Condominium Owners Act—we continue this debate, and it's an important debate.

We talk about, in this bill, the rights of the condominium owners, and certainly the condominium owners in all parts of Ontario, all the communities, I think would expect highway safety and road safety to be a high priority of the provincial government.

I want to inform the House of a situation in my riding, in the community of Georgetown, near a condominium development called the Sands, which is at the intersection of Guelph Street-Highway 7, in the built-up area of Georgetown, and McFarlane Drive-Hall Road. I have been approached by a number of the owners of the condominiums, as well as the leadership of the condominium development, and they have asked me to make inquiries with the Ministry of Transportation to see if traffic signals can be installed at that intersection. I've had a number of meetings with them.

The mayor of the town of Halton Hills, Rick Bonnette, has been involved, as well as other members of council, and we're trying to get the government to look at this issue in light of the reality that there is going to be considerable new development near that intersection, which will only add additional traffic pressure. They tell me that it's very, very difficult to make a turn coming out of their building most of the day because of this very busy stretch of Highway 7-Guelph Street through Georgetown.

I raise this issue with the members. I certainly want to continue to advocate for my constituents in this regard, with this particular issue, and we would hope that the Ministry of Transportation will continue to do whatever it can. Certainly, as I say, the safety of condominium residents should be an important consideration in this debate.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Nickel Belt.

**M<sup>me</sup> France Gélinas:** I too would like to congratulate the member from Thornhill for her comments this morning. It was a good balance of talking about what's in the

bill, what's not in the bill, and how it affects people she represents, so well done.

This being said, I too will focus a bit as to what is not in the bill. When Rosario Marchese started pushing this bill forward in 2007, it was clear that action needed to be taken back then. Fast forward eight years later, still nothing has happened. Why am I talking about time frames? It's because it takes a very long time to bring a piece of legislation forward and finally change things.

There are gaping holes in that bill. Not that what it does is bad. What it does are things that Rosario had been pushing for for a long time and make sense. But we have to address some of the gaping holes, and one of them certainly has to do with developers.

When you look right now and right here in Toronto, there are seven class action lawsuits against developers, yet there is nothing in this bill that will make that process easier, more owner-friendly, more people-friendly. What a lost opportunity. We know that the developers are only in the picture at the beginning when the building is being built or reconverted, but we know that so many of the present condo owners are still having problems with their developers. Let's take this opportunity, while this bill is open, to address those. I think they deserve to be looked at just as much as everybody who lives in a condo does.

**The Deputy Speaker (Mr. Bas Balkissoon):** I thank everyone for their comments. I now return to the member.

*Interjection.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Peggy Sattler:** I am very pleased to join the debate today on Bill 106, the Protecting Condominium Owners Act, on behalf of the people I represent in London West. Like many of us in this Legislature, this is an issue that is of considerable importance to my constituents.

Before I begin my remarks, I want to commend my colleague the member for Bramalea–Gore–Malton for the excellent job he did in setting out the concerns of the NDP caucus about this legislation in his role as consumer services critic for our caucus. As he explained so eloquently in his inimitable way, this bill is a major step forward. It does go a long way to improving condominium governance, but it does not, by any means, address some of the biggest, most serious problems for condominium owners.

New Democrats are concerned that, even with this legislation in place, condo owners in this province can still be taken advantage of by unscrupulous condo developers and corrupt condo managers, and they will still be left to fend for themselves in the courts. The bill does not provide them with access to the legislated protections that they have a right to expect from their government.

Speaker, it didn't have to be this way. The Minister of Government and Consumer Services, whose ministry is responsible for this bill, had a model that could have addressed some of the most egregious issues in condo disputes. There was a template readily available that could

have been incorporated into this bill, and that would have provided the comprehensive protections that condo owners need. I am referring here to the private member's legislation that was developed by the former member for Trinity–Spadina, my NDP colleague Rosario Marchese.

Rosario, at the time, was MPP for a riding that has one of the highest concentrations of condo development in the country. Mr. Marchese worked tirelessly to push for changes to the condo act to ensure that condo owners were protected not just in disputes with their condo corporation board, but from developers and managers who were failing to deliver on their responsibilities under the law.

In March 2007, which was more than eight years ago, Mr. Marchese introduced the first of his four bills to reform the condo act. His most recent bill was tabled in April 2012. But each time he introduced his bill, the government insisted that the reforms were unnecessary, that the existing system worked just fine. Finally, even though the government could ignore the efforts of the NDP caucus to push reform, what they couldn't ignore were the risks to public safety that were presented when glass started falling from condo towers in Toronto. In 2012, this, at last, got the province to launch a review of the legislation. It's worth noting that because developers are not covered by Bill 106, the legislation that actually came out of this review will not do anything to protect condo owners from falling glass, which is ironic, to say the least.

**1000**

In Mr. Marchese's words, the explosion of condo development, without a corresponding update to condo legislation, created a "Wild West" for Ontario condo owners. Governed by a law that is now 16 years old—a law that was put in place long before the condo boom started—condominium boards, developers and managers are largely unregulated, unaccountable and too often unethical.

Under the current legislation, there is only one recourse available to condo owners who cannot get their disputes resolved, and that is through the courts. A condo owner might be dealing with a board of directors that is ignoring complaints from owners. They might be dealing with a management company that is not doing proper maintenance. Worst of all, they might be desperately trying to seek legal redress for a real estate deal that had gone bad—a developer not delivering what was promised in the showroom or cutting corners on materials and construction. Condo owners who cannot afford the huge legal costs in going to court do not have a recourse if they don't have the resources to move forward with a lawsuit.

Speaker, at this point, I think it's useful for us to pause for a moment and just reflect on who these condo owners are in Ontario.

We know from CMHC that across Canada in 2011, 71% of all condo owners were one-person households or couples without children. Of these, women made up two thirds of the one-person households and three quarters of

one-person households that had adults aged 55 or older. These numbers, Speaker, are only going to increase as our population ages. Another 9% of condos in Canada are lone-parent households, but of these, fully 84%—four out of five—are headed by women.

As NDP women's issues critic, I'm urging all MPPs to reflect on this data, because we need to apply a gender lens to this debate. The data shows that condo act reform is an issue that disproportionately affects women. The gender wage gap means that women continue to earn 30% less than men. It also means that women, who are the fastest-growing group of condo owners, who are driving the boom in condo ownership, have even fewer resources than men to take developers or managers to court. It is women who will be the most disadvantaged by the gaps in this legislation and by what is not included in Bill 106.

I'm going to turn now to what Bill 106 does include, most of which, as other members of my caucus who have spoken to this bill have acknowledged, is a positive step forward.

One of the central provisions of the bill is the establishment of the condominium authority, which is a not-for-profit corporation that will provide training, education and advice to both condo owners and boards. The condo authority will be able to establish competency criteria for board directors, including criminal background checks, disclosures and mandatory training. It may also be responsible for preparing a condo owner's guide, which will outline the roles and responsibilities for people who live in condos.

Bill 106 improves transparency and accountability of condo boards of directors. It provides owners with greater access to important condo board documents. It requires more consultation and notification with owners before boards can undertake large expenditures. It tightens the rules for requisitioning owner meetings and increases financial oversight of boards, which includes their management of reserve funds.

The bill tightens and clarifies the rules governing common elements and what constitutes a material change. The bill also amends the Ontario New Home Warranties Plan Act to extend Tarion warranty coverage to condo conversions. But as my colleague the member for Niagara pointed out this morning, it does not include any meaningful Tarion reform, which we see as another major shortcoming of this bill.

Finally, and most importantly, the bill establishes a tribunal of the condo authority that will resolve some, but not all, disputes between condo owners and boards. In particular, the tribunal will not hear disputes involving developers and condo managers, which must still be resolved in court.

These are critically important, much-needed reforms that should have been implemented long ago. The NDP will be supporting these changes because we have been pushing for them for years.

Like many MPPs, I continue to hear horror stories from constituents of disastrous condo board governance

and mismanagement of finance. So it's good that the government is finally acknowledging the need for reform, so that we, as MPPs, can actually start helping our constituents.

In particular, New Democrats welcome the requirement for condo managers to be licensed, although we do question why it took two years to bring forward a reform that the government promised to fast-track in 2013. This is a measure that was unanimously endorsed by all stakeholders around the table. Everyone who was involved in the consultations on reform recognized that this was one of the most problematic areas in condo governance, because of widespread concerns about fraud, corruption and bid-rigging in the condo management industry.

But before we go too far down the road of congratulating the government, New Democrats are reserving judgment on this bill until the regulations are written, because many of the details of the bill—much of the meat of the legislation—depends on what is in the regulations.

The regulations will determine if the condo authority will actually make the dispute resolution process cheaper and quicker, or whether the authority will become an ineffective bureaucracy that only adds to costs and delays for condo owners.

The regulations will determine what kind of teeth the condo manager licensing authority will have—whether it will be able to actually remove incompetent or unethical condo managers.

The regulations will determine what kind of rules are going to be put in place to standardize disclosure statements and declarations. We've heard too many cases of condo buyers who have been misled by weasel clauses that have been inserted into the purchase agreements; nasty surprises in the fine print; and unexpected costs and maintenance fee increases after their purchase is complete.

Leaving so much detail to the regulations is always troubling for MPPs, because it basically requires that we give the government a blank cheque and just hope that what is promised in the legislation is actually delivered by the government.

Quite frankly, we do have reason for our caution. We saw how the condo act review process was dominated by special interests from the condo industry. We saw how the expert panel was stacked with developers and condo industry lawyers and consultants. There was only a single advocate on the expert panel who spoke for the interests of condo owners.

We saw how the public input that had been gathered in different parts of the province, including London, was watered down in the recommendations that came out of the panel and resulted in what we see before us today, which is Bill 106.

Speaker, I now want to turn to some issues that are specific to my community and my riding of London West. Like many Ontario communities, London has a growing condo industry. Growth in condominium stock represents almost 25% of the total growth in home ownership. Condos now make up 13.6% of owner households in London.

As many MPPs have already noted, condos are a popular choice for young people, especially young women, who are just getting into the housing market, and also for retirees on fixed income. This is certainly the case in London.

The most recent housing market outlook for the London CMA, which came out in the spring of this year, projects higher condo apartment and row house starts for the London area over the next two years because of the shortage of affordable existing homes for first-time homebuyers. The London St. Thomas Association of Realtors also reports an upturn in condo sales this year, a 9% increase between 2013 and 2014.

One of the unique features of London's condo sector is that almost 70% of our existing condominium stock is row houses or single detached homes, and this is more than any other CMA in Canada. This statistic is changing as new high-rise condo construction is approved, but what it means is that many of the disputes that come to my office concern issues around inadequate property maintenance and lack of upkeep, in addition to complaints about shoddy construction.

#### 1010

As MPP for London West, my focus is to make sure that the issues that have been raised with me by constituents are actually addressed by Bill 106. One of my constituents wrote, "Under the current act, if the directors of a corporation fail or refuse to enforce corporation bylaws and declarations, unit owners have little in the way of legal recourse to correct the situation.... Meanwhile, those unit owners who have read, understood and have abided by the bylaws sit helplessly to see their property values decrease because the corporate culture has led to a libertarian free-for-all." This constituent went on to say that he lives in such a place as he has described. His "property values have declined and few residents seem to notice or care." The directors "have been in place for a long time and at least two of the three directors have fully embraced the free-for-all approach." This constituent was told, by one of the directors, "We have no rules."

He goes on to say, "Under current law, if I were to sue the directors, I would be required to pay their legal fees as well as my own, then, if they were found to have breached the Condominium Act ... they would be fined, and all the residents would have to pay their fine!"

Another constituent told me, "My issue is that every year fees go up—and often the administration fees that the manager charges also go up.... Is there any legislation controlling the manager administration fees? If not, this is something that should be subject to legislation. Seems to me the managers, if not regulated, just have a licence to print money!"

Speaker, these are just some of the examples of the concerns that constituents have brought to my office.

The most troubling case that has come to my attention most recently is that of Barry and Nicole Cotton, constituents in my riding of London West, who have seen their retirement savings destroyed—their condo invest-

ment vanish out the window—because of a developer's neglect and failure to comply with condo legislation.

Barry and Nicole recently retired. They moved to London from Sudbury in 2010, and they purchased a unit in a 10-unit condo development in London West. At the time of their purchase, two of the other 10 units had been sold. A fourth unit was sold the following year. So four of the 10 units since 2011 have been owned by other condo owners. The developer kept control of the remaining six units. The developer and partners in his company made up the condo board of directors, and the Cottons' nightmare began almost immediately.

They have told me, "We observed with growing concern and anxiety the inept and unprofessional management of the development in terms of lack of maintenance of the common elements, failure to complete and maintain the unsold units, financial mismanagement and failure to diligently market and sell the six unsold units of the condominium.... Over time, the appearance of the development has gone from an 'in-development' look to being seen as derelict and even abandoned."

Conditions continued to deteriorate, and in May 2015, the Cottons met with a realtor to request a comparative market analysis. The realtor told them that a CMA would be useless, as he would not accept a listing of any unit at this location, nor steer any clients to the development. In other words, their home was now worthless.

In 2014, Barry and Nicole became president and secretary-treasurer of the condo corporation and finally gained access to the financial records. They found that no condo fees had been paid on the developer's six units since 2008; no reserve fund study had been obtained. The Cottons went ahead, completed a study and learned that the reserve fund deficit is now almost \$80,000. The Cottons' only option is to bring court action against the developer, which their lawyer says would be a long and expensive endeavour with no guarantees of success or restitution if the corporation succeeds. The Cottons' question to all of us in this House is, "How can this happen in this country, in this province, in this day and age?"

When faced with these very difficult and problematic situations, the only recourse that condominium owners and directors have is litigation involving extensive resources in terms of time, money, stress and worry on the part of those involved.

I wish I could tell the Cottons that Bill 106 would ensure that no one would ever be taken advantage of in the way that they have wound up in London West. Unfortunately, I can't say this. Bill 106 does not include developers. It does not allow condo owners to use the condo authority tribunal to resolve the kind of disputes that the Cottons have found themselves in.

But what I can say to the Cottons is that New Democrats—my colleagues and I on this side of the House—will be pushing for changes to Bill 106, to put the interests of condo owners ahead of the interests of developers and condo managers, and to give condo owners the full

protections they deserve under the condo law in this province.

Thank you very much, Speaker. I look forward to questions and comments from members.

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you very much.

*Second reading debate deemed adjourned.*

**The Deputy Speaker (Mr. Bas Balkissoon):** This House stands recessed until 10:30 a.m.

*The House recessed from 1016 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. Jeff Yurek:** Speaker, I have two constituents here today: Steve Abdey and Ange Thompson. Welcome to the Legislature, and I look forward to hearing some answers today.

**Hon. Yasir Naqvi:** I had an excellent opportunity, along with the Associate Minister of Finance, to have a meeting with the Emerging Leaders Network, which is part of a CivicAction round table.

I just want to introduce some members of the network who have joined us here at Queen's Park. Please welcome Raynold Wonder Alorse, Michelle Edmunds, Samuel Getachew, Todd Hofley, Alex Lach, Shari Mackay, Hassaan Qureshi, Joel Wolch, Myra Khan, Jodie Rawn, Adrienne Yiu, Stephen Hockey, Prakash Amanasooriya and Helena Skrinjar.

Welcome to Queen's Park.

**Mr. Bill Walker:** On behalf of the great member from Sarnia-Lambton, it's my pleasure to introduce Janice and Brittany Veen.

**Mr. Paul Miller:** I'd like to introduce Damian Albanese, director of transportation for the region of Peel, Ken Chartrand from the traffic department and a large group of their fellow employees.

**Mr. Bob Delaney:** On behalf of page captain Krishaj Rajbhandari, I'm pleased to introduce his mother, Jasmine, and his sister Isha. They will be in the public gallery this morning. Welcome to Queen's Park.

**Hon. Mitzie Hunter:** I am very pleased to rise today and join my colleague in welcoming CivicAction's Emerging Leaders Network.

As the former co-chair of the ELN for seven years, I know the important work that you're doing to build a great city region. Thank you so much for taking the time to come here today.

## APPOINTMENT OF HOUSE OFFICERS

**The Speaker (Hon. Dave Levac):** Having filed the appropriate paperwork, I am prepared to hear the argument from the member from Timmins-James Bay.

**Mr. Gilles Bisson:** I just want to lay this out as succinctly as I can without too long of a time here. I want to start off by saying that the process of appointment of officers of the House in this Legislature has evolved over a period of time. It used to be at one time that the

appointment of officers of the House was more or less done by the government majority. That was found not to be an effective way to appoint officers of the House because people understood that an officer of the House represents the House, not just the governing party. So over the years, we have moved to a system of consensus, where members of the Legislature, through their political parties, each put one person on a hiring committee. There is a very good public process with regard to advertising for those who want to apply for a position, there is an interview process that goes through, and in the end a consensus is reached and a candidate is put forward.

But here is the key: What we have evolved to and what we have ended up with is, once the decision is made, we have moved by way of having a motion in the House—and why that is important is because we recognize that in this ever-evolving process, these officers of the House do not answer to one political party. They do not certainly answer to the government. They are officers of the House and answer to all of us.

That's why we have evolved this process. Yes, I'm sure you can look in precedents where, in the past, officers of the House were appointed by a government majority and, yes, at times, even by order in council. But the issue is we have evolved to a different process over the last number of years.

I can tell you, in my time here, now 25 years, the process has become quite a good process by which the three parties come to an agreement, the candidate selected is agreed to by the three parties, and a motion is brought to the House, normally by way of unanimous consent, but it could be a substantive motion.

The point is that it's the House that makes the decision about who that person is going to be, and it's conferred by the House. The reason that is, as I said, is because that officer of the House, at the end of the day, has to answer to the House and is an officer of this House and not of the government.

The second thing I want to say is our standing orders are silent on the issue of the appointment process. When these standing orders are silent, we then move to practices and precedent in order to guide us in our deliberation and our decisions about how things have been done. When we look at our standing orders—I'm sure the government House leader will get up and say the same—there is nothing in our standing orders that is going to say this is the process by which we do an appointment of whatever officer of the House. It is left to the practice of the House.

I want to make this point, and it is important: Yes, in the past, some 25, 30, 40 years ago, when officers of the House were first introduced as a concept, those were appointed by a majority, and they were appointed by OIC, and they were appointed by a vote in the House by the majority of the government.

But over the years, we have changed that process, and I will argue—and I think every member in this House will agree—it has served us well. We have had a cadre of officers of the House that have done an exceptional job in

representing the interests of Ontarians, number one, and number two, have done so in a way that has been able to be supported by all members of this House because we have given confidence to those particular officers of the House. So that is an important point to make.

Back in May of this year, we were in a position where Monsieur Marin, the then Ombudsman, needed to be extended, so that we could go through our process. If you remember—I just want to make this point very quickly—we New Democrats, as a party, said we should extend him by six months. The reason we said that is because practice has shown us in the past that, at times, it does take six months to make an appointment. You go through an interview process. A candidate is selected, in some cases, and the candidate decides not to take the job and you have to start all over again. We had to do that, I believe, in the case of the FAO. We have had cases where we have interviewed people, and we have not been able to get to a consensus, and we have had to go back and restart the interview process all over again.

So we know, by practice in this place, it has taken sometimes more than the three months or the two months that the government tried to give us by way of the motion of May 28. That's why New Democrats wanted the six months in the first place, because we knew that the government had an agenda and their agenda was to get rid of Monsieur Marin—and fair enough, if that's how they felt. They have the right to feel that. I don't agree, and I think most Ontarians don't agree, but that's what that was all about.

My point is that once we got to September 14, where that order extending the appointment of the then current Ombudsman ended, the government had an obligation to this House. That obligation, as far as I'm concerned, is based on the evolving process that we have established in this House when it comes to the appointment of officers of the House, where if we had to appoint a temporary Ombudsman—and I will argue there are arguments on both sides of this, and I'm sure that we can get different opinions on the legislation. But I'm not going to comment on the legislation because as you know, Mr. Speaker, and I know, you have no authority to rule on the legalities of the Ombudsman Act and whose interpretation—mine or the government House leader's—is correct.

But the issue is that once a consensus was not reached, and a temporary Ombudsman was thought to be necessary by the government, it had an obligation to respect this House and to come to us with a motion. Now, if the government didn't think that was the case, they would have never tried to move a unanimous consent motion in this House. The government knew that New Democrats were not going to support the unanimous consent motion, but the government chose not once, not twice but three times to move a unanimous consent motion in the House, which indicates to me they understood that they needed a motion in the House.

1040

Somehow or other they went back and they concocted that, "Well, we can do this by order in council." Fine.

Maybe they can; maybe they can't. The point is that this House has established a practice over the last 20 or 25 years where we've evolved the practice that appointing officers of the House is done not only by consensus but by an order of the House. If the House was not in session—yes, there is a provision if the House is prorogued for the government to be able to make an appointment by OIC.

I argue that not only was the House in session, but we were sitting. It wasn't as if the government didn't have an opportunity to move a substantive motion should they have not been able to pass the unanimous consent motion. Yes, there would have been a debate, Mr. Speaker, but that's called democracy. The members of this House have a right and an obligation to be able to express their views on a particular point, in this case, the office of the Ombudsman. We, as New Democrats, may not have taken the entire time that we could have taken—the six and a half hours—before the government time-allocated the motion.

The point is that you've got to respect this assembly. My argument—why I argue that this is an affront to our Legislature and further is a question of a prima facie case of contempt—is that we've established a practice over the last number of years where officers of the House are not only chosen by consensus but in fact are appointed directly here by a motion of the House.

**The Speaker (Hon. Dave Levac):** New information—

**Mr. Gilles Bisson:** I'm just about done.

I would ask you, Mr. Speaker—and I'm not going to read it because I know that you want me to sum up, but I want you to go back and read page 249 in—as we call it, our bible—the House of Commons Procedure and Practice. There is an interesting point here in regard to the rights of the minority. The government, yes, at the end of the day, has a majority, and they have the right to not only set the agenda of the House, but they also have a right to be able to pass their agenda by virtue of their majority. But they have an obligation to listen to the arguments from the opposition.

The government, by moving by OIC, order in council, took away the ability of the members to be able to have their say. I would argue, Mr. Speaker, that being the case, this government should be found in contempt.

**The Speaker (Hon. Dave Levac):** Further comment?

**Hon. Yasir Naqvi:** Thank you very much, Speaker, for giving me the opportunity to respond to the member from Timmins–James Bay.

We find ourselves in this position today because of the unnecessary refusal of the New Democratic Party to appoint a temporary Ombudsman while the hiring panel continues its work.

First of all, I believe that the member from Timmins–James Bay is out of time to bring this point of privilege. The first opportunity for the member to rise on this point of privilege was yesterday morning during question period.

In any event, the member from Timmins–James Bay's point of privilege is entirely without merit. The govern-

ment has in no way disregarded the authority or dignity of the House or its members. On Monday, Speaker, the House had three opportunities to vote to appoint an acting Ombudsman in order to prevent a vacancy in the Ombudsman's office. Each time, the NDP refused my request for unanimous consent. In these circumstances, the rights of the House are set out in section 3 of the act and deal with the appointment of a full-term Ombudsman.

The appointment of Ms. Finlay, pursuant to section 7 of the Ombudsman Act, does not interfere in any manner with the selection of a full-term Ombudsman or with the House's right to pass an address for that appointment. Speaker, even if you were to accept that these circumstances could give rise to a point of privilege or contempt, its determination would depend entirely on the interpretation of the Ombudsman Act.

The member from Timmins–James Bay's argument for contempt is based on his belief that all appointments of temporary and permanent officers must be done by address of the assembly unless the Legislature is not in session. This assertion is incorrect. In any event, the member's argument depends entirely on his own interpretation of the Ombudsman Act.

In order to find in favour of the member from Timmins–James Bay, you must first conclude that it was not open to the government to use the powers under section 7 to avoid a vacancy. This would require you to make an interpretation of the act. It is widely understood that Speakers do not address legal issues or interpretation of laws. This has been confirmed by many Speakers' rulings, including the April 19, 2010, ruling by Speaker Peters.

Even if the Speaker were to engage in statutory interpretation, I respectfully submit that section 7 is clear. The condition that the House not be in session applies only to the death or resignation of the Ombudsman. The condition that the Ombudsman be unable to perform the functions of the office is not limited to occasions when the House is recessed. The appointment of Ms. Finlay as acting Ombudsman by the Lieutenant Governor in Council was made pursuant to section 7, due to the inability of the Ombudsman to act because of the expiration of Mr. Marin's term in office.

The fact there was a vacancy after Mr. Marin's term expired is due entirely to the actions of the opposition. The Ombudsman Act makes it mandatory that an Ombudsman be in place. According to section 2 of the Ombudsman Act, an Ombudsman "shall" be appointed. Section 7 is in place to ensure that a vacancy does not occur.

The application of section 7 in these circumstances protects the rights of the House because it ensures the office does not become vacant while the assembly is completing its work. The application of section 7 did not circumvent parliamentary processes, as the member from Timmins–James Bay suggests. Whether a particular process was required can only be determined by looking at the Ombudsman Act, not general practices or conventions of the House.

The member from Timmins–James Bay has also cited section 26 of the Ombudsman Act in furtherance of his argument that the appointment of Ms. Finlay was not necessary. According to the member, section 26 allows the office to function when there is a vacancy. Section 26 of the Ombudsman Act allows the Ombudsman to delegate his powers to employees within his office. It is not intended to not address vacancies. The purpose of section 26 is simply to allow the Ombudsman to determine how his or her responsibilities will be carried out, including during temporary absences. Although delegations may survive the expiration of an Ombudsman's term, the provision only operates when a delegation has been made. We have no knowledge as to whether such a delegation was made in this case. Therefore, the member's assertion that the section allowed the office to continue is incorrect.

In any event, section 26 does not permit an Ombudsman to delegate his power to table reports. The ability to prepare and table reports is a fundamental role of an Ombudsman. The absence of this power would be a significant impediment to the work of the office and the Legislature. For these reasons, Speaker, we request that you rule against the point of privilege raised by the member from Timmins–James Bay.

**The Speaker (Hon. Dave Levac):** The member for a very short comment.

**Mr. Gilles Bisson:** Very short, two points: For the government to say we had unnecessary opposition from our side I think speaks to the problem. They think they can do what they want.

Here is the point: The government, by its own actions, on the Tuesday moved a motion of the House by unanimous consent in order to extend the temporary Environmental Commissioner. If the government thought it had the power to appoint by OIC anybody that it wanted, it would have moved on an OIC for the temporary Environmental Commissioner that we did here on Tuesday. So it's clear that the government knew they were going to have a debate in the House, and they tried to escape the debate by going by way of OIC. I would argue, Speaker, that is an affront to this Legislature, and that's the crux of why we believe you should rule in favour of—

**The Speaker (Hon. Dave Levac):** Thank you.

Further comment? Seeing no further comment, I thank the members for their presentations and will reserve my judgment for the future.

## ORAL QUESTIONS

### SENIORS' HEALTH SERVICES

**Mr. Patrick Brown:** My question is for the Deputy Premier. Right now there are 35,000 long-term-care beds that do not meet provincial standards. Ontario seniors deserve the highest standard of safety, security and

dignity. These beds don't meet that. That is more than half of the province's long-term-care beds that don't meet standards. Yet the Liberal government has cut \$54 million from the health care budget this year alone. The government continues to erode the fragile state of health care in Ontario.

**1050**

Why does this government care so little for Ontario's most frail and vulnerable? Why are seniors allowed to live in conditions deemed unfit by their very own government?

**Hon. Deborah Matthews:** I just need to clarify before I hand it, in the supplementary, to the associate minister responsible for long-term care. I need to make it very clear that the health care budget has not been cut. Any suggestion that the health care budget has been cut is absolutely erroneous. It is—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order.

Finish, please.

**Hon. Deborah Matthews:** Speaker, it increased last year, this year and will continue to increase—unlike the transfers from the federal government related to health care that the member opposite stood and applauded when he was an MP.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Patrick Brown:** Again to the Deputy Premier: Ontario's senior population is expected to double to over 4.5 million by 2041. Yet the response of this government is to cut \$50 million from physiotherapy, seeing falls rise dramatically.

We've seen home care cut to Ontario's seniors. Nursing jobs have been slashed across the province. Entire hospital wings have been closed. There are already 800,000 Ontarians without a family doctor, yet the government is callously cutting 15 medical residency positions. When will this government ensure that seniors get proper health care in Ontario?

**Hon. Deborah Matthews:** To the Minister of Health and Long-Term Care.

**Hon. Eric Hoskins:** Mr. Speaker, nothing could be further from the truth. As the Deputy Premier just mentioned, the health care budget in this province for years has increased. It's increasing this year, it's increasing next year, the year after that and the year after that.

Within that budget, we're making important decisions to continue to improve the quality of care of patients across this province. We've made a significant investment last year to respect and recognize the valuable role that our personal support workers play in the province, where almost \$100 million of additional funds are going to improve their standard of living. The changes that we made to physiotherapy, resulting in 200,000 more seniors receiving physiotherapy services, let alone, as I mentioned yesterday, an extension of public physiotherapy across the province—we continue to make these improvements. I think he's reflecting on the Conservative government's—

**The Speaker (Hon. Dave Levac):** Thank you. Final supplementary.

**Mr. Patrick Brown:** Again to the Deputy Premier: This fall, Orillia Soldiers' Memorial Hospital—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Glengarry–Prescott–Russell, come to order.

**Mr. Patrick Brown:** This fall, Orillia Soldiers' Memorial Hospital will be closing one of their operating rooms. The hospital will have seven fewer beds in complex continuing care. Sadly, they'll be forced to the geriatric day unit. The nursing cuts are sure to follow—all because the government will not fund the \$5 million they need to keep the operating rooms and the beds working in Simcoe North.

Mr. Speaker, I'm not asking the government for more rehearsed lines or rehashed photo ops; I'm asking a direct question. Will they honour the \$5-million critical shortfall at Orillia Soldiers' Memorial Hospital?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

Minister?

**Hon. Eric Hoskins:** The member opposite, the leader of the official opposition, should know that we've increased our funding to hospitals across this province by 50%, from \$11 billion a decade ago to \$17 billion today. That's a substantial increase and it's resulting in improved patient care throughout the province, including in Orillia.

I know the comments of his predecessor and those who came before him with regard to our nurses. We're committed to our nurses in the province. We've added more than 24,000 more nurses, including 10,800 RNs in this province over the past decade.

We're committed to continuing to grow our health care system—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock. There's been some engaging of conversations between people who are sitting near the minister and those who are making comments haphazardly. I'm asking for all of us just to listen to the question and answer.

Please finish.

**Hon. Eric Hoskins:** The party opposite never even bothered to measure wait times for important surgical procedures in this province. We began to measure those wait times. When we began to measure them, we found we'd inherited the worst wait times in Canada. We now have the best wait times, the shortest wait times, in the entire country.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please.

**Ms. Lisa MacLeod:** Don't let the facts get in the way, Eric.

**The Speaker (Hon. Dave Levac):** The member from Nepean–Carleton will come to order.

New question.

## PAN AM GAMES

**Mr. Steve Clark:** My question is to the Deputy Premier. Ontarians are disgusted about huge bonuses awarded to well-paid Pan Am executives. Handing up to \$450,000 to people already paid at least a quarter of a million dollars earns this government a gold medal in being out of touch, especially when we see hospital services slashed, people struggling to find home care or long-term care, and so many families unable to make ends meet.

We don't even know what the games cost, but in world-record time, this minister opens the vault to those who have already cashed in. Will the government do the right thing by issuing an immediate stop-payment on these obscene bonus cheques?

**Hon. Deborah Matthews:** The minister responsible for the Pan Am/Parapan Am Games.

**Hon. Michael Coteau:** I'd like to congratulate the member opposite for being the new critic for tourism, culture and sport.

I want to start by saying this: I had an incredible summer out there across the province, meeting our athletes and getting into different communities. In fact, the best way you could have met with a Conservative this summer was to show up to a Pan Am game in one of their communities, because they were there the whole time.

But the story is very different here in the Legislature. From the very beginning, the Conservatives have been attacking these games. They said we weren't going to be able to sell any tickets. We sold over a million tickets for the Pan Am Games.

My former critic said no one was cheering for these games, but 1.4 million people attended our celebrations throughout the province. More than 31 million Canadians tuned in, either through the television or radio, for the Pan Am/Parapan Am Games.

**The Speaker (Hon. Dave Levac):** Thank you. The member from Leeds–Grenville on supplementary.

**Mr. Steve Clark:** Back to the Deputy Premier: I have to say, Minister, don't put the athletes and the attendees—we're talking about your mismanagement of the operation of these games.

The minister and the Premier can't even get their stories straight. The minister says the games were under budget, but the Premier admits they don't know yet. Look, the truth is, these games only posted the \$50-million savings claimed by the minister because of a \$74-million bailout from taxpayers. By my math, that's a \$24-million deficit—another reason why these bonuses aren't deserved.

Speaker, in the interests of open and transparent government, will the government support my request to bring in the Auditor General and put these bonuses on the bench until we get the real costs?

**Hon. Michael Coteau:** First point: The \$56 million that we reported as a surplus for infrastructure was reported—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Renfrew will come to order. I'm tempted to move right into the warnings, but I'll give you a chance.

Carry on.

**Hon. Michael Coteau:** The \$56-million surplus in infrastructure was reported months and months ago at our technical briefings that these guys didn't show up at to actually get the information.

In addition to that, the member opposite knows that the compensation package and the bylaws and the rules and regulations around TO2015 was a three-government process. In fact, the Leader of the Opposition's government was part of that process. So I don't understand why it was good enough for the Leader of the Opposition before, when he was in Ottawa, but why it is bad now.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Mr. Steve Clark:** Back to the Deputy Premier: Public elementary school teachers are still without a contract. There are 800,000 Ontarians without a family doctor, and you're currently clawing back doctors from seeing new patients. Wait times for long-term care have tripled since 2005, and this government slashed \$54 million from the health care budget—all of that, and the Premier is giving Pan Am executives a bonus.

Mr. Speaker, does the government have no shame or just the wrong priorities?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Stop the clock. Be seated.

Minister?

1100

**Hon. Michael Coteau:** I want to talk a little bit about the compensation structure again. It was developed on the advice of a third-party consulting firm that was brought in, and it's based on attracting the right type of people over a short period of time to really deliver—

*Interjection.*

**The Speaker (Hon. Dave Levac):** Carry on, please.

**Hon. Michael Coteau:** —to be able to deliver the type of games that would make Ontarians proud. This was a large budget, a \$2.5-billion budget. The Ontario government put in a substantial amount; the federal government put in a substantial amount; the municipal government put in a substantial amount. Really, we wanted to attract the best and brightest from across this country to help us deliver the best type of games, and we were able to accomplish that.

## PRIVATIZATION OF PUBLIC ASSETS

**Ms. Andrea Horwath:** My question is to the Acting Premier. The Premier is plowing ahead with her scheme to sell off Hydro One. She is ignoring 83% of Ontarians, who want to stop this privatization scheme and keep our hydro in public hands. But rather than listening, the Premier is doubling down on the biggest privatization in this province since Mike Harris.

How can the Liberals defend the sell-off scheme when they have no mandate, they have no public support and no evidence whatsoever to sell off Hydro One?

**Hon. Deborah Matthews:** I think the leader of the third party will recall that this actually was in our 2014 budget. This was in our election platform. It actually was in their platform as well, because they used our fiscal assumptions to develop their plan.

Looking at assets is the responsible thing for a government to do. We have a very strong need to build the infrastructure for the future—for today and for the future. That infrastructure must be paid for. We have looked at ways in which we can pay for that infrastructure. But make no mistake about it, the infrastructure is required.

So I am just asking the leader of the third party exactly what infrastructure projects she is recommending that we not proceed with, because the only choice is, you build them and pay for them, or you don't build them at all.

**Mr. Paul Miller:** Gas plants, Ornge, gas plants, eHealth.

**The Speaker (Hon. Dave Levac):** The member from Hamilton East–Stoney Creek, come to order, please.

Supplementary?

**Ms. Andrea Horwath:** I can guarantee the Deputy Premier that this party, the New Democratic Party, is probably the only party in this Legislature that would never privatize Hydro One—not today, not tomorrow, never.

But that party and that Premier and that Liberal government are in fact determined to sell off Hydro One. But to get away with it, they need to keep Ontarians in the dark. That's why the Premier stripped Hydro One of oversight. That's why she removed the ability of our public watchdogs to look into Hydro One and to look out for the people of Ontario. And that's why she refused to let Ontarians have their say in public hearings or in a referendum.

How can this Liberal government defend the biggest rollback of accountability in the history of our electricity system?

**Hon. Deborah Matthews:** I'm happy to refresh the memory of the leader of the third party. In their nine-page platform, the NDP borrowed our plan, including our plan to maximize the value of our assets. In an interview with Newstalk 1010 radio, the leader of the third party said, on May 7, "There's no doubt we did talk in our platform about looking at some of the physical assets that the province owns." During the campaign, they talked about looking at assets. After the campaign, when they put their finger in the wind, now they are opposed.

We need to build this infrastructure. The people of the province are counting on us to build—

*Interjections.*

**The Speaker (Hon. Dave Levac):** The shouting is going back and forth enough that I'm asking for you to bring it down.

Final supplementary.

**Ms. Andrea Horwath:** I have asked the Premier over and over to come clean with Ontarians about the sell-off

of Hydro One, but the Premier stubbornly refuses to bring any openness, any transparency, any accountability to her scheme. She has stripped Hydro One of oversight. She refuses to provide any evidence, to release any evidence to the public to back up her scheme. She's plowing ahead with a sell-off that Ontarians overwhelmingly reject.

Why does this Acting Premier believe that Ontarians should be kept in the dark about the single biggest privatization scheme in a generation?

**Hon. Deborah Matthews:** Speaker, when it comes to transparency, let me review the record on that. You will recall, as I said earlier, that this was included in our 2014 budget. It was included in our platform. It was included in their platform.

The advisory council issued an interim report and a final report, both publicly available. We have held a technical briefing, and the member from Kitchener–Waterloo attended that technical briefing. To further ensure transparency, we have brought in Denis Desautels, the former Auditor General of Canada, to oversee the IPO.

The member knows full well that publicly traded companies are subject to different oversight mechanisms than crown corporations. However, the new Hydro One will be regulated by the Ontario Business Corporations Act, the Ontario Securities Act and the Ontario Energy Board. They will have to file information with the Ontario Securities Commission and disclose the compensation of their top executives, Speaker—

**The Speaker (Hon. Dave Levac):** Thank you. New question.

#### PRIVATIZATION OF PUBLIC ASSETS

**Ms. Andrea Horwath:** My question is to the Acting Premier. The Premier, and now the Acting Premier, are desperately trying to justify their sell-off of Hydro One. The Premier wants us to believe that she had no choice but to privatize hydro, but she could not be more wrong, Speaker.

The Liberals had better choices, smarter choices, and every opportunity to make them, but they failed to make the right choice for Ontarians. Now this Liberal government fears nothing more than public scrutiny of the Premier's bad decision.

Will this Acting Premier explain to Ontarians why openness and transparency and accountability are the biggest threats to the Premier's privatization scheme?

**Hon. Deborah Matthews:** We are investing in infrastructure because this province needs that investment—make no mistake about it. We're committed to making the largest investment in infrastructure in Ontario's history: \$130 billion. Speaker, that's not just about roads and bridges and transit; that's about jobs. That's 110,000 jobs a year that we will be creating as a result of these investments.

The leader of the third party needs to understand that not investing has consequences. There is a cost to not investing. Again, we're asking, what are you going to can-

cel? Regional express rail: Over 10 years, weekly GO rail trips will go from 1,500 to nearly 6,000; on the Barrie line, weekly trips from 70 to more than 200; on the Kitchener line, weekly trips from 80 to more than 250; Lakeshore East line—but maybe it's the Hamilton line that you want to—

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary?

**Ms. Andrea Horwath:** The Premier has run out of excuses. All those government members on the backbenches are going to have a tough time defending the sale of Hydro One because the Premier could have made a better choice to build the transit and—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Finish, please.

**Ms. Andrea Horwath:** The Premier could have made a better choice to build the transit and infrastructure that our province needs, and every single one of those backbenchers knows it, Speaker. Instead, the Premier deliberately chose to hand Hydro One to the highest bidder, and they know that as well. She deliberately chose to sell off a public asset against the will of the majority of the people of Ontario, and they know that, too. She deliberately chose to protect her small group of powerful friends.

Will the Acting Premier do the right thing and admit that openness, transparency and accountability are the biggest threats to this Premier's scheme?

**Hon. Deborah Matthews:** What we are doing is creating new assets. We are creating those assets that are needed for today. Yes, it's true that 140 years ago, Sir Adam Beck from London, Ontario had a vision. He saw what Ontario needed at that time in history, and they needed electricity, Speaker. The government of the day acted on that and built that electricity system. The government of today sees that we need to build infrastructure, whether it's connecting—

*Interjection.*

**The Speaker (Hon. Dave Levac):** Member from Prince Edward–Hastings.

Carry on.

1110

**Hon. Deborah Matthews:** Whether it's Highway 7 between Kitchener and Guelph, whether it's Highway 401 improvements in London, Highway 417 in Ottawa, Maley Drive in Sudbury, Highway 11/17 between Thunder Bay and Nipigon, all of these investments are needed. They are needed now. We are building them now. We have to pay for them, and that's why we are taking assets that we have and investing in new—

**The Speaker (Hon. Dave Levac):** Thank you.

That's it, I think—

**Ms. Andrea Horwath:** Speaker, I think I have one more part of my question.

**The Speaker (Hon. Dave Levac):** Sorry about that. You're right. Final supplementary.

**Ms. Andrea Horwath:** This Premier had better choices, but she made the wrong decision for the people of Ontario. Her privatization scheme protects her small

group of her powerful friends from paying their fair share and leaves families and businesses paying the price for decades to come. Instead of asking the biggest corporations to pay just a little bit more to help tackle congestion and build infrastructure, this Premier is plowing ahead with a massive privatization scheme. This Premier is following in the footsteps of Mike Harris.

Now, will this Acting Premier finally admit that openness and transparency and accountability are actually the biggest threats to the Premier's privatization scheme?

**Hon. Deborah Matthews:** Speaker, the NDP are, I think, famous now for having one solution to every problem: No matter what the issue is, their answer is increased taxes on corporations. That is a refrain that the federal leader has joined in on as well.

We are taking a more sophisticated approach. We are taking a number of strategies to pay for this infrastructure. But let's go back to what we are actually investing in: the Stouffville line, the Milton line, the Richmond Hill line, support for SmartTrack, \$1 billion for Hamilton LRT. We're doing an EA for high-speed rail from Toronto to London—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Hamilton East–Stoney Creek, second time.

**Hon. Deborah Matthews:** We've got investments for rural and northern gas expansion. That is a vital investment. Communities are asking for help on the Connecting Links Program, and we are responding to that.

Speaker, these are important investments. These are wise investments, and we're prepared to make the decisions—

**The Speaker (Hon. Dave Levac):** Thank you. I apologize to the leader of the third party for losing track.

New question.

## HOSPITAL FUNDING

**Mr. Victor Fedeli:** My question is for the Deputy Premier. Once again, health care in my riding was put at risk by a second round of cuts made by this Liberal government: 158 full-time, front-line staff have been fired from the North Bay Regional Health Centre. More than half of them were nurses. This is on top of the 197 front-line health care workers already fired at the hospital. Again, more than half of those were nurses. This is devastating for the community, the workers and their patients who are now rightfully concerned about access to quality health care.

Speaker, do the Liberals have any remorse whatsoever over squandering \$1 billion on the gas plant scandal—money that could have been used?

**Hon. Deborah Matthews:** To the Minister of Health and Long-Term Care.

**Hon. Eric Hoskins:** I'm happy to talk about North Bay regional hospital as well—the new hospital that was built and opened four years ago as a result of a capital investment by this Liberal government.

When that hospital was built and when it amalgamated with a site in Sudbury as well, it was determined and found by the hospital, as well as the LHIN, that certain issues needed to be right-sized. In fact, the efficiencies of the hospital were lower for certain programs and services and the costs were higher than other similar hospitals in the north or other hospitals around the province.

What's been under way for the last several years is to actually take account of the fact that the expenses and lack of efficiency of the hospital needs to be addressed, so that quality of care, which I can speak to in the supplementary, is maintained, but the hospital is as efficient as it can be.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Victor Fedeli:** Back to the Deputy Premier: Nothing he said gives any comfort to the people of North Bay. In this new hospital, they just closed 60 beds—in this brand new facility that he spoke of.

They're not just cutting in my riding, Speaker. Hundreds of nurses and front-line health care services have been cut in hospitals right across Ontario: Leamington, Chatham, New Liskeard, Timmins, Sudbury, the Sault, Orillia, Quinte, Scarborough and, just this week, we learned that front-line cuts in Ottawa led to higher re-admission rates.

The Auditor General warned that this Liberal government's continued deficits will lead to the crowding out of important programs. We now know exactly what the auditor was referring to. What is this Liberal government going to do about the deteriorating health care services in North Bay?

**Hon. Eric Hoskins:** This is ironic coming from the party that ran on a platform of cutting 100,000 public sector jobs in the last election. Funding—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock. Order, please. Start the clock.

*Interjection.*

**The Speaker (Hon. Dave Levac):** I'm not amused.

Please finish. Wrap up.

**Hon. Eric Hoskins:** Funding for the North Bay hospital—

**Mr. Victor Fedeli:** Continue to cheer the firing of 350 people.

**The Speaker (Hon. Dave Levac):** The member from Nipissing, come to order.

**Hon. Eric Hoskins:** —has increased by over \$100 million since 2003, an increase in funding of 128%. We've also provided the hospital—

**Mr. Victor Fedeli:** Babble, babble, babble. You fired 350 people.

**The Speaker (Hon. Dave Levac):** Actually, that's your time. And the member from Nipissing, second time. New question.

#### BY-ELECTION IN SUDBURY

**Mr. Jagmeet Singh:** My question is to the Deputy Premier. We learned this morning that the OPP have

been trying to find a court to lay charges in their months-long investigation into the alleged bribery of a Liberal candidate in the Sudbury by-election.

It seems, though, this attempt to lay charges has been stalled. The OPP commissioner is quoted as saying that he is frustrated at the problem of trying to find a court to lay charges, but he's confident that members of the OPP have done an exceptional job.

It seems that charges are imminent, that charges will be laid. What is this government doing to ensure that this investigation isn't stalled further, so that charges can be laid and so that Ontarians can learn the truth about what happened in the bribery scandal?

**Hon. Deborah Matthews:** Government House leader.

**Hon. Yasir Naqvi:** I must say that I am very surprised to hear this question from the member opposite, who happens to be a lawyer and who presumably knows how the system works. He knows that the system is very independent and arm's-length from the government.

From day one, we have been absolutely clear that this investigation is arm's-length from the government. It is being undertaken by the proper authorities, and their processes will determine the entire investigation and the process. There is no engagement, there is no interference from the government, and that is absolutely clear, so I am not sure what the member opposite is trying to ask, except that he is trying to interfere. He is seeking interference from the government in an arm's-length process, which is totally unacceptable.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Jagmeet Singh:** I'm sure the government agrees that the OPP do phenomenal work in our communities, and they've done an exceptional job here. They seem to think that a case is made that there is enough evidence to proceed to charges against a senior member of the Premier's office.

The Liberal government has repeatedly promised that they will be an accountable and transparent government. The people of Ontario want and demand a transparent and accountable government, so when there's an allegation of something as serious as bribery involving a senior official in the Premier's office, it raises some serious questions, and Ontarians deserve to have those answers.

We are hopeful that a criminal investigation, and now a potential upcoming criminal prosecution, will provide those answers, but we need assurances that the government will provide the necessary support and resources to ensure that this investigation proceeds to a prosecution. Will this government commit to providing support to this investigation?

1120

**Hon. Yasir Naqvi:** I've never heard a question with as many ifs and mayes and coulds and maybes and shoulds and woulds as I just did in this question.

It's absolutely clear that this is an arm's-length investigation, at arm's length from the government. No charges have been laid at this point. Speaker, let me be absolutely clear that when it comes to any elements of

prosecution, this matter is in the hands of the Public Prosecution Service of Canada. It is not being dealt with by the Ministry of the Attorney General. From day one of this investigation, we moved this entire process into the hands of the Public Prosecution Service of Canada, which is part of the federal ministry of justice. This is at arm's length, Speaker.

All the resources of the processes in the system are always available. I urge all the members, especially members like the member opposite, who happens to be a lawyer, to respect the process and don't urge the government to interfere in the process.

### CULTURAL DIVERSITY

**Ms. Indira Naidoo-Harris:** My question is for the Attorney General. As recently as Tuesday, I have been reading newspaper articles and hearing public outcry regarding a recent Federal Court of Appeal decision that was handed down. My constituents in Halton, as well as myself, would like some clarification about the case.

I understand that the federal appeal court ruled from the bench that the federal government's policy of forcing face coverings such as niqabs to be removed while taking the Canadian citizenship oath violated the Citizenship Act.

Mr. Speaker, the act clearly states that candidates for citizenship must be allowed the greatest possible religious freedom when they take the oath. I had read that Ontario intervened, but was wondering if, through you, the Attorney General could provide some clarification on the case itself, as well Ontario's position on the matter.

**Hon. Madeleine Meilleur:** I want to thank the member from Halton for this very important question. As Attorney General of Ontario, I welcome the Federal Court of Appeal dismissal of the federal government's appeal over a ban on face coverings at citizenship ceremonies.

A guiding principle of our government is to treat everyone with dignity and respect, and to accommodate diverse identities as outlined under the charter and the Human Rights Code of Ontario. It is imperative to ensure that this principle applies to all women in our province, regardless of their religious beliefs. That is why the government of Ontario intervened before the Federal Court of Appeal in this case, in support of Ms. Ishaq's position.

For the above reasons, if leave to appeal this matter is granted by the Supreme Court of Canada, Ontario will intervene to defend the rights and freedoms we hold so dear.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Indira Naidoo-Harris:** I'd like to thank the Attorney General for her excellent answer. Now, one of the concerns I have heard from my constituents is that the federal government's insistence that women remove their face coverings for citizenship ceremonies isn't just an inappropriate position from the perspective of religious freedom; it's also inappropriate on a gender basis. The

federal government's position discriminates against women.

Mr. Speaker, can the minister please inform the House on the government's perspective regarding the gender bias inherent to the federal government's position on face coverings at citizenship ceremonies?

**Hon. Madeleine Meilleur:** Minister responsible for women's issues.

**Hon. Tracy MacCharles:** Thanks again to the member from Halton. This is a very important and serious question.

Absolutely. This federal policy—which, I'd like to note, has been struck down decisively by the court twice—is inappropriate on so many levels, and of special concern to me is the impact it has on women.

We know that women's clothing choices have often come under unwarranted attention and judgment, as a reflection of their character and trustworthiness. Whether it's a niqab or a miniskirt, that is not okay. It's simply not okay to deny the dignity and autonomy of any woman to wear what she wants—

**The Speaker (Hon. Dave Levac):** Can I please have this refer to government policy?

**Hon. Tracy MacCharles:** And it's true when the result of not complying with a federal directive—from an Ontario women's perspective, we're very concerned about this, and we support this woman as her case moves forward.

### PAY EQUITY

**Mr. Jeff Yurek:** My question is for the Minister of Community and Social Services. We all know the importance of Community Living associations throughout Ontario. They provide support and services for people with intellectual disabilities, their families and communities across the province.

Unfortunately, your government downloaded the costs of pay equity to the local level. Premiers Rae, Harris and Eves supported pay equity funding, but the Wynne government has not. Many Community Living associations are facing financial pressures in which they are unable to meet their pay equity obligation, which is resulting in the elimination of services and support in our communities.

How can you expect the many Community Living associations in Ontario to meet their pay equity obligations and still maintain a viable organization that looks after some of society's most vulnerable?

**Hon. Helena Jaczek:** Thank you to the member for the question. Certainly the situation with Community Living Elgin is one that I have become very familiar with, and our ministry is working very closely with that organization to ensure—first of all, the most important aspect of this particular situation is that individuals continue to have access to the services and supports that they require, and that partners and staff in the sector are fully supported in that work.

Certainly, the organization, which, of course, is an independent organization with its own board of directors, is a transfer payment agency of our government. They are expected by us to provide the services to the individuals and the families that require them. We are monitoring the situation at Community Living Elgin extremely closely.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Jeff Yurek:** Minister, I'm glad you mentioned my riding. Community Living Elgin has announced its plans to eliminate 17 full-time positions—64 staff cuts—as well as close the drop-in centre at the Talbot Teen Centre, eliminate the day support programming at 2 Curtis Street, and shut down a group home on East Street. This is based on a plan approved by your ministry. These cuts are a reality in part because of a deficit caused by the unfunded pay equity in excess of \$300,000.

But my riding is not alone, as other Community Living associations across the province are facing the same situation. Minister, are you going to correct your financial mismanagement by punishing those most vulnerable?

**Hon. Helena Jaczek:** My ministry is monitoring the situation at Community Living Elgin extremely closely. In fact, we're conducting a financial review of that particular organization, and it will take a number of weeks to complete that review. I want to assure everyone that, in fact, Community Living Elgin has received increasing funds from our government. They are changing some of their service provision to, in fact, include programs where workers are ensuring that there are wraparound services around individuals so that they can be more included in the local community.

This is all being monitored very closely to ensure that concerned families and individuals are satisfied with the types of services that are being provided. We will continue to monitor this situation closely.

#### TEACHERS' COLLECTIVE BARGAINING

**Mrs. Lisa Gretzky:** My question is to the Acting Premier. Parents and students deserve stability in our schools, but for more than a year this Liberal government has failed to reach new collective agreements that protect the quality of publicly funded education and respect all of our teachers and education workers.

Three hundred and eighty-two days after the last contracts expired, this Premier has no excuse—no excuse—for not being at the table and working as hard as she can to reach tentative agreements with elementary teachers and education workers. Will the Acting Premier do what the Premier has failed to do all week and send the education minister back to the bargaining table today?

**Hon. Deborah Matthews:** Well, for a fleeting moment, just a fleeting moment, I thought maybe the member opposite would stand up and say, "I'm really pleased to see that a tentative agreement has been reached with the third teachers union, AEFO." I am very proud that we now have ETFO, OSSTF and now AEFO who have

signed tentative agreements and are in the process of ratification. That is very good news for the students of Ontario and their parents.

Ontario students deserve the very best education. In fact, we are proud that we have one of the finest education systems in the world and we want to maintain that. When it comes to negotiations with ETFO, the member opposite knows that in May, ETFO decided that it did not want to negotiate. It walked away from the table in May. Finally we were able to come back on September 1. We are very interested in reaching a settlement with them, and we will continue to work when they are ready to come back.

**1130**

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mrs. Lisa Gretzky:** I'd be happy to see the government back at the table with ETFO and all education workers.

Speaker, again to the Acting Premier: The Premier and education minister have had over a year to negotiate new agreements with all of our dedicated education workers and teachers. They have failed to deliver the stability that parents and students deserve. Now the Premier thinks she can short-circuit real bargaining by trying to impose a deal and then walking away from the table. Speaker, that's not how it's done. Once again, we see that the Premier is more interested in helping the federal Liberal campaign than she is in negotiating agreements that restore stability in our classrooms.

How can the Acting Premier defend this Liberal government's failure to get back to the bargaining table, get back to real negotiations and reach agreements with all of our teachers and education workers?

**Hon. Deborah Matthews:** I can assure the member opposite that we've been working hard to reach that agreement. We did table a comprehensive approach, Speaker. We are waiting for them to respond to that approach. I can assure you that when they are ready to respond to that, we will be at the table in a nanosecond.

We want kids to be in a good learning environment. We want teachers to be free of the stress that comes with labour uncertainties. We are very motivated. This has nothing to do, from our side, with the federal government.

We are working with CUPE. We are working with other educational workers. We want that peace and stability in our classroom, and I am delighted that we have had success with OEFTA, with OSSTF and now with AEFO.

#### PAN AM GAMES

**Ms. Soo Wong:** My question is for the Minister of Tourism, Culture and Sport. This summer, I was thrilled to be one of the millions of Ontarians to be caught up in Pan Am fever. It was hard to miss, Mr. Speaker. There was something for everyone: thrilling athletic competitions, amazing musical performances and culinary experiences from across the Pan American countries.

Whether it was through the torch relay that touched 130 communities in Ontario or celebrations that were held during the games, across the province Ontarians were cheering on our athletes.

Furthermore, thousands of enthusiastic volunteers, like Scarborough–Agincourt youths Cindy Yu and Lina Ly, made the games possible. They supported the athletes and celebrated their achievements throughout the games.

Speaker, through you to the minister: Can he please inform the House about how people from the province, the country and the world participated in the Pan Am and Parapan Am Games this summer?

**Hon. Michael Coteau:** I want to thank the member from Scarborough–Agincourt for her question and also for her support for the Pan Am and Parapan Am Games. She’s absolutely right: Ontarians loved the Pan Am and Parapan Am Games.

Mr. Speaker, there was a lot of hard work put into it, and it took a lot hard work from people throughout our ministry and our partners across Ontario, but also from several members of this House. I know Minister Naqvi was responsible for coordinating a strong security plan; it was very successful. Minister Del Duca kept the region moving, and I’m very thankful for his work. Minister Duguid looked at infrastructure, and we were able to come \$56 million under budget with our infrastructure. And, of course, the Premier is a strong advocate for sports and athleticism here in the province of Ontario.

There were also members opposite who showed up to support our athletes, and I want to support the members and the opposition who showed up to support our athletes because it was very important for the success of the games.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Soo Wong:** I know that our government bid on these games not only for the incredible excitement that occurred during the games, but also to provide a legacy that would benefit our province for generations to come.

In Scarborough, we are fortunate to have a brand new, state-of-the-art aquatic centre that provides much-needed community recreation space for university students and the Scarborough community. The facility is expected to serve 1,000 to 1,500 students per day from the University of Toronto’s Scarborough campus. This facility will provide a lasting legacy not only for high-performance athletes, but also for students, sporting groups and community residents of all ages and abilities.

Speaker, through you to the minister: Can he please inform the House about the legacy left behind by the Pan Am and Parapan Am Games?

**Hon. Michael Coteau:** The member is right. There were a lot of new facilities built and some retrofits with the existing facilities that were here in Ontario.

If you look around the GTA and across many parts of the province, these facilities bring in a renewed sense of inspiration to our athletes and people involved in amateur sport across Ontario. When you go out to Milton and look at the velodrome, it has just transformed that landscape. The member is right about Scarborough and the

aquatics centre: It is transformative. We’ve built into the plan over 90,000 hours of community use for people to get into those buildings and use those facilities.

In addition to that, during the Pan Am Games, I was proud to see that spending was up. In fact, we had an 8% increase in electronic debit transactions during the same time over the previous year, and hotels were sold out. It was such a success, and I want to thank everyone involved for being part of that success.

#### PRIVATIZATION OF PUBLIC ASSETS

**Mr. Todd Smith:** My question this morning is for the Deputy Premier. The decision to sell Hydro One was made behind closed doors, by the banker the Premier brought in to be the training wheels for the finance minister. There was no public consultation.

I just want to share with you comments from one Ontarian: The “government has no mandate to sell off the grid and there has been no [public] consultation [or debate] about such a sale....” He went on to say, “Selling the crown jewel of our electricity system is a very serious mistake.” That was said in the Legislature, not by me or the opposition leader. It was said by former Liberal cabinet minister Sean Conway.

Members of the Liberal Party have raged against selling Hydro One in the past. Now they are perfectly okay with selling it off to their buddies on Bay Street? Liberals sitting in cabinet opposed the fire sale of Hydro One. How do they feel about Ed Clark having more say than they do?

**Hon. Deborah Matthews:** Given that the member opposite is interested in some quotes from days gone by, I have some for you, too. I have some quotes from the member from Simcoe–Grey. Let’s just listen to what he said: “The government announced on December 12, 2001, that it had decided to privatize Hydro One.... We believe this decision best serves the interests of Ontario taxpayers and electricity customers.”

**Interjection:** Who said that?

**Hon. Deborah Matthews:** The member for Simcoe–Grey; he will remember that.

He also said, “Over the long term, we believe that the restructuring of the electricity system in Ontario will impose sufficient market discipline....”

But that is not enough. There is more, Speaker. On January 24, 2002, he said, “We believe this decision best serves the interests of Ontario taxpayers and electricity customers.... Some people mistakenly refer to electricity competition as ‘deregulation.’ It’s not.”

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Todd Smith:** You know, I have got to warn the Liberals that the fire sale of Hydro One is spreading.

Let’s continue the theme of throwback Thursdays. I have another quote from someone from eastern Ontario who said, “Ontario families want affordable, reliable electricity. They know that the sale of the grid that carries electricity to their homes is a disaster for consumers.” He then went on to warn that selling Hydro One was a

reward for corporate friends and that people want the sale stopped.

Do you know who said that? That was their former Premier Dalton McGuinty who said that. Even the former Premier, no stranger to handing government contracts to their Liberal pals, knew that Hydro One was just going to be a bottomless trough for well-connected insiders.

Will the Premier stop the Hydro One sale or is she eager to do exactly what Dalton McGuinty warned and stuff her friends' pockets?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock, please.

**Mr. John Yakabuski:** Even Dalton was right from time to time.

**The Speaker (Hon. Dave Levac):** I don't accept drive-by heckling.

*Interjections.*

**The Speaker (Hon. Dave Levac):** On a serious note, I would advise the member to be very cautious of the type of language he used in his last sentence.

**Hon. Deborah Matthews:** Speaker, I really do need to point out that when the PCs were in power and they were busy selling off Highway 407—you'll remember that, I suspect. While the member from Pembroke doesn't want to be reminded, selling off Highway 407—fire sale price, no ongoing revenue—actually was helpful to us as we designed a program that maintains de facto control for the people of Ontario.

1140

Your plan was to sell 100% of Hydro. Make no mistake about it, you wanted to sell it altogether; you wanted no oversight. We are broadening the ownership; we are generating some assets so we can invest in other assets.

This is an important initiative to undertake, because the people right across this province, whether they're in big cities or small towns, rural areas, medium-sized cities, are all asking for investments in infrastructure. The only way we can do that is by leveraging existing assets so we can build new ones.

## PESTICIDES

**Mr. John Vanthof:** My question is to the Minister of Agriculture. Farmers across Ontario have become very frustrated with the government's seeming unwillingness to develop regulations regarding neonic-treated seed that actually work on the ground.

The first sign was when they held the EBR consultations in the middle of planting season, when farmers had no time to talk about the regulations, and things haven't gotten any better.

One screaming example is you need a certified crop adviser to approve your needs assessment for neonic seed. We agree with that; farmers agree with that. But the crop adviser can't be affiliated with any company that sells seed, so the majority of crop advisers are now out of the game—people that farmers have trusted for years.

Does the minister actually believe that these people aren't competent or independent?

**The Speaker (Hon. Dave Levac):** Minister of Agriculture, Food and Rural Affairs.

**Hon. Jeff Leal:** Thanks very much, Mr. Speaker. Through you to my friend from Timiskaming-Cochrane, I want to thank him for his question this morning.

As we do know, there is a legal case that is pending on the regulations, and I can't comment on that. But basically, we have identified four contributing factors to pollinator health in the province of Ontario: Number one, there were two severe winters that have caused an impact on pollinator health. Two, the fact is that there are a number of hives in Ontario that have been invaded by the varroa mite. Three, there is the management issue of the hives between professional managers and hobbyists. And four, there is the blanket use of neonics across the province of Ontario.

The bottom line is, if you need to use neonics in the province of Ontario, if you have demonstrated need, you can get access to them, to our farmers in Ontario.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. John Vanthof:** Once again to the minister: I asked a specific question, and I didn't get an answer, so I'm going to rephrase it.

I'm a farmer. I've used the same certified crop consultant for 20 years, Terry Phillips, from the Temiskaming ag co-op. I've trusted him. He has told me at times, "You know, John, you shouldn't spray, because it's too late," or "It's not effective," or "Maybe you should rotate more." He has given me good advice. But Terry Phillips, according to the government, is not qualified to give me advice on neonics. That's ridiculous, and I'm glad I'm a farmer, to be able to say that.

The minister should take heed that a crop adviser is a crop adviser. They're certified, and if they're not certified—tell me why you don't believe in their certification.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

Minister.

**Hon. Jeff Leal:** I want to thank the member for his supplementary question—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Dufferin-Caledon, come to order.

You go ahead.

**Hon. Jeff Leal:** I want to thank the member for his supplementary question, because I just found out something this morning. The member from Timiskaming-Cochrane had this to say on May 7 to the Chatham Daily News: "As a party, we believe there is room for more regulation. I've used neonics on my farm, they're very effective, but they were, perhaps, overused...."

"Do we believe there should be stronger regulations?" Mr. Speaker, he said, "Yes."

## RESEARCH AND INNOVATION

**Mr. Chris Ballard:** My question is to the Minister of Economic Development, Employment and Infrastructure. Minister, I know your ministry has been very involved in

our government's efforts to spur innovation in this province and sharpen our competitive advantage in the global marketplace.

One way we've done this is through creating an innovation hub at MaRS, a hub that works to equip innovators and organizations with entrepreneurial skills required to compete in the 21st century.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Carry on, please.

**Mr. Chris Ballard:** Thank you, Mr. Speaker. As I was saying, MaRS has been a critical component for fledgling private sector start-ups and health science researchers. Despite this important mandate, I understand that MaRS has had troubles in the past with respect to its lease-up situation. Minister, does the project still pose challenges?

**Hon. Brad Duguid:** I'm very thrilled this morning to be able to say to you, Mr. Speaker, that we really have turned the page on MaRS. This has been a challenging year, and it's great to see that happening.

When the financing of the west tower ran into difficulties associated with the global recession, many said that this province should walk away. Mr. Speaker, we didn't. We consulted real estate experts Michael Nobrega and Carol Stephenson. We got some good advice. Just as importantly, we had the courage to take that advice. It was unfettered advice. It was good advice.

Last December, when we announced that our government was stepping up to put MaRS on a solid footing, we had full confidence that that west tower would be a success. Today, I can now confirm that MaRS has attracted a really interesting and effective mix of innovative tenants that will drive research, innovation and commercialization. It's now 70% leased, well on the way to being fully leased. This is a success story.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Chris Ballard:** Thank you, Minister, for that exciting update. I know that this project is something that is very important to not only residents in my riding of Newmarket–Aurora but of course residents and business people across the province. It's exciting, and I'm so glad to hear that the minister stuck to his guns.

Minister, recently the government announced that a new, innovative tenant was joining the ranks at MaRS and was setting up their Canadian headquarters here. This is surely an important milestone for a significant project such as MaRS. JLABS is a major research and development engine that assists health and bioscience companies transform science research into breakthrough health care products. The members opposite have been criticizing this project at every step, Mr. Speaker, but now it seems that the building is leasing up on time and that things are moving forward smoothly.

Can the minister speak to what this tenant—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock. Before we finish, another reminder for all members: Let's stay focused on how we present the question in the third person to the chair.

**Hon. Brad Duguid:** Mr. Speaker, our government is very pleased that JLABS has agreed to establish its largest research innovation life science incubator here in Ontario. There is no question that JLABS is a coup for this province's bioscience sector.

The competition was stiff from other jurisdictions. We won that business, Mr. Speaker, because we stepped up with investments that helped ensure that that investment came here instead of to other places in North America.

Also, because of the availability of the MaRS west tower, JLABS ended up at MaRS, but we were pursuing them regardless of where they wanted to go in Ontario. They chose MaRS because it was the perfect location for them.

The members opposite urged us to walk away and leave that building rotting in the ground. Instead, we stepped up, and the result is the attraction of companies like JLABS, which are proven innovation engines that are going to drive our bioscience sector forward here in the province of Ontario.

#### BRIDGE REPLACEMENT

**Mr. Toby Barrett:** To the Minister of Transportation: We are approaching one year since construction has been shut down on the Cayuga Bridge on provincial Highway 3 because of intimidation. The minister's letter of August 14 said that construction was paused due to a request from the Haudenosaunee Development Institute, or HDI, out of Six Nations. They walked out on the bridge and the construction workers left.

The temporary bridge is a problem for farm machinery and for large trucks. It's an eyesore. I regularly receive calls from Cayuga wanting to know when the new bridge will be completed. The original was built in 1924.

When will construction workers be allowed back on the bridge? The Minister of Transportation's letter in August noted that a date for resumption of work has not been scheduled. Can he now tell this House if a date for start-up has been set?

**Hon. Steven Del Duca:** I thank the member opposite for this question. I know he has raised this particular issue in the Legislature in the past, and some of my colleagues on this side have had the chance to answer, as well.

Of course, the Ministry of Transportation is keen to see progress on this particular issue. We know it's important to this particular part of the province. We are in consultation on a regular basis not only with our partners and stakeholders in the community but also the Ministry of Aboriginal Affairs to make sure that we are successfully fulfilling our responsibilities with respect to the duty to consult. We will continue to endeavour to reach a resolution on this very important matter.

I have no concern whatsoever, of course, with respect to keeping this particular member, should he have additional questions offline outside of the chamber itself, in the loop, as they say, with respect to what's happening in this particular part of the province. As soon as the minis-

try can provide a comprehensive answer by way of a specific update, I'll be happy to provide that information.

### VISITORS

**The Speaker (Hon. Dave Levac):** Point of order, the member from Burlington.

**Ms. Eleanor McMahon:** A point of order to introduce some late-arriving guests: On behalf of the Minister of Natural Resources and Forestry and his legislative assistant, Kory Preston, I'd like to welcome Kory's parents, Ron and Kathy Preston, to the Legislature today. They've come all the way here from Wallacetown, Ontario, to join us.

We're pleased to have you here. Welcome to Queen's Park.

**The Speaker (Hon. Dave Levac):** The Minister of Health and Long-Term Care.

**Hon. Eric Hoskins:** I was remiss in not introducing the family of Jaleelah Ammar, our page captain today. She's here with her parents, Marie and Kamal, and brother Hasan, in the gallery.

**The Speaker (Hon. Dave Levac):** There being no further points of order and no deferred votes, this House stands recessed until 1 p.m.

*The House recessed from 1151 to 1300.*

### INTRODUCTION OF VISITORS

**Mrs. Gila Martow:** I'd like to introduce my nephew Mattan Lustgarten, who came to visit today. He's second year U of T medical school, so I'm hoping to see him every Thursday to come by and visit because he's going to have a little break then. Thanks, Mattan.

### MEMBERS' STATEMENTS

#### STEVENSON MEMORIAL HOSPITAL

**Mr. Jim Wilson:** Stevenson Memorial Hospital in Alliston requires provincial health care dollars so they can proceed with a redevelopment project that involves a new emergency department, operating rooms, diagnostic imaging and laboratory.

This hospital is in dire need of more room so it can continue to provide the topnotch health care that it is so well known for. As the population ages, the hospital's needs will only continue to grow.

Just to give you an example of the pressures on the hospital, it was built in 1964 for just 7,000 emergency room visits each year, but today it experiences more than 33,000 visits and it hasn't grown by a single inch since 1964.

Recently, I launched a petition calling on the government to make the appropriate dollars available, and I'm pleased to report that every day we collect more and more signatures. But we need to put more pressure

on the government, so I ask people wanting to sign the petition. They can find a copy of it at my website, jimwilsonmpp.com.

As you know, Mr. Speaker, we need original signatures. We haven't quite gone to electronic petitions yet in the House, something we're debating. We need original signatures, so I'd ask people to download and print off a copy of the petition at jimwilsonmpp.com and send it in to my office at 180 Parsons Road in Alliston.

I want to thank the staff and the hospital board for their role in getting the hospital ready for an expansion. I hope the government will listen to the people who sign the petition and, in particular, the patients who need the services.

### LAND USE PLANNING

**Mr. Gilles Bisson:** Now back to regular programming.

*Laughter.*

**Mr. Gilles Bisson:** Well, what do you say after that?

Mr. Speaker, I rise in order to raise an issue that I think we're going to have to start figuring out how to deal with. For some years now, the Ministry of Natural Resources has lost the capacity to do most of what it used to do not only in northern Ontario but across this province. One of the things they used to do was lake impact studies in order to determine if there's crown land that could be rightfully put for sale so that people can build cottages. It's no different than what we do when it comes to building subdivisions in all of our communities across this province.

There's the planning process. You have to go according to rules to determine if the area is able to deal with having those houses. In the case of cottages, the MNR is the only ministry that has the authority and capacity to determine if cottage lots can be developed on crown land on lakes across this province. Unfortunately, for some now almost 30 years, the government has not done any work when it comes to doing that because they don't have the cash to do it. As a result, people who want to build cottages are unable to do so because there's no land available. You're left with option A, buying an existing cottage, for which the price is fairly expensive, or buying somebody's old cottage, ripping it down and building a new one.

I would ask the government to look at putting in place a pilot project in order to deal with trying to make cottage lots available in this province so that people can build that leisure world that they all want.

### INTERNATIONAL DAY OF DEMOCRACY

**Ms. Harinder Malhi:** Today, I stand to recognize the United Nations' International Day of Democracy, which is usually on September 15 of each year. This day, which has also inspired Democracy Week here in Canada, encourages the general public to learn more about the

electoral process and be ready to cast their ballot by knowing when, where and ways to register and vote.

Democracy, and specifically democratic governance, make certain that human rights and freedoms are respected and protected and that all are free from any discrimination based on race, ethnicity, class, gender or any other attribute. Through democracy, people have a say in decisions that affect their life and can hold decision-makers accountable. Many of the benefits that we enjoy as a society today can be directly linked back to our solid democratic foundation and commitment to representative government.

Throughout this week, students in classrooms across Ontario will have a chance to engage in civic education by learning about the issues that affect their communities. As many of this House know, a growing number of Ontarians, especially youth, are often disengaged from the democratic process. That is why I'm encouraging all members of the House to inform youth in their ridings of the Legislative Assembly of Ontario's Model Parliament program. The three-day program for students in grades 10 to 12 will select 107 students, one from each of the province's ridings, to experience the Legislature first-hand. Coincidentally, the first day to submit applications also happened to be September 15. It's a perfect opportunity to get the conversation started with youth and encourage the leaders of the future.

#### SOLAR FARMS

**Ms. Laurie Scott:** The Green Energy Act continues to assail rural Ontario, especially in my riding of Haliburton–Kawartha Lakes–Brock. We have fought for years against industrial wind turbines on the Oak Ridges moraine. Residents and local councils stood firmly against them.

A new monster is rearing its head. Large energy developers are now enticing municipalities by offering cash incentives—essentially bribes—for their support for massive industrial solar farms. It begs to ask the question: How much money are these companies making?

While the temptation to accept these bribes can be overwhelming, I congratulate the city of Kawartha Lakes for standing on principle with its residents and saying no. They said no to all 10 proposals for solar farms within their borders. How can the government be okay with developers who stand to make a profit while hundreds of acres of agricultural land will be lost? Woodlands and wetlands, including habitat for species at risk, will be significantly affected. Environmental and health concerns still exist.

Under the Municipal Act it is illegal for a municipality to offer incentives such as tax breaks to attract a development or a business. Yet the Liberals are essentially allowing the reverse to take place. With the increasing burdens that rural municipalities face under the Liberal government, Kathleen Wynne should outlaw this practice immediately. Respect for rural Ontario is not a catchphrase; it is a commitment that is manifested in action.

#### SECRETS OF RADAR MUSEUM

**Ms. Teresa J. Armstrong:** Today I would like to say a few words about the Secrets of Radar Museum in my riding of London–Fanshawe. The museum's exhibits tell the often overlooked story of thousands of women and men who served the radar during World War II as mechanics, operators, teachers, trainers, physicists and researchers.

Many of these early radar veterans went on to have leadership roles in the development of radar during the Cold War and in the Canadian electronics industry. They took oaths of secrecy for the course of their service and beyond. For nearly 50 years these men and women kept the truth from their families and friends, many of them taking the secrets to their grave prior to the expiry of the Official Secrets Act in 1991.

The museum opened in 2003 and is the only museum of its kind in Canada, making a unique addition to London's history and culture and contributing to tourism in the city. I am thrilled that this year the Secrets of Radar Museum was selected to participate in the community exhibits program here at Queen's Park, where the collection can be shared and appreciated by community tour groups, staff of the Legislature and my fellow MPPs. I would invite members of the Legislature to stop by the exhibit in the west wing gallery sometime between now and the conclusion of the exhibit in November.

#### BURLINGTON FLOOD RELIEF

**Ms. Eleanor McMahon:** I rise today to recognize the volunteers and donors who helped rebuild my community after the August 4, 2014, flood in Burlington. This week I attended a special event hosted by the city of Burlington and our community foundation, where we watched a documentary on the Burlington flood produced by TVCogeco Halton.

In it, we watched as creek beds overflowed and water rushed down our streets into people's backyards and homes. Thousands were impacted, with close to \$100 million in losses.

This summer, residents in some of the hardest-hit areas told me that the support of friends and neighbours was overwhelming. People brought food, did their neighbours' laundry and provided a listening ear and a shoulder to cry on. Guided by the remarkable Colleen Mulholland, CEO of our community foundation, and under the leadership of Ron Foxcroft, Burlington's Citizen of the Year, individuals and businesses in our community contributed an astounding \$1 million to the flood relief fundraising efforts.

These funds were matched two to one by our province, I'm proud to say, and five volunteers on the disaster relief committee then got to work processing 300 claims and overseeing the distribution of \$2.7 million.

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The unity of our community's response was remarkable: our mayor, our council, our city and regional staff,

who showed such dedication, compassion and care; and our first responders, our donors, and hundreds of volunteers who gave of their time and talents pitching in when and where needed.

Lessons learned helped shape two new provincial disaster relief programs that will make it easier and faster to get financial assistance following a natural disaster, and I'm proud of that.

A commemorative plaque will be installed in front of Burlington city hall to mark this day, which we will never forget. So while there were countless losses that day as a result of this terrible flood, I'm very proud of the response of my generous and caring community of Burlington.

#### BY-ELECTION IN SUDBURY

**Mr. Steve Clark:** I'm disappointed that, in the past three years, there have been serious allegations levied against several high-ranking officials in the government of Ontario.

As you're well aware, it was February 16, 2012, that Ontario Provincial Police officers first launched the formal investigation of Ornge because of apparent financial irregularities. That was followed by an investigation initiated on June 7, 2013, as Liberal staffers were accused of destroying emails related to the cancellation of the two gas-fired power plants.

On January 15, 2015, I personally wrote to the Ontario Provincial Police asking that the case be reopened into the investigation of alleged bribery perpetrated by the Premier's office to dissuade a candidate from running. On February 19, 2015, Elections Ontario announced an "unprecedented finding": that Liberal operatives Gerry Loughheed Jr. and Pat Sorbara's actions were an "apparent contravention" of the Election Act.

We are still waiting and justice appears to be stalled. The commissioner of the OPP has said he is frustrated with the progress of the case. I have no doubt the OPP has done a thorough job, but enough is enough. We all heard the tape. The people of Ontario have heard the tape. The people of Sudbury deserve justice and the people of Ontario deserve their day in court.

#### CANADIAN NATIONAL EXHIBITION

**Mr. Han Dong:** I'm pleased to rise in the House today to acknowledge and celebrate the Canadian National Exhibition and its 137 years in Toronto. As this is the first week back in the Legislature, I believe it is important to highlight the excellent work that so many organizations, sponsors and volunteers did in the 18 days of the CNE.

The CNE is affectionately embraced as an end-of-summer ritual by more than 1.4 million visitors annually, including those from lovely neighbourhoods like Liberty Village, Fort York and CityPlace. I believe this year the CNE saw a significant increase in visitors over last year. The CNE provides more than just fun and games; it also

provides youth job opportunities for students and countless hours of volunteer time for people of all ages.

This year, the CNE had many exciting experiences. There was an amazing lineup of celebrity chefs to showcase their culinary skills, a citizenship ceremony where approximately 56 new Canadians from 18 different countries were sworn in, and the 66th annual Canadian International Air Show that took to the sky above Lake Ontario.

I enjoyed a fun family outing with my kids, Matthew and Emma.

The team at the CNE did an excellent job this year, and I would like to commend everyone involved on a job well done.

#### TERRY FOX DAY

**Ms. Soo Wong:** I rise today to speak about the upcoming Terry Fox Day in Ontario. On June 3, 2015, the Ontario Legislature unanimously passed my private member's bill, the Terry Fox Day Act, to designate the second Sunday after Labour Day as Terry Fox Day. I want to thank all my colleagues for their support in passing Bill 61 in time for the 35th annual Terry Fox Run.

As we mark the 35th annual Terry Fox Run, there will be numerous events and activities to honour Terry across Ontario.

Last Saturday, I attended the unveiling of a bronze statue of Terry Fox in Richmond Hill's beautiful Ransom Park, which Terry once ran through. Also in attendance were Her Honour Elizabeth Dowdeswell, the Premier and Minister Moridi, along with Terry's brother and sister, Fred and Judith.

I want to thank Richmond Hill resident Glemena Bettencourt for her tireless work in preserving Terry's legacy.

To mark the first official Terry Fox Day, I will be hosting a celebratory event in my riding of Scarborough–Agincourt this Saturday, September 19, at Bridlewood Park to further raise awareness and to reflect on Terry's legacy.

With the first official Terry Fox Day nearly upon us, I want to encourage every Ontarian to reflect on the contributions made by Terry Fox and to join in the 35th annual Terry Fox Run this Sunday, September 20.

**The Speaker (Hon. Dave Levac):** I thank all members for their statements.

#### PETITIONS

##### ENERGY POLICIES

**Ms. Laurie Scott:** "To the Legislative Assembly of Ontario:

"Whereas Ontario families and businesses have seen their hydro costs more than triple under the Liberal government since 2003;

“Whereas the Liberal government’s unaffordable Green Energy Act, the \$2 billion wasted on the smart meter program and the \$1.1 billion wasted on the cancelled gas plants will translate into a further 42% increase in hydro bills over five years;

“Whereas the Auditor General revealed that the Liberal government has collected approximately \$50 billion over the last decade through a global adjustment tax on hydro bills largely used to subsidize exorbitant green energy contracts;

“Whereas the Liberal government has allowed peak hydro rates to increase by 15% on May 1;

“Whereas the Liberal government’s elimination of the clean energy benefit will mean an average increase in hydro bills of \$137 per year;

“Whereas the Liberal government’s planned sale of a majority share of Hydro One will mean higher hydro bills;

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

“To call on the Liberal government to protect Ontario families and businesses from further hydro increases by applying all proceeds from the sale of Hydro One to the \$27-billion electricity debt and imposing a moratorium on any new industrial wind and solar projects.”

It’s brought to me by Greg and Rose Tibbitts, Haliburton XTR station. I thank them very much for getting the petition signed.

#### SCHOOL CROSSWALK

**Mr. Michael Mantha:** This petition was presented to me by hundreds of students from Manitoulin Secondary School. It reads:

“Petition for School Crosswalk Area:

“To the Legislative Assembly of Ontario:

“Whereas the Rainbow District School Board (RDSB) and Manitoulin Secondary School (MSS) have identified the intersection of Highway 540 and Highway 551 to be a safety concern as a student crossing and for the public’s use; and

“Whereas the only major public secondary school in Manitoulin Island is situated only 200 metres away from the intersection of Highways 540/551, has no marking or signage indicating this is a major school crossing area; and

“Whereas the concern for the students’ safety had been identified through a survey conducted with students and staff of MSS using this intersection on a regular basis for: athletic purposes, class/field trip activities, and for patronizing local businesses; and

“Whereas the intersection of Queen’s Highway 540 and Highway 551 would need to be rezoned for the purpose of establishing a student crossing zone;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to take necessary steps to: rezone this intersection as a school crosswalk area; install clear, visible, bold crosswalk markings on the pavement; install large, visible school crossing zone signs; and

install a flashing amber light warning motorists that this intersection is a school crosswalk area.”

I wholeheartedly thank the students from MSS for presenting this petition.

#### LUNG DISEASE

**Mr. Chris Ballard:** I have a petition to the Legislative Assembly of Ontario.

“Whereas lung disease affects more than 2.4 million people in the province of Ontario, more than 570,000 of whom are children. Of the four chronic diseases responsible for 79% of deaths (cancers, cardiovascular diseases, lung disease and diabetes) lung disease is the only one without a dedicated province-wide strategy;

“In the Ontario Lung Association report *Your Lungs, Your Life*, it is estimated that lung disease currently costs the Ontario taxpayers more than \$4 billion a year in direct and indirect health care costs, and this figure is estimated to rise to more than \$80 billion seven short years from now;

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

“To allow for deputations on MPP Kathryn McGarry’s private member’s bill, Bill 41, the Lung Health Act, 2014, which establishes a Lung Health Advisory Council to make recommendations to the Minister of Health and Long-Term Care on lung health issues and requires the minister to develop and implement an Ontario Lung Health Action Plan with respect to research, prevention, diagnosis and treatment of lung disease; and

“Once debated at committee, to expedite Bill 41, the Lung Health Act, 2014, through the committee stage and back to the Legislature for third and final reading; and to immediately call for a vote on Bill 41 and to seek royal assent immediately upon its passage.”

I agree wholeheartedly with this petition, I have affixed my name, and I will give it to our page for delivery.

#### TENANT PROTECTION

**Mr. Michael Harris:** Speaker, I have a petition I’d like to read called “Restore Fairness for Tenants,” given to me by the good folks at Martin Grove Village just near Elmira, in my riding of Kitchener–Conestoga.

“To the Legislative Assembly of Ontario:

“Whereas landlords are not required to detail maintenance tenants should expect, allowing maintenance issues to become capital expenditures billed to the tenant; and

“Whereas tenants also have no notice or input into capital expenditures the landlord is committing them to; and

“Whereas landlords are not required to set up a residual or contingency fund to help mitigate capital costs to tenants; and

“Whereas despite lease agreements requiring landlords to provide potable water, tenants under boil-water

advisories are often forced to purchase their own water with no opportunity for reimbursement; and

“Whereas some landlords use above-guideline increases (AGI) to cover the entire cost of capital expenditures plus interest and are not limited in the length of time AGI is to be paid and eventually removed; and

“Whereas landlords are allowed to apply for AGIs on a regular basis, sometimes to cover expenses for repeated needs;

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

“Restore fairness for tenants, and repair the Landlord and Tenant Act to: ensure all maintenance is detailed and completed, allow notice, input and transparency into all property-related capital expenditures, create a contingency fund to mitigate capital costs, ensure all tenants have immediate and direct access to potable water, and ensure accountability and clear timelines for above-guideline increase (AGI) provisions.”

Speaker, I will send this petition down with Laura and affix my signature to it.

#### FIRST RESPONDERS

**Ms. Cheri DiNovo:** “To the Legislative Assembly of Ontario:

“Whereas emergency response workers (firefighters, police officers and paramedics) confront traumatic events on a near daily basis to provide safety to the public;

“Whereas many emergency response workers suffer from post-traumatic stress disorder as a result of their work;

“Whereas emergency response workers go through painstaking steps in order to receive WSIB benefits based on post-traumatic stress acquired while serving the public;

“Whereas Bill 2 ‘An Act to amend the Workplace Safety and Insurance Act, 1997 with respect to post-traumatic stress disorder’ sets out that if an emergency response worker suffers from post-traumatic stress disorder it is presumed that they acquired the illness on the job, unless the contrary is shown;

“Whereas this change would ease the process for receiving benefits for emergency response workers with post-traumatic stress disorder arising out of work;

“We, the undersigned, petition the Legislative Assembly of Ontario to unanimously endorse and quickly pass Bill 2 ‘An Act to amend the Workplace Safety and Insurance Act, 1997 with respect to post-traumatic stress disorder’.”

Six years of doing this is long enough, Speaker. I absolutely agree. It’s time to do the right thing. I’m going to sign this and give it to Siena to be presented to the table.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Beaches–East York.

#### FRENCH-LANGUAGE EDUCATION

**Mr. Arthur Potts:** Thank you very much for the recognition. That was a great prologue, Speaker. I wonder if I could have a long prologue after my little petition.

I have a short petition here.

“To the Legislative Assembly of Ontario:

“Whereas section 23 of the Canadian Charter of Rights and Freedoms guarantees access to publicly funded French-language education; and

“Whereas there are more than 1,000 children attending French elementary schools in east Toronto ... and those numbers continue to grow; and

“Whereas there is no French secondary school ... in east Toronto, requiring students wishing to continue their studies in French school boards to travel two hours every day to attend the closest French secondary school, while several English schools in east Toronto sit half-empty since there are no requirements or incentives for school boards to release underutilized schools to other boards; and

“Whereas it is well documented that children leave the French-language system for the English-language system between grades 8 and 9 due to the inaccessibility of French-language secondary schools;

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

“That the Minister of Education assist French school boards in locating an underutilized school building in east Toronto that may be sold or shared for the purpose of opening a French secondary school in the community, so that French students have a secondary school close to where they live.”

Thank you, Mr. Speaker. I agree with this petition and I’ll leave it with—

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you.

#### REALTORS

**Mrs. Julia Munro:** I’m pleased to be able to present a petition to the Legislative Assembly of Ontario.

“Whereas Ontario real estate salespeople are prevented by the Real Estate and Business Brokers Act, 2002 from incorporating their businesses through a personal real estate corporation; and

“Whereas other regulated professions, including chartered accountants, lawyers, health professionals, social workers, mortgage brokers, insurance agents, architects and engineers, can all form personal corporations; and

“Whereas permitting real estate salespeople to incorporate would create jobs and increase government revenue;

“We, the undersigned, petition the Legislative Assembly of Ontario to pass the Tax Fairness for Realtors Act, 2015 and give real estate professionals in Ontario the ability to form personal real estate corporations.”

I’ve affixed my signature to it.

### PRIVATIZATION OF PUBLIC ASSETS

**Ms. Teresa J. Armstrong:** To the Legislative Assembly of Ontario:

“Privatizing Hydro One: Another Wrong Choice.

“Whereas once you privatize hydro, there’s no return; and

“We’ll lose billions in reliable annual revenues for schools and hospitals; and

“We’ll lose our biggest economic asset and control over our energy future; and

“We’ll pay higher and higher hydro bills just like what’s happened elsewhere;

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

“To stop the sale of Hydro One and make sure Ontario families benefit from owning Hydro One now and for generations to come.”

I sign this petition and give it to page Anna to deliver.

### PHYSICIAN-ASSISTED DEATH

**Ms. Sophie Kiwala:** It’s my pleasure to rise in the House today to present a petition from my community of Kingston and the Islands.

“Whereas the Supreme Court of Canada has declared the laws prohibiting physician-assisted death to be invalid; and

“Whereas such prohibition violates the Charter rights of a competent adult suffering intolerably as a result of a grievous and irremediable medical condition; and

“Whereas all citizens of Ontario have the right to life, liberty and security of the person; and

“Whereas these rights need to be reconciled in any legislative and regulatory response to this judgment; and

“Whereas physician-assisted dying is an extension of health care services which are the subject of valid provincial legislation;

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

“Enact legislation permitting physician-assisted death for a competent adult who clearly consents to the termination of his or her life and has a grievous and irremediable medical condition that causes enduring suffering that is intolerable to the individual and that the legislative scheme protects those physicians who choose to provide this intervention to their patients.”

I sign the petition and hand it to Jaleelah.

### CURRICULUM

**Mr. Ted Arnott:** I have a petition that was dropped off for me at my constituency office a few days ago. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas in 2010 the Ontario Liberal government promised to consult with voters before implementing a revised sex education curriculum which many parents felt was age-inappropriate and too explicit; and

“Whereas since 2010 the Ontario public has not been given adequate opportunity to provide feedback on proposed sex education changes; and

“Whereas in late October 2014 the Ontario Liberal government announced that more revisions to the sex education curriculum would be implemented in time for the next school year; and

“Whereas the announced plans to consult only one hand-picked parent per school does not constitute broad public feedback on the curriculum, and therefore, the Ontario Liberal government is breaking its 2010 promise to consult the people of Ontario;

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

“Repeal the sex education component of the health and physical education curriculum planned for September 2015 and start over with a meaningful parental consultation process that actually gets buy-in from parents....”

### MENTAL HEALTH AND ADDICTION SERVICES

**Ms. Cindy Forster:** “Whereas mental illness affects people of all ages, educational and income levels, and cultures; and

“Whereas one in five Canadians will experience a mental illness in their lifetime and only one third of those who need mental health services in Canada actually receive them; and

“Whereas mental illness is the second leading cause of human disability and premature death in Canada; and

“Whereas the cost of mental health and addictions to the Ontario economy is \$34 billion; and

“Whereas the Select Committee on Mental Health and Addictions made 22 recommendations in their final report; and

“Whereas the Improving Mental Health and Addictions Services in Ontario Act, 2015, seeks to implement all 22 of these recommendations;

“We, the undersigned, petition the Legislative Assembly of Ontario to pass the Improving Mental Health and Addictions Services in Ontario Act, 2015, which:

“(1) Brings all mental health services in the province under one ministry, the Ministry of Health and Long-Term Care;

“(2) Establishes a single body to design, manage and coordinate all mental health and addictions systems throughout the province;

“(3) Ensures that programs and services are delivered consistently and comprehensively across Ontario;

“(4) Grants the Ombudsman full powers to audit or investigate providers of mental health and addictions services in Ontario.”

I support this petition and I’ll send it with page Gabriel.

**PRIVATE MEMBERS'  
PUBLIC BUSINESS**

PROVINCIAL ADVOCATE  
FOR CHILDREN AND YOUTH  
AMENDMENT ACT, 2015

LOI DE 2015 MODIFIANT LA LOI  
SUR L'INTERVENANT PROVINCIAL  
EN FAVEUR DES ENFANTS  
ET DES JEUNES

Miss Taylor moved second reading of the following bill:

Bill 117, An Act to amend the Provincial Advocate for Children and Youth Act, 2007 with respect to notices of critical injury or death / Projet de loi 117, Loi modifiant la Loi de 2007 sur l'intervenant provincial en faveur des enfants et des jeunes en ce qui concerne les avis de décès ou de blessures graves.

**The Deputy Speaker (Mr. Bas Balkissoon):** Pursuant to standing order 98, the member has 12 minutes for her presentation.

**Miss Monique Taylor:** I'd first like to acknowledge the provincial child advocate, Irwin Elman. Unfortunately, he's not able to be with us today, as he's chairing the Canadian council of child advocates, but there are members from the advocate's office here today because this bill is for them. Thank you for being here.

As the NDP critic for children and youth services, it's my privilege to introduce this bill, the Provincial Advocate for Children and Youth Amendment Act, 2015. It's a privilege because, as I've said before in this House many times, the Ministry of Children and Youth Services has a special responsibility to look out for the best interests of the most vulnerable kids in our province. It's a branch of government that holds a fragile position of trust with thousands of children and their families who require the support of the government when dealing with difficult and trying times. All you have to do is put yourself in a child's or their family's shoes to know why this is incredibly important and incredibly important that we get it right.

The idea behind this bill is a simple one and a just one. The bill addresses an oversight in the legislation to protect the province's children and youth in care, which will improve the ways that the advocate can do their job. This bill would obligate all agencies and service providers in the province to inform the Provincial Advocate for Children and Youth promptly if they become aware of the death or critical injury of a child or youth where a children's aid society has been involved with the child or youth, or with that child's or youth's family, within 12 months of the death or critical injury. So I urge all members and all parties of this House to please vote for this bill today. As he is an officer of the Legislature whose role it is to serve as an independent voice for all children who receive or need services from the children's service sector in the province, many might assume that

the advocate already has this role. In fact, the advocate has been asking for access to this information since shortly after being appointed to his role in 2008.

It wasn't long after his appointment that we would learn of the tragic death of five-year-old Katelynn Sampson, whose lifeless body was discovered in Toronto, having been repeatedly beaten and eventually killed by her so-called caregivers. Katelynn's short life has been defined by abuse, dysfunction and interactions with the CAS. The judge in the trial of Katelynn's abusers, or killers, would say this during sentencing: "Alarm bells were ringing and no one was responding. If someone had, we would not be here in this courtroom." A coroner's inquest into her death would make a number of recommendations.

No one is saying that this information in the hands of the advocate will produce miracles, but it seems to me that, like in the circumstances of Katelynn's life that led to her death, and the too many children out there like Katelynn, they deserve to have all hands on deck: access to even more help, even more resources, even more advocates, not less. If a child dies or is critically injured while in care, it is imperative for the advocate to be notified promptly and given the same information as the government so that the advocate may independently determine how best to protect the rights of the province's kids in care so that injuries or death may never happen again.

As it stands, the government has the right to decide when and how much information should be given to the advocate concerning the children under his mandate. I know that the advocate has had to repeatedly make the case over the years to receive reports of the deaths of children in care. In the advocate's 2007-08 annual report, this is a quote: "As noted elsewhere in this report, getting the information related to each incident is not easy. In many cases, it seems almost impossible."

In the advocate's 2010-11 report, this is a quote: "Since 2008, the advocate's office has sought increased transparency and information ... from the coroner's office about the deaths of children connected to the province's care system."

In the advocate's 2011-12 report, this is a quote: "The provincial advocate continues to face roadblocks in accessing information about children and youth in our mandate who have died, and the results of the investigations into allegations of abuse against young people in the youth justice system. As a result, the office is limited in its ability to perform its duty as an advocate for children and youth."

I'm going to repeat that last line: "limited in its ability to perform its duty as an advocate for children and youth." Please let that sink in: "limited in its ability to perform its duty as an advocate for children and youth."

Why should it come to this? Why do we have to be going through this process? Isn't it in everyone's interest for the provincial advocate not to be limited in his role as an advocate for our children and youth, the absolute role that he serves?

From the advocate's 2013-14 report: "Recently, a Toronto newspaper reported that a child who had been found dead in a car along with two other family members was a recently adopted foster child. The Office of the Chief Coroner and the placing children's aid society both declined to provide the advocate's office with a briefing about the death or the status of the investigation. As a result, we have as much information about the death of a child in our mandate as an ordinary member of the public—and far less information than media reporters assigned to cover this tragic death."

After repeated calls for more information, the advocate now gets child death reports from the coroner's office once a month. But what the advocate gets is heavily redacted information that can leave out the child's age, gender or even the date of his or her death. How the advocate is expected to act on this information is absolutely anyone's guess.

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Incredibly, the Provincial Advocate for Children and Youth, an officer of this Legislature, has resorted to monitoring press clippings and, when there is a press report of a death or critical injury, following up with the agency and the family of the child. Hopefully, with fingers crossed he'll get the information in order to advocate on behalf of that child, their loved ones, and all of the province's kids in care who may find themselves in similar preventable circumstances somewhere else down the line. It's not right, Speaker. As the advocate put it when discussing amendments he was seeking to Bill 8, which I'll come back to in a minute, "How can I not be privy to that information?"

In fact, other Canadian jurisdictions that have a children's advocate receive this information and are automatically notified. BC, for example, and other children's advocates in this country undertake investigations into deaths or serious injuries of children within their mandates, and can even compel government agencies to produce information.

Other independent officers of this Legislature have the power to compel information as well, but not the children's advocate. All of our other advocates get this power except our precious children's advocate.

It's true that the provincial advocate act was recently amended through Bill 8 to provide new investigative powers to the provincial advocate's office to investigate issues of kids in residential care, but these powers are to be siloed, separate from the advocacy role in the advocate's office. He's given powers, but the two parts of the office cannot speak to each other regarding the same case. Even if these new powers were ideal—and they're not—the advocate's office can only undertake an investigation after all other agencies are done: the coroner's office and the Child and Family Services Review Board have undertaken their investigation and their process is complete. Then, possibly, the advocate will get the information.

What the advocate has been seeking since 2008, and I'd like to correct through this legislation, is to receive

notification of the death of children already within his mandate in a timely way so that he may advocate for the living. It would be a shame if his office had to investigate, with everything that entails, each death they learn of, when speaking to agencies, the authorities and families in a timely way may be all that's needed to advocate for the province's kids in care. The advocate is simply asking not to be cut off from one aspect. Some would argue that the most important aspect of his mandate is to deal with children's deaths or injuries.

What do we do to prevent violent, awful, preventable deaths in this province of our most vulnerable children? Each of us should be deeply troubled that any child connected to care dies in Ontario. It's an outrageous number and completely unacceptable. Of course, we don't know for sure because, as the advocate suggests, there is no requirement that child deaths or other serious occurrences are reported to the one person in the province whose job it is to make sure that those children are not forgotten.

Sadly, we know it's not an isolated problem. The children's advocate in Newfoundland had to learn of 20 of 26 deaths of children in care since 2009 through the media, the same way the Ontario advocate learns of them. Again, this is outrageous.

Speaker, this isn't only needed when a child dies but in cases where there have been serious or critical injuries as well. Incredibly, although serious incidents that result in injuries have to be reported by residential care facilities and agencies providing child protection services, I've learned recently through freedom-of-information requests that the details of an estimated 20,000 serious incident reports are not tracked by this province. This is absolutely unacceptable, more so when we have an independent officer of the Legislature, mandated to advocate for children in care, imploring year after year this government and the members of this House to allow him to undertake this incredibly important work.

This bill, Speaker, simply is—like I said—a request of the advocate to make sure that he can do the best job that he can for the children of our province. I look forward to the rest of the debate.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mrs. Kathryn McGarry:** I'll be sharing my time with the member from Newmarket–Aurora this afternoon.

First off, I'd like to commend the member from Hamilton Mountain for bringing this important issue forward. I think all of us in the province, all of us in this House, agree that there's nothing more important than protecting the most vulnerable small people in this province, and I commend her.

As a matter of fact, as a brand new nurse at the Hospital for Sick Children way back when, the first patient I admitted was a victim of horrific child abuse. I was launched, as a very young person, into that whole world of knowing when a child has been neglected and

how to go about the reporting mechanism. Indeed, throughout my career not only at Sick Kids but as an emergency room nurse, I often had to witness horrific child abuse cases. So this is very near and dear to my heart, not only as a parent but also as a nurse and as an advocate for small people in this community.

As a matter of fact, I was also a witness of the crown through one of these cases in court. I saw it from all sides, I'd have to say. So, again, thank you very much for bringing forward this issue to debate in the House.

I'm very proud of being with this government, which is working with community partners every day to really give our kids the best possible start in life. These partners also include the 47 children's aid societies that we have throughout the province, who provide vital services, again to some of the most vulnerable patients throughout our province.

I also know that you know that we have been stepping forward on this. In fact, it was our government that established the Office of the Provincial Advocate for Children and Youth in 2007. We also extended the provincial advocate's powers last year with the passing of the Public Sector and MPP Accountability and Transparency Act, powers that the NDP actually voted against. The provincial advocate can now initiate and conduct investigations into matters relating to children and in the child welfare system.

As I mentioned, the Ministry of Children and Youth Services has been providing the provincial advocate redacted copies of child fatality case summary reports and serious occurrence reports regarding the deaths of children who were involved with the CAS at the time of death or over the preceding 12 months. Since January 2012, this has happened on a monthly basis. The information is redacted in order to protect the confidentiality of children and families, which is also important in these cases.

The information is provided to the provincial advocate under an information-sharing protocol that sets out our government's obligations to provide summary documents to the provincial advocate not only on a monthly basis but also in response to requests, within 10 days whenever possible. Given the subject matter, these protocols call for the utmost sensitivity and clarity.

The amendments proposed by the member from Hamilton Mountain are written in broad and vague language that I fear may have unintended consequences and that are in some cases redundant. Where the member refers to "agency and service provider," this could potentially include child care providers in school settings and create an additional reporting responsibility for them to advise the Provincial Advocate for Children and Youth's office.

Where the member refers to "informing the advocate," I'd like to know whether the reporting is directly to the advocate himself—the individual—or his office. I think this requires some clarification, and if the reporting is to the office generally, the Provincial Advocate for Children and Youth's office would need some reporting structure to be able to receive the information.

How should we interpret the member's reference to "inform the advocate promptly"? I know that the Ministry of Children and Youth Services currently shares redacted information on a monthly basis with the Provincial Advocate for Children and Youth's office. Would this amendment increase the frequency of that information-sharing?

How does the member define becoming aware? I'm concerned that this may imply hearsay, compelling the person or agency to report to the provincial advocate's office.

Finally, doesn't the word "involve"—and I again quote—encompass any previous involvement? What if the children's aid society had simply conducted, let's say, a mental health counselling session a year ago?

**1350**

As I said, I wanted to reiterate the fact that the provincial advocate has been receiving redacted copies of the child fatality case summary reports and serious occurrence reports regarding the deaths of children who are involved with the CAS at the time of death or over the preceding 12 months, and that that has been happening on a monthly basis since January 2012. Protecting the confidentiality of these families is key, Speaker.

We've developed this particular protocol partnership in collaboration with the provincial advocate. When we do provide documents, our government goes to great lengths to ensure that we are complying with the Freedom of Information and Protection of Privacy Act, the Youth Criminal Justice Act and the Child and Family Services Act. The privacy implications are something that we take very seriously, and they are reflected nowhere in this in this bill.

Yet, in saying that, Speaker, although I have concerns, I'm generally supportive and would like to see this moved forward so we can discuss some of these things more thoroughly in committee.

Again, I wanted to commend the member from Hamilton Mountain for bringing this important subject forward today.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mrs. Julia Munro:** I want to begin by saying that it's my pleasure to rise today to speak to Bill 117, the Provincial Advocate for Children and Youth Amendment Act, 2015.

Children and youth are the future of Ontario, and it is important that we protect them from harm. More so, it is important that we learn from past mistakes in order to make Ontario a safer place for all children, including those who live in care.

The province of Ontario has a duty to ensure the safety and rights of our province's children and youth. We have a responsibility to make sure that all children have the opportunity to live healthy and safe lives. This duty is not just to the youth themselves but to their family, neighbours and loved ones. Independent officers need to have the necessary information when performing an

investigation into the death or injury of a child or youth in our province. It is imperative that a full investigation can be completed so that justice can be found for the victims, and so that their loved ones can begin the healing process.

It is concerning that, under the current framework, the Provincial Advocate for Children and Youth has the same amount of information about the death of a child as any member of the public or even less information than the media assigned to cover the case. The Ontario Association of Children's Aid Societies has argued that the provincial advocate's office should have the same power to obtain information as the Ombudsman's office. It is important that these investigations are performed in a timely manner, so that we can learn how to prevent further incidents from occurring.

However, I do want to express some concerns in regard to the implementation of this bill. We need to ensure that the money spent brings results. We can't simply build a larger bureaucracy. We need to make sure that there are measurable results that make life safer for kids and youth here in Ontario.

We need to get this right. There are countless examples of well-intended programs that this government has rolled out only to see them implemented poorly. Things like Ornge, eHealth and SAMS come to mind.

I think that when we look at conversations with individual families and foster families and people who have been involved in the process of fostering and then having the children adopted, there's part of that process, as well, that we have to be careful of. How much is too much red tape? How much is prudent discovery? The member opposite made reference to privacy issues. There is a whole host of things that have to be measured in terms of their outcome and their success.

I had a phone call a couple of years ago from a student who was fearful of no longer being eligible to be a foster child. He was very anxious about the success that this placement had had for him and the fear that he had that the rules didn't allow for him to stay. So there is a great deal of areas of concern in making sure that we do have measurable results that will make Ontario a leader in these areas.

We know the names of children like Jeffrey Baldwin for all the wrong reasons. Jeffrey fell through the cracks of our system, and children like him deserve our protection. At the very least, other kids deserve to have us learn from past mistakes so we can protect the next generation of children and youth. I am pleased to express my support for this bill.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Cindy Forster:** It's an honour to rise and speak to my colleague from Hamilton Mountain's Bill 117, An Act to amend the Provincial Advocate for Children and Youth Act, 2007 with respect to notices of critical injury or death.

Having heard and read stories of horrific deaths or injuries, including one death in my own riding this past

summer in Welland, this bill could not come sooner. In fact, the provincial advocate is on record as thanking Monique Taylor for bringing forward this important bill in an attempt to create a fairer and more honest system.

In July of this past year, a 13-month-old child from Thorold whose name was Kody and whose family is here today in the gallery—his mom is here, and his step-grandpa—was taken to the hospital after a critical injury, and he later died at McMaster Children's Hospital under the care of medical personnel. Unfortunately, this child in care was put into custody, by the courts, with a man who had previously been convicted of physically abusing a child decades before. Members of my community were deeply shocked and saddened to hear the news about Kody's passing, but it identifies that these incidents do occur in every community across this province. The family is certainly here today to support this bill.

We can and we must do better, but still, in the 2015 budget, this government cut \$243 million from the Ministries of Community and Social Services and Children and Youth Services, according to page 230 of the budget—money that well could have been invested to protect kids in this province.

Ontarians are demanding, I believe, more action to protect our kids, because the government has actually failed to protect them by having such lax investigative powers for the advocate. This bill seeks to change that. I hope today that each member of this Legislature will support the member from Hamilton Mountain in one more step to protect our kids.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Chris Ballard:** It gives me great pleasure to be able to rise today to talk about Bill 117. I would first start by saying that not only is it my pleasure to speak to the bill, but I'd like to thank the member from Hamilton Mountain for bringing this issue to our attention in this bill.

I am generally in agreement with what it's attempting to do. I do have some concerns, and they are concerns that were iterated by my colleague from Cambridge. I will reiterate those as time goes on.

I would start by saying, Mr. Speaker, as a father and someone who has been involved in his community, that there's no more important protection we can give as a society than to our children and our youth. It's paramount. They are among the most vulnerable people in our communities, and we need to make sure that they are well protected. I know that this House would agree with that fundamental statement that the health, safety and security of Ontario's children and youth are paramount.

**1400**

That's why our government works with community partners every day: To give our children, the children of Ontario, the best possible start in life. It's been mentioned—and I'll mention it again—that these partners include 47 children's aid societies across Ontario. I've had a number of meetings with many of them about the work that they do and how we can strengthen and support

the work that they do in providing a vital service to, as I said, some of the most vulnerable people in the province.

Our government has already taken steps to strengthen child welfare in the province. Let me give you some examples. It was our government that established the Office of the Provincial Advocate for Children and Youth in 2007. We also extended the provincial advocate's power last year with the passing of the Public Sector and MPP Accountability and Transparency Act. The provincial advocate can now initiate and conduct investigations into matters relating to children and the child welfare system.

The House should know that we're working closely with the advocate's office to further build capacity. We're working closely together to keep children safe.

The bill before us addresses tragic instances of death or critical injury of children or youth involved with the children's aid society at the time of death or in the past 12 months. More specifically, it concerns the protocols for information-sharing whenever these horrible events take place. Given the subject matter, these protocols call for the utmost in sensitivity and clarity.

I have some concerns with Bill 117, although I certainly laud its overall attempt to ensure the safety of youth and children in Ontario. The amendments proposed, for example, by the member from Hamilton Mountain are written in a way that I'm concerned may have consequences that are unintended and in some cases may be redundant. I can give you a couple of examples: Where the member refers to "agency and service provider," it could potentially include child care providers and school settings and create additional reporting responsibilities for them to advise the Office of the Provincial Advocate for Children and Youth.

Another example: The member refers to informing the advocate and, very simply, I'd like to know whether the reporting is directly to the advocate as an individual or to the office. I can make some assumptions, but I think we need some clarification there.

Another concern I have is that when the potential bill talks about "informing the advocate promptly"—I know that the Ministry of Children and Youth Services currently shares redacted information on a monthly basis with the Office of the Provincial Advocate for Children and Youth. So would this amendment increase the frequency of that information-sharing? I'm not too sure.

Finally, how does the member define "becoming aware"? I'm concerned that this may imply that if we heard it through hearsay, that would compel the person or agency to report to the provincial advocate's office. So if it's simply word of mouth without proof, it may create additional burden.

Mr. Speaker, I can tell you that the Ministry of Children and Youth Services has been providing provincial advocate-redacted copies of child fatality case summary reports and serious occurrence reports regarding the deaths of children who were involved with the CAS at the time of death or in the preceding 12 months. Since January 2012, this has happened on a monthly basis.

I'll stop there, but I just wanted to reiterate that I applaud the member from Hamilton Mountain for bringing forward this issue so we could have some debate. I look forward to some clarification on the issues.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Jim McDonell:** It's a privilege to stand up today on Bill 117, An Act to amend the Provincial Advocate for Children and Youth Act. The bill amends the act of 2007 to include an obligation on agencies and service providers to inform the Provincial Advocate for Children and Youth promptly if they become aware of a death or critical injury of a child or youth and a children's aid society has been involved with the child or youth, or the child's or youth's family, within 12 months of death or critical injury.

I agree with it, and I think it's a housekeeping piece of legislation. It makes sense. You might wonder why this is even required. It should have been included in the first part, but one can only see from this government's history just why the Ombudsman may be looking at this and not looking for the government to put this in place.

The government may have created this position, but, in many ways, in name only. Believe it or not, the advocate is restricted in what he's allowed to review when it comes to children's issues. One would think that he should be allowed to investigate areas where there's been suspected abuse, wrongdoing or the like, but unfortunately that's not the case. There have been many cases.

I had the opportunity to talk to the advocate over the last couple of years. He told me about instances where he has gotten calls from children and parents, but when he has gone to make the inquiry, he has been turned away because the ministry would say that he's not authorized to look into it. To the member from Cambridge who talked about children being our most precious commodity: How would we not be interested in knowing just what the issues are? The Premier talked about being open and transparent; I think we see anything but.

If we look at my bill, that I put forth earlier this year, to allow the children's aid to look after children that are over 16 years of age, one would wonder why that would be required. If they've received attention from the children's aid, it's not a problem. If they haven't, if a parent dies and they turn 16 or become without support, he's out on the street. Again, that's not showing a government that has compassion. The member from Cambridge said that there's nothing more important.

If you look through the investigations—and in my discussions with the advocate he talked about working with this government after the Baldwin inquiry to try to get some of the investigative powers, and being assured that these measures would be put into the bill. But of course when the bill was released, these measures were left out. He came to us, to the opposition, and proposed amendments through us, so it would give him some of the rights and abilities to actually really be able to do his job. Those amendments were all turned down by this government.

We hear about how interested and concerned they are, but without these expanded powers—unfortunately it took the Jeffrey Baldwin inquiry to identify many issues. If one could believe that the children's aid society was outside of his realm of investigation—but that's the case. It was only the death of Jeffrey Baldwin that brought this to light. Those recommendations: Only some of them were actually incorporated in the legislation—and to include them in his powers.

When I was talking to him, I'm not sure what powers he did have. If he can't even investigate the agencies of the government itself, really, what are his abilities? He talked about being handcuffed and frustrated by this government. It's little wonder that he was one of the signatories to a letter to this government of the seven independent officers about the lack of transparency and the lack of ability to investigate what they believed that their jobs were.

Changes in the budget would actually reduce their powers to get at some of these issues. Again, I hear numerous times about a government that wants to be transparent, but their actions are anything but. Why are we seeing the independent officers being forced to go that route, where they actually have to go public with what's going on in the depths of the 2015 budget?

I just heard, again, the member from Newmarket—Orillia—

**Interjection:** Aurora.

1410

**Mr. Jim McDonell:** —Aurora talking. He's backpedalling on the requirements of this bill. These are minor issues.

Surely the Office of the Ombudsman could be informed if somebody suspects or becomes aware of wrongdoing. A private citizen is forced to contact the police if the same thing has happened, but that doesn't get to the root of the problem. We're talking about redacting documents so they can't find out any of the real details. This is an officer of the Legislature. Surely these people are vetted, and we can trust them with the information. If he's really going to have any teeth or any ability to stop what's going on, he needs the ability to look into the mystery and get co-operation from the various ministries. I don't think it's too much to ask; it's just what you should expect in a province like Ontario that really promises and commits to being open and free.

We will be supporting this bill this afternoon, and hopefully we'll see it through speedy action to get it in place. If there are some ambiguities in it, they can certainly be handled through an amendment very easily done. I would anticipate that the government might be putting forth a few amendments if they have some concerns, but we'll wait and see on that one, and see if there is a real interest to put this bill through.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Teresa J. Armstrong:** I am proud to rise today to contribute to Bill 117, An Act to amend the Provincial Advocate for Children and Youth Act, 2007 with respect to notices of critical injury or death.

By obligating agencies and service providers to inform the Provincial Advocate for Children and Youth if they become aware of the death or critical injury of a child, we, as legislators, can help improve a system that has failed youth and children in our province. These are children we are talking about. They are innocent; they are vulnerable. We have a responsibility to make sure they're looked after.

Over the years, the Provincial Advocate for Children and Youth has been a strong voice for those most vulnerable in our society. Whether it has been by informing youth and families of their rights and entitlements, voicing concerns of children and youth when they think nobody is listening or ensuring there are proper processes in place that address their concerns, the provincial advocate has done great work. Nonetheless, as my colleagues have pointed out, this office has limited resources and power to investigate or inquire on the death or critical injury of a child.

Why, then, has this government decided to cut over \$200 million from the Ministry of Children and Youth Services? Many of us are parents or grandparents or have nieces and nephews. I can't imagine the pain a family goes through after the passing of a child. As a mother and grandmother myself, I believe that we must do better.

Today and in previous sessions, my NDP colleagues have spoken strongly in favour of the fact that this office needs to have the funds, resources and power to better address the needs of the children and youth of our communities. I want to congratulate the member from Hamilton Mountain for bringing this bill forward. I hope that all members in this House will find it in their hearts to support this bill and come together to pass this bill on second reading.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Cheri DiNovo:** First of all, I want to say that Katelynn Sampson was not just a name to people in Parkdale—High Park; she was a member of our community. We know her. She was a student at Parkdale public school. I see her mother, Bernice, probably every other week at various functions in Parkdale.

Just to give you a sense of what we're dealing with here: Bernice, because she was wrestling with her own mental health and addiction issues—and is quite open about it—felt she couldn't look after Katelynn, assumed the system was going to work for her and allowed her daughter to be taken care of by a couple. There was a comment made when this was actually looked at as a crime, which it was. The comment was that more oversight goes into the adoption of a kitten from the humane society than goes into the care of our children, some days, in fostering and the children's aid society. Those are not my words; those are words that came out of the judicial inquiry. Needless to say, the rest is history. The scene that the police found when they went to that apartment was the worst, the officers said, that they had ever, ever seen, and they said they would never forget it.

Right now, outside of Parkdale public school, there is a series of paintings—really, an art installation—dedi-

cated to the memory of Katelynn Sampson. The poor school and her classmates, of course, were also traumatized.

It speaks to a number of derelictions of duty of this government, Mr. Speaker, not just one. It certainly speaks to the lack of clout that the children's advocate has, and that's what the member from Hamilton Mountain is advocating for: simply that the children's advocate have the tools that he needs to be able to do the job to help save the Katelynn Sampsons of this world. That's number one.

Number two: Had there been enough staff at that public school—we used to call those folks social workers. Guess what? There are not enough of them. There is not enough hands-on in our school system. It has been cut to the bone. We don't have what used to be called truancy officers, who could go out and knock on the door to find out why a child hasn't been in school for three months. That's the other piece of information here. Again, that's the neglect of this government. That's the cutbacks. That's what has been put into place.

We're simply asking for a small correction. The member from Hamilton Mountain is asking for a very small correction: simply that the tools be given to the children's advocate to do his job. I can't imagine what objections there would be to that. We have heard some. Any of those objections can be handled with amendments at committee. There's no reason not to vote for the bill—absolutely none—unless they want the current state of affairs to continue.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate.

**M<sup>me</sup> France Gélinas:** I too am happy to add a few words to this debate.

En ce moment, ce que nous avons, c'est un système où, si un enfant meurt ou est blessé sérieusement, l'intervenant provincial en faveur des enfants et des jeunes n'a pas moyen d'être au courant. Il doit feuilleter les journaux pour venir à bout de savoir ce qui s'est passé.

Le projet de loi est très simple. Ça n'arrive pas si souvent que ça, un enfant qui est ou qui a été vu par l'enfance en difficulté et qui meurt ou à des blessures sévères. Tout ce qu'on demande, c'est que, lorsque ça arrive, on prend le téléphone et on laisse l'intervenant provincial en faveur des enfants savoir. C'est tout.

The bill is so simple yet has such a profound and determining opportunity to change things for the better. All that the bill says is that if a child dies or is severely injured and has been in the care of the CAS in the last 12 months, you will pick up the phone and tell the child advocate. It's not something that happens every day, but it does happen way too often.

What will that change? Once the child advocate has an opportunity to see them all, then you can learn from trends. You can see what has happened. You can see if there are patterns that develop, and then we can learn from this. We can be proactive and save other children from death and serious injury.

It's as simple as that, Speaker. When I hear people standing up and saying that it will be a burden on our schools or on our daycares—really, Speaker? How often does a school-age child die while he or she is in care? We are talking about a handful a year. Don't get me wrong, Speaker: A handful is way, way too many; there should be zero. But when it does happen, it is not an undue hardship to pick up the phone, phone the child advocate and say, "A child in my school has just died."

To me, these are those moments when a small change in regulation gives each and every one of us MPPs the opportunity to stand tall, stand proud and say, "We did this. Together, we corrected this piece of legislation. We added that little piece that will make sure children will be protected, that we will learn from those horrible cases that we've talked about, from Katelynn and Kody's death. We will learn from this so that we can protect children."

**1420**

We're all politicians. If I was to ask you, "Would you like to protect children?", how many of you will go into the "no" list—"No, we don't"? Of course not; we want to protect children. This is the human thing to do, and this afternoon we have an opportunity to do this. We all know that it happens in Ontario, and it will continue to happen. Children will continue to die or be severely injured.

We have this opportunity, this great privilege as politicians, to change things for the better. I, for one, will be voting in favour of this bill because it makes me feel that it's all worth it, that being elected so that I can make my province a better place—well, this is this opportunity right here, right now, this afternoon. I'm not going to let it go by, and I hope none of you let that opportunity go by either.

**The Deputy Speaker (Mr. Bas Balkissoon):** I thank everyone for their comments. I now return to the member for Hamilton Mountain. You have two minutes for your reply.

**Miss Monique Taylor:** Thank you so much, Speaker, and thank you to all of the speakers who have put their time and thoughts into the bill that I've presented today, who have brought forward questions and comments and concerns because that's what committee's for. That is why we go through this process of second reading so that everybody can have their say about what's in this very small, little, one-sentence, small paragraph of a bill. This small paragraph is going to make a huge difference in the lives of children in our province. It could save one, two; it could save 10 children. It could prevent child deaths from happening, critical injury from happening.

As the member from Nickel Belt put it so eloquently, that is our duty. That is why we come here. This is why we get elected in the province of Ontario and why we stand so proud in our communities. It is because we're sticking up for families, because we're sticking up for our neighbours and we want to make sure that our neighbours' kids come home safe, and if they're put into the Ontario system, whether it be in child protection or whether it be in custody, whatever it may be, that

everybody in this Legislature put their best foot forward to make sure that our advocates, that our officers of this Legislature have the tools to do the job that they need to do.

This is a small piece from the child advocate that you so proudly talk about, that it was your government that implemented this child advocate, and thank you for that. I'm sure many parents and families and children across this province will continue to thank you for giving us the child advocate because they are doing fantastic work.

But we know that when our child advocate, who we know and trust, comes to us and says, "We need this piece to do the job we need to do," and they've been asking for this since 2008, it's time to get the job done and pass this bill forward. Thank you very much, Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. We will take the vote on this item at the end of private members' public business.

GREAT LAKES SHORELINE  
RIGHT OF PASSAGE ACT, 2015

LOI DE 2015 SUR LE DROIT DE PASSAGE  
SUR LE LITTORAL DES GRANDS LACS

Mr. Gates moved second reading of the following bill:

Bill 118, An Act to create a right of passage along the shoreline of the Great Lakes / Projet de loi 118, Loi créant un droit de passage le long du littoral des Grands Lacs.

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Gates has moved second reading of Bill 118, An Act to create a right of passage along the shoreline of the Great Lakes. Pursuant to standing order 98, the member has 12 minutes for his presentation.

**Mr. Wayne Gates:** Thank you, Mr. Speaker. I'm extremely proud to rise today to bring forward Bill 118, the Great Lakes Shoreline Right of Passage Act, and ask this House for your support of the bill.

This is not the first time this bill has been before the House, although it is the first time I will bring it forward. I cannot introduce this bill without recognizing the hard work of my friend and your former colleague Mr. Kim Craitor, who brought this bill forward multiple times. Each time, he did receive all-party support, and yet somehow it never made its way past second reading. It's strange how that happened.

I'd also like to thank Garry Skerrett and his family for being here today to watch as this bill is debated. Garry is the founder of the Shorewalk association, which has done a huge amount of work in bringing this issue forward.

Mr. Speaker, Canada is blessed with the largest reserves of fresh water on the planet. Our Great Lakes are one of the best examples of the beautiful natural landscapes that people around the world think about when they think of Canada and Ontario. Alongside our incredible Arctic, the mountains of BC, the Prairies, historic Quebec and the shores of the east coast, Ontario proudly

contains the Great Lakes. For hundreds of years, the Great Lakes have provided transportation, trade and commerce that have built this great country and province. From the early explorers to today's shipping industry, the Great Lakes have been a part of this country's history.

Every summer, people, including probably those who are in the House today, flock to the beautiful beach lines of the shores of our Great Lakes. They flock to those beaches for a little peace and quiet, as a place to escape the everyday stresses that we are under. Mr. Speaker, as many of my colleagues here know, these beaches are absolutely beautiful. Some are more of a distance to get to; some of them are only minutes away from our biggest cities. For whatever different reason, they have tens of thousands of people from this province enjoying the Great Lakes every year. But it seems that on certain occasions there can be issues when it comes to using these beaches. Just walking along these beaches can be an issue. The issue that comes up is about whether or not the people of this great province have the right to walk along the shoreline of the Great Lakes. That is why I'm bringing this piece of legislation forward again.

Around the world, including as near to us as Michigan, the people have the right to access the shorelines, the lakes, the oceans and the rivers. Whether the property that fronts on a beach is a five-star resort or the mansion of a world-famous celebrity, like we've had in Toronto all week, there are questions about who has the right to walk on that beach. In most of the world, that question's answer is quite simple—everyone does—but not here, at home, in Ontario.

Mr. Speaker, I think at face value most people see the Great Lakes as belonging to all Canadians. They're as much a part of the fabric of this country as the maple leaf on our flag. They're a symbol of Canada and a symbol of Ontario. I think most people here would agree that these natural resources belong to every one of us and it's a right of being a citizen of this great country. I also believe that when asked, most people would believe that we have the right to at least enjoy the beaches at the shores of these Great Lakes. Yet in Ontario that is often not the case.

While there's no law that prohibits people from walking along the beaches, there's also nothing to prevent the private property owners from building fences right down to the water to stop others from walking along the shoreline. In cases where this happens, our Great Lakes shores are being covered with fencing, and people are being barred from crossing the sand.

**1430**

Right now, there's really no law either way on this subject, and it's leading to a lot of confusion. The confusion is leading to frustration, and that's leading to conflict. I believe I am offering a way to settle that conflict.

Mr. Speaker, the bill I am presenting today will stop this practice and clarify the law around the passage of the Great Lakes shores. The Great Lakes Shoreline Right of Passage Act, if passed, would allow, once and for all,

walking rights along the shoreline of the Great Lakes and would forbid the creation of fences or signs that try to impede that right.

Let me clarify this right now. This does not mean—this does not mean—that the land owned on the shoreline is being taken by the province. It does not give the walkers ownership of this beachfront property. In fact, it doesn't even mean you can stop on someone else's property, set up a tent, or stay for a while—very simple. This bill means you'll be able to walk along the shorelines of the Great Lakes—not stop, but simply have the right to pass along the shoreline of the Great Lakes.

In fact, this bill actually clarifies some of the liability issues that weren't previously outlined, protecting landowners as well as shore-walkers.

In some places, this issue has already been resolved. Take the great city of Hamilton. We have a number of members here, MPPs, from Hamilton. Yes, give them a clap. I think that's good.

*Applause.*

**Mr. Wayne Gates:** Some 20 years ago, the shoreline in Hamilton was all industry, but since that time, they had the courage and the foresight to build not one but two waterfront trails that are accessible to everyone: the Hamilton Waterfront Trail and the Hamilton Beach Trail. What happened from that? Those trails have become a tremendous success for that city. They have helped transform the waterfront from an industrial area to a place where thousands and thousands of people can come and go for a walk. The economic benefit from that has been outstanding. The growth around the trails is something I think we would all like to see in our own community, and that's a good thing.

When more of the people in our communities are able to simply get up and go for a walk, it benefits us all. It benefits seniors, who can get exercise walking along the shores of our Great Lakes. It benefits our children, who can learn to enjoy the fresh air. That means that people will live longer, healthier lives, and whole communities will benefit.

Mr. Speaker, the public used to have the right in this province. Ontario had an act, a water act, defining each Great Lake's limits as a high-water mark, meaning that everything below was public land and publicly accessible, but that was changed in 1951. At a stroke of a pen, the province eliminated the public access to the land between the water's edge and the high-water mark by changing the act's jurisdiction to the water's edge. Just like that, you could no longer go for a walk on the beach.

The confrontation between the private property owners and the public began almost immediately and continues to this day, in places like Balm Beach in Tiny township and Fort Erie in my riding of Niagara Falls.

To address this, the Niagara Regional Development Council commissioned Professor John Jackson of Brock University in 1967 to look at this issue. Professor Jackson was asked to research Niagara's Lake Erie shores, with an emphasis on recreational land use. On page 226 of this report, he states: "In conclusion, we re-

emphasize our three most important recommendations: Lake Erie must be clean; its clean beaches must be available for recreational use by the more intensive public practice of the future; and the provision of recreational facilities must be viewed as an integral part of the regional development process."

We're talking about economic development. At the heart of this bill, it's just that: making sure that the public has full access to our beaches for recreational walking uses, and recognizing that the access is an integral part of making our province a better place to live.

I recently had the opportunity to visit Bernard Beach in Fort Erie, just as Professor Jackson did in 1960. I'm happy to report that it remains a beautiful sand beach with clean water. It's one thing that makes my riding so amazing. You have incredible communities and all the nice things you find in a big city, but surrounded by incredible landscape.

Unfortunately, I have to also report the comments from the beachgoers who approached me at the same time—of what they heard years ago. They asked me why they are confined to a 20-metre strip of beach. They asked me when the fences and the signs are coming down. Quite frankly, I had no answer for them.

I'm not going to be able to get through my full speech, but I want to say to everybody listening—in particular, to my Liberal colleagues, my NDP colleagues and the Conservatives—that the part of the road access to a beach was as wide as here. Thousands of people have to stay on that piece. It's 90 degrees out and they can't even go for a walk down the beach and put their feet in the sand. Does that make sense to anybody in the province of Ontario? That's what's being faced in communities right across the province of Ontario.

This bill will change that. I'm asking you today to support it. Thank you very much for giving me a few minutes of your time.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Hon. James J. Bradley:** I want to commend the member for taking up the bill that Kim Craiton, a former member of the House, used to introduce from time to time in the Legislature, carrying on this particular initiative, which is designed to allow public access to the wonderful areas that we have, particularly the beach areas along Lake Ontario and Lake Erie—where we are—and indeed, the other Great Lakes and other waterways. He will know that there will be some significant arguments that will be put forward against it from those who are believers that private property rights should trump everything else. Nevertheless, that does not mean that this should not be brought forward and given very serious consideration.

We used to have various authorities which would help to ensure that these shorelines were protected; for instance, conservation authorities we think of as being naturally in favour of the protection of land for public purposes. He resides in the Niagara Peninsula—the member does. He would hope that the Niagara Peninsula

Conservation Authority, first and foremost, would have in its mandate the protection of public property in the area. Unfortunately, it's my understanding that there have been a number of environmentally expert scientists who have been let go by the Niagara Peninsula Conservation Authority, and others have been hired in their place. So we have some concerns that those who naturally would be advocating for the protection of these shorelines may not be as vociferous as they otherwise might be. But it is significant. I think we recognize, and the member said in his remarks, we're not trying to "do in" those who own the property along there; we're trying to make sure that people have public access to it.

There will be some who will say, "Look, for security purposes, I don't want people going along the front of my property." There will be others who say, "It's my right to have the property for my particular use and not for public use." There may be some litigation. There will be others who will make the argument, "Well, this is expropriation without compensation." I think you have to give those ideas some consideration, and there will be, as this matter goes to committee, if it indeed passes second reading. But I don't think that should stop us in this House from proceeding with this particular bill, to ensure that there is public access to those things that we consider to be a public good for all people.

We have to be careful as well when we allow new development taking place along these shorelines that they don't exclude people, the general public, from being part of it. I know in Port Dalhousie in St. Catharines there's a development that's now being proposed very close to the waterway, and I think people in our area are saying that there are some archaeologically significant items there, such as old canal locks, that we would want to ensure are protected along the shoreline. Again, in keeping with the member's thrust, they are the public trust. There are people who want to see that.

**1440**

You've heard me in the House from time to time use the term "more nerve than a canal horse." Well, that's because the canal horse used to have to go very close to the edge of the canal and pull the ship along—they weren't the large ships you see today—and that was a very dangerous job. It took a lot of nerve for those canal horses to pull the ships along. That's the significance of that particular interjection or suggestion I would make in formal debate about canal horses and the nerve of canal horses.

I hope this matter can be resolved. The member has given some history to it, and that history is significant. He has talked about what it used to be like, how that got changed. It's a dynamic situation, which means it can be subject to further change. He's not suggesting that it not be done without significant consultation, and I think that is important.

Nevertheless, I will certainly be supporting this bill at second reading. I think it's worthy of consideration by this House. It's an ongoing act of argument that takes place. We will not dismiss anyone who makes counter-

arguments, because there are counter-arguments to be made. Ultimately, this Legislature will decide on the final disposition of this bill, and a resolution of many of the challenges that we face in this regard.

Let's proceed with the bill. Let's get it to committee, and let's have representations made by many. Ultimately, it would be my personal hope that the bill would see final reading. We know how challenging that is with private members' public business. Most of those bills do not go beyond second reading, or perhaps into committee. At the end of a session, the House leaders get together and make a determination as to which bills shall proceed. Some would call that horse trading—probably not necessarily what I would call it, but it is what happens at the end of a session.

I want to thank the member for bringing this forward, and hope that we receive a very good debate today—a thorough debate; people expressing all views on this issue.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mrs. Julia Munro:** I'm pleased to rise today to speak to Bill 118, An Act to create a right of passage along the shoreline of the Great Lakes.

While this bill specifically aims to address concerns along the St. Lawrence River Basin and the Great Lakes, the principles outlined do, in fact, have much broader consequences. The passage of this bill would open the door to broadening its mandate to include all waterfront properties in Ontario.

As we've heard, over the last few years this bill, in various forms, has been presented by members of both the Liberal and the NDP parties, and they have met death by proroguing and things like that, and failed to become law. But in my riding of York-Simcoe, there's an extra-special twist to this particular discussion, and I want to use today as an opportunity to reflect on angles that have perhaps not been considered in the drafting of this piece of legislation.

In my riding of York-Simcoe, residents of Georgina are actually mobilizing to protect their property rights. The municipal government in Georgina is asking indirect lakefront owners to sign encroachment agreements. Residents are worried that this is the first step towards building a walking trail or bike path along their private property, stripping them of their private and exclusive use of their land in the process. Let me explain. In some places, between the road and the water there is maybe 10 feet—in many cases, less than 10 feet. So this creates a very different kind of environment in which to be talking about the high-water mark.

It's also of concern, then, as you might imagine, that with some of these areas very narrow, it is a direct threat to the property that in some cases has been within the family for three generations or more.

When my constituents pay their property taxes, they are taxed on a property value that includes the use of waterfronts. I think this is very important because, similarly, when residents along Lakes Ontario, Huron

and the other Great Lakes pay their property taxes in Ontario, they are taxed on a value that includes the exclusive use of their waterfronts. Not only does this proximity to the waterfront result in an increase in the actual value of the property, but it also affects the assessed value of the property, which of course increases property taxes.

Families in Ontario need to know that the hard work they put in maintaining their properties will not simply be set aside by government. They need to know that the investments of time and money that they have poured into their property will be able to be enjoyed for years to come, and they need to know that their privacy will be respected.

Property owners invest in their properties by building structures such as boats and docks. It's unclear how the property rights of owners will be protected while at the same time allowing public access. Thankfully, the public already has access to the Great Lakes shorelines at beaches and parks such as Woodbine Beach here in Toronto, Point Pelee near Leamington and the Bruce Peninsula park near Tobermory. The people of Ontario are fortunate to have access to public spaces on countless lakes across Ontario, including many parks and beaches on each of the five Great Lakes. I would add also that there are many places along Lake Simcoe where there would be adequate space. But certainly in Georgina there are some significant issues on a notion such as this.

There are many public spaces—boat launching pads giving people access to many more lakes—as well as the many parks and beaches around the Great Lakes. I think the most important thing from our debate today has to be focused on the need to maintain a balanced approach that respects property rights and public access.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Cindy Forster:** It's an honour to rise and speak to my colleague Wayne Gates, the member for Niagara Falls's, Bill 118, An Act to create a right of passage—

**The Deputy Speaker (Mr. Bas Balkissoon):** I would just interrupt the member and remind her that we refer to members of the Legislature by title or riding.

**Ms. Cindy Forster:** Thank you, Speaker—along the shoreline of the Great Lakes.

I think that we can all agree that Ontarians from across this province understand the importance of public access to our beaches and our treasured waterfronts, particularly in the Great Lakes. I'm happy to see that the member from Niagara Falls is continuing the fight to take care of this injustice in Ontario.

The minister without portfolio, because I can't use his name, talked briefly about the Niagara Peninsula Conservation Authority in our region. He is correct that because of some new hires, they've moved away, perhaps, from being total conservationists and flipped some beachfront property in the last couple of years that really could have and should have remained in the hands of the region of Niagara for more public access.

Unfortunately, Ontario is coming a little bit late into this game—some 65 years later—when it comes to protecting the shorelines of the Great Lakes. Several US states and Caribbean islands all have public waterways that are to be treasured and enjoyed by their local citizens as well as their tourists.

**1450**

I know that many of you travel to faraway beachfront holidays, whether it's in the US or whether it's on islands. Certainly, I know I've walked the beaches of North Carolina, South Carolina and Florida, where there are \$5-million, \$10-million properties. Not only can you walk in front of those homes, but you can put out your fishing rod; you can build a little campfire. You can do all of those kinds of things. So I think that it's important that we open up this public access, at least to allow people to get some exercise on the beach.

Of course, we have beaches in Port Colborne and Wainfleet, as part of my riding. In February this year, the Ontario Shorewalk Association, who are here today in the gallery, spoke to Mayor Redekop and the Fort Erie council about this important issue. Among their concerns was the restricting of access to the beach.

Many people have cottages on Lake Erie and Lake Ontario, and there are some of those that don't actually have beachfront. They will have a breakwall, they'll have stone and they don't have access to beach. Are they to be denied? These are people who own cottages that may be worth \$500,000 or \$600,000. Are they to be denied the ability to walk down the beach, when they've made this huge investment in owning a cottage or even a winterized home on our lakes?

I'm going to close because I know other people want to speak to this, but I want to talk about the former member for Welland, the late Peter Kormos, who always believed that the public should have access to the shorelines. I recently ran across an article and a picture of Peter. He was 17 years old at the time. He was participating in a peaceful protest to have public access to Lake Erie. The picture depicted him being dragged away, by either beach patrol or the police, because he was peacefully protesting for the rights of Ontarians.

Over 46 years later, we are still debating this issue of public access. We know where Peter would stand if he was here today. So I say, in the spirit of Peter Kormos and for those fighting across the province on this issue—not only in Niagara—let's pass this bill and let's make sure that all Ontarians have equal access to our waterways.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Sophie Kiwala:** I appreciate the interest of the member of Niagara Falls in ensuring Great Lakes shoreline access. I appreciate also his work on Bill 118.

My community of Kingston and the Islands is located within the St. Lawrence River watershed, and I know that the Great Lakes are one of Ontario's greatest assets. They are home to some of the world's most unique eco-systems, and the residents and visitors alike enjoy their

unparalleled beauty and their many recreational opportunities.

While I understand the intention of the member's bill to allow for public access to the shoreline to be enjoyed by all, I have concerns regarding the approach taken in this bill to guarantee that access. There are numerous legal issues pertaining to property rights that must be investigated before proceeding.

One very important consideration is the safety of our citizens. The Great Lakes shoreline, as outlined in the bill, stretches over hundreds of kilometres, with many natural hazards, such as steep cliffs and slippery rock beaches, that would prevent easy passage. In many areas on the shoreline, it would be impossible to pass unless access was engineered and safety could be prioritized for those passing.

Even if we focus on only the sandy beaches and other accessible shorelines, the proposed right of passage in the bill interferes with the rights of private property owners. We've already seen negative reactions, including vandalism, to property owners. If this bill is passed in the current form, we can expect a negative reaction from shoreline property owners and ratepayer associations for a number of reasons, including privacy issues, security issues, potential for illegal trespassing, loss of enjoyment of property and perceived reduction in property values. If the right of passage were created according to the bill's language, surely the landowners would consider this expropriation without compensation.

Complicating this matter further is that there are many privately owned water lots on the Great Lakes. On these lots, even the land under the water is privately owned. With the fluctuation of the Great Lakes over time, the location of the right of passage will also move.

There may even be hunting areas—I know some of the members opposite have participated in hunting—where the hunting area abuts up onto the shoreline, and if somebody is walking through a hunting area, that will pose some safety issues.

I'm a little bit conflicted with this bill. I grew up in Kingston and the Islands. I had access to the water as a child growing up. It was absolutely beautiful. I loved it. The land was sold, and then we didn't have it anymore. So I get both sides of this issue, and I think that based on the many different angles that need to be considered here, it's really important that these legal issues be investigated further as we consider the bill from the member for Niagara Falls. We need more consultation with proponents and property owners to resolve these legal issues that I mentioned to ensure that everyone benefits. Merci beaucoup.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate.

**Mr. Jack MacLaren:** Although Bill 118 is well-intentioned, it would necessarily infringe on a property owner's rights to the peaceful enjoyment of his private property. Although it states in the bill that the act does not constitute "an expropriation or injurious affection for the purposes of the Expropriations Act," the bill clearly

appropriates a private property right, the right to privacy and security, as it allows the public to, in effect, trespass on private property.

This bill also revives a discredited concept: that the crown/public has the right to the land between the high water mark and the water's edge. There is no such right. As reported in issue number 14 of the *Tiny Cottager* in the spring of 1999, in an article titled, "Tiny's shoreline—a Legal History.

"The first major test case of the crown's ownership of shoreline property was decided almost 30 years ago. In 1970 ... Mr. Justice Stark of the Supreme Court of Ontario ... held in the case of *Walker et al v. the Attorney General (Ontario)* that where one of the boundaries of the land granted by a crown patent is to be a boundary of water, then that boundary is at the water's edge unless the grant reserves"—in clear and definite words—"a space between the lands granted and the water boundary. Thus, Walker owned" his property "to the water's edge (Lake Erie) ... in the township of Bertie" near Fort Erie. This decision was affirmed by the Supreme Court of Canada in 1974.

I also note that private property rights extending to the water's edge were affirmed by further rulings, as reported in the *Lawyer's Weekly* on July 2, 1999, in an article titled, "Water Boundaries—Who Owns the Beach?"

"In fact, most southern Ontario properties fronting on large lakes extend to the water's edge by operation of the original crown grants....

"For many decades the Ontario Department of Lands and Forests (and the successor Ministry of Natural Resources), contrary to well-established common law, vigorously promoted the use of 'high water mark' (meaning the landward side of the beach) as the boundary separating patented uplands from lands forming the bed of the adjoining water body.

"On the basis of that notion, the beaches were considered by crown officers to be part of the bed of the adjoining water body and, therefore, unalienated crown lands, except where a water lot had been granted. The concept was raised to the status of legislation as part of an omnibus bill in 1940 (Statute Law Amendment Act, ... ) but was found to be unworkable and was repealed in 1951 by the Beds of Navigable Waters Amendment Act...."

#### 1500

The author of the article explains further, "The courts have been consistent in applying the common-law rule placing the boundaries of inland non-tidal riparian properties at the water's lowest mark. The principle was confirmed by the Supreme Court of Canada in *Attorney General ... v. Walker et al....* There are only two exceptions to the rule:

"(1) if the words of the grant clearly reserve a space between the water and the granted uplands; or

"(2) if the boundaries of the granted uplands are clearly defined by reference to an original plan of survey which is unequivocal in demonstrating an intention on

the part of the crown to retain a space between the water and the granted lands.”

Discussing the case of Ontario versus the Rowntree Beach Association of 1994, the author states, “Similar to Gibbs, all parties to Rowntree agreed that if the lands were granted to the lake, then the boundary of the patented lands was the water’s edge at low water,” and also that Rowntree was not appealed.

In other words, the attempt to expropriate private property between the high-water mark and the water’s edge is not new. It has been adjudicated by Canada’s highest court, whose decision has been accepted by the crown and was previously legislated and repealed as it was deemed unworkable.

In addition, this bill not only infringes on private property rights, it also imposes a duty on private property owners, a duty not imposed on other private property owners, for the high crime of owning beachfront property.

Given the history of this file and the infringement of private property rights, I cannot in good conscience support this bill.

In conclusion, legislators should be defending, not eroding, individual common-law private property rights as they form the foundation of our western developed civilization, our democracy, our freedom and our prosperity.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate. The member for Windsor–Tecumseh.

**Mr. Percy Hatfield:** Thank you, Speaker. You’re right; I do represent Windsor–Tecumseh, and I live on a peninsula that stretches for 100 miles along Lake St. Clair, the Detroit River and Lake Erie.

This issue, Bill 118, was initiated here in the Ontario Legislature nine years ago, but the principle dates back to the year AD 500 and the Roman emperor Justinian. This public trust doctrine was enshrined in Roman civil law. It’s pretty basic, actually. It says, “By the law of nature these things are common to all mankind—the air, running water, the sea, and consequently the shores of the sea. No one, therefore, is forbidden to approach the seashore, provided that he respects habitations, monuments, and the buildings, which are not, like the sea, subject only to the law of nations.”

This principle, established in AD 500, still makes sense to some of us today. When that principle is violated, all hell breaks loose, and we don’t have to go very far to see examples of that, Speaker. You’re no doubt aware of the fence that went up in the prime Georgian Bay waterfront on Balm Beach near Midland about six years ago. It created such a controversy that it made international news. Charges were laid for trespass, vandalism and assault; there were screaming matches, fist fights; BB guns were used; a real bullet was mailed as a warning to the family who put up the fence—all this in Tiny township, about 90 minutes north of where you sit today. Someone took a chainsaw to the fence. Someone lit it on fire not once, but twice. Rocks were thrown against windows, gardens were trashed, neighbours were

spying on each other with binoculars and video cameras; the cops were called hundreds of times, Speaker—hundreds of times. And why? Because of a fence that restricted access to a beachfront that previously had always been open to the public.

The courts got involved, decisions were handed down and appealed, and here’s what happened: The homeowners who erected the fence finally grew tired of the squabbles. They sold their property, and guess what? The first thing the new owners did was—you guessed it, Speaker—they tore down that fence and peace was finally restored. No more laser beams shining in the eyes of the homeowners, no more cops in plainclothes patrolling the beach, no more chainsaws and fires, no more fistfights and no one using BB guns.

As long you can get to a shoreline from a spot designated for public access, as long as you come with good intentions—not to sunbathe or picnic or trespass on private property, not to be a Peeping Tom or a nuisance but merely to enjoy a walk along the water’s edge and enjoy what nature has to offer—you have a right to walk the shoreline, within limits, between the high-water mark and the water’s edge.

I live next door to the state of Michigan. This issue came to Michigan’s Supreme Court a few years ago. The court, in a unanimous decision, ruled that the public trust doctrine applies to the shores of the Great Lakes, just as it governs America’s coastal waters and shores. Using a definition delivered earlier in a court case in Wisconsin, they defined where the high-water mark was.

There’s no magic solution to all the problems we face in this Legislature, but sometimes I think we just need to use common sense. To me, this is a common-sense issue. If we apply our thoughts to it, no one is going to go scaling the walls, no one is going to go where it’s dangerous, but if you want to go for a leisurely stroll on the beach, you should be able to do that along the Great Lakes—along any lake in Ontario. Thank you for your time, Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Ann Hoggarth:** I think the member from Niagara Falls’ intentions are great. Let me make something perfectly clear: I do not own lakeshore property, but I do know the people in my area, and the case that the member from—

**Mr. Percy Hatfield:** Windsor–Tecumseh.

**Ms. Ann Hoggarth:**—referred to was very prominent in the news in my area, and it was very upsetting. It is lovely that someone moved in and decided they would take the fence down. However, they did not legally have to do that. I believe when people pay millions of dollars on Lake Simcoe and other areas of the Great Lakes—on the shores—you pay a lot of money to have privacy.

There are a lot of legal issues. I believe there may be a way to alter the bill so that everyone could be happy. I do think that eventually that could happen. Perhaps a grandfathering of people who own the shoreline could be done—some own water lots—so that when they sold

their place, the next person knew they had to allow people to walk along the shoreline; some things put in place that way.

I also worry about the fact that if I was going to walk along the shoreline, I would want to take my dog. I'm a good dog owner, but there are people who would let their dog do its business and keep going. Who cleans it up? What happens there? What happens if the dog bites the people when going along on somebody else's property?

I understand what you want to do, and I think what you're trying to do is wonderful. I just think this bill needs to be amended, and perhaps we can accomplish that. It wouldn't happen everywhere at once, but perhaps we can make some amendments so that we do this. When I see the amendments come back, then I will decide whether I'm supporting this bill or not.

1510

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Michael Mantha:** It's a great honour and privilege to stand on behalf of the great people of Algoma-Manitoulin once again to speak to Bill 118, Great Lakes shoreline right of passage.

It's quite simple. A good idea is a good idea. I've done this many times from where I sit in this House: I've given credit where credit is due. I want to give credit to my colleague the member for Niagara. I also want to give credit to Kim Craitor, the member who was here. I supported it then, and I'm supporting it now.

My friend for Windsor-Tecumseh came up with a very simple word, "common sense." Common sense tells us that this is a good idea. Good ideas should be able to move forward.

I heard the new Leader of the Opposition say in his initial speech that partisanship is going to be put aside, and where good ideas are going to come into the House, they should be pushed forward. We should talk about those and we should bring them ahead. I hope he has a discussion with his caucus and he leads by example because this is one of those opportunities when we can all agree on this idea.

It's not something that we haven't discussed extensively in this House before in the past; we have discussed it a couple of times and we've unanimously supported it. It has reached committee. Let's get it to committee, but once it's at committee—my good friend the minister without portfolio: You as well have expressed very positive comments towards the member for Niagara in regard to why this is a good idea. It's not going to be easy. It's going to take some common sense. We're going to have to roll up our sleeves and really listen to those who are for or against to make sure that everybody in this province has the opportunity to access our shorelines.

Comme député, je voyage souvent—bien, regarde ça, ma femme m'appelle. Bonjour, Pauline. Je vais t'appeler tout de suite après.

Je veux vous laisser savoir que quand je voyage sur la 117 en descendant de Wawa vers Sault Ste. Marie, il y a tellement de beauté que je vois sur le bord des eaux du

lac Supérieur. Je veux partager une journée avec vous. J'étais là avec mon garçon et puis, sans avoir eu accès à la plage, je ne serais pas capable de participer ou d'avoir cette belle petite mémoire. J'étais avec mon enfant. Il y a un ruisseau qui sort au lac Supérieur et comme le ruisseau sort au lac Supérieur, quand l'eau monte ça élargit le ruisseau et il devient un petit peu plus creux.

J'avais deux de mes garçons. Le premier garçon—j'ai pensé à l'idée à cause que c'était relativement large—j'étais capable de le pogner par le fond des culottes et, avec un coup d'élan, le garrocher à travers. Ça fait qu'avec mon plus vieux, qui était plus pesant, ça a bien été. Mais avec mon deuxième, ça n'a pas si bien été et il est tombé dans le milieu du ruisseau, mais c'est une mémoire que je vais tout le temps avoir. Puis, il y a tellement d'autres mémoires qu'ont tellement de gens à travers cette province qui peuvent s'amuser et avoir comme un trésor en participant et en ayant accès à nos plages.

Je vous encouragerais de les emporter au comité pour qu'on puisse au moins avoir des discussions qui vont porter valeur au projet de loi.

**The Deputy Speaker (Mr. Bas Balkissoon):** I thank everybody for their input.

I now return to the mover, the member for Niagara Falls.

**Mr. Wayne Gates:** I'd like to thank everybody for speaking on the bill. I'll start with my good friend from St. Catharines. I can't say his name, but I know he's a Jays fan.

When members of this Legislature rose last time to speak, they put this issue in a simple term. They used the example of sidewalks and asked if you can imagine a homeowner running a fence down their lawn over the sidewalk to the road, saying it was all their property. That was done here when it was debated last time.

I'd like to clarify that this does not represent all the shoreline property owners or even a majority of them. In most cases—and I've seen this in my own riding—people who own the land on the shoreline have been kind and accommodating. They understand the importance of the Great Lakes and the beauty of what they have in front of them.

I know my former colleague Michael Prue spoke on this during his time here. What this refers to are people who build fences all the way down to water. The bill is clear, and I had one of my colleagues ask me this. People cannot stop on the property. They cannot camp out on the property. They cannot bring a motor vehicle on to the property, and if they break the rule or they get hurt, then they are liable themselves. This bill does one simple thing: It allows them to walk along the shoreline. Like I said, I believe this is a very small issue that only truly affects a small number of people.

I want you to listen to this, particularly on that side of the House: I believe that there can be a compromise reached that will make everyone happy, ensure that our Great Lakes remain open for passage and that shoreline owners have what they paid for. I think it's important to

get to committee so we can find a solution to this. The big word here is “compromise.”

**The Deputy Speaker (Mr. Bas Balkissoon):** We will take the vote on this item at the end of private members’ public business.

ELECTION AMENDMENT ACT  
(MPPS’ RECALL), 2015  
LOI DE 2015 MODIFIANT  
LA LOI ÉLECTORALE  
(RÉVOCATION DES DÉPUTÉS)

Mr. Hillier moved second reading of the following bill:

Bill 89, An Act to amend the Election Act with respect to the recall of members of the Legislative Assembly / Projet de loi 89, Loi modifiant la Loi électorale en ce qui concerne la révocation des députés à l’Assemblée législative.

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Hillier has moved second reading of Bill 89. Pursuant to standing order 98, the member has 12 minutes for his presentation.

**Mr. Randy Hillier:** It’s my pleasure to speak and advocate for Bill 89 today.

We are all here in this Legislative Assembly and all have the authority to enact and create laws of the land based on one very certain fact: We are elected by the people, with the responsibility and duty to represent all people within our electoral district.

What gives legitimacy to our office is that people exercised their judgment and, with a plurality, opted, through marking their ballot, for each of us as their choice. The people’s consent is the single factor that creates, determines and defines a legitimate representative democracy.

However, I find it profoundly ironic, even bordering on hypocrisy sometimes, that there are some who, once elected, find the people’s judgment lacking and irrelevant. There are members in all parties and in all assemblies who minimize, mitigate or limit these very same people, our constituents, from exercising any further tangible influence on the functioning of their Parliament, or any further direct role in determining or requesting consent for the laws and public policies that we enact in their name. In short, their judgment is often no longer desired or wanted after our election.

It is self-evident that if their judgment and consent are required to make this Parliament legitimate, then their consent and judgment ought to be sought out and encouraged throughout our entire mandate. Bill 89 gives both meaning and effect to this truth. Continued and continuing consent will be required for us and all others to be their elected representatives.

Many people believe that recall is an American concept. However, this would be an incorrect and false assumption. Recall of elected representatives was formalized into law over 160 years ago in Switzerland.

However, I’ll come back to the history of recall a little bit later.

First, it’s important to examine, explore and illustrate the benefits, the value and, I believe, the necessity of recall to ensure a well-functioning representative democracy. In my eight years as a member of this Legislature, I have witnessed and observed a great many debates, votes, hearings and legislation. Arguably, a substantial number of these policies conveyed a benefit to some people, but often at the expense of or to the detriment of others. In short, there have been many examples where good people have come to a poor decision. Our judgment as a collective is not superior, and it cannot be superior, to the judgement of those who have chosen us.

**1520**

As in any business, career or endeavour in life, indeed, any individual or authority is more likely to be successful if there are appropriate checks and balances. Bill 89 is a reasoned and appropriate check and balance on our office in both positive and negative applications. As we saw in BC a few years ago, when the government of the day brought in new tax measures that were not identified in their recent election, the threat of both recall and referendum prevented that illegitimate tax policy from taking root and becoming law.

At the same time as the people in BC were holding their members to account through recall and its first cousin, referendum, the Ontario government brought in a similar tax measure under similar circumstances. However, the outcome was entirely different here in Ontario. People signed petitions by the tens and hundreds of thousands. People yelled and expressed their opposition. Two members of this Legislature were suspended; I was one of them. But the new tax went through anyway, because the electorate is often handcuffed in the chains of a majority between general elections.

Let me give you one more example. The NDP are now demanding more tools for people and seeking a referendum on the Hydro One fire sale, and I concur with that. It is a reasonable and appropriate request. However, we have no formalized mechanism to compel the government into enacting a referendum. Invariably, this call for a referendum will fall upon the ears of a silent majority in this House, and it will not happen. However, if we had a recall mechanism, such as Bill 89, I’m extremely confident that this fire sale would not only be halted but, more likely, the fire sale would never have seen the light of day; it would have been stillborn in the Liberal caucus room.

Recall provisions cement two very important constructs and prerequisites in development of public policy and the creation of law. First, it demands of the government to bring forth policy that is consistent with both its electoral mandate and the expectations of our constituents. Secondly, and just as important, it compels the government to reach out, to grow and to cultivate support for contentious or controversial but possibly necessary policy changes through engagement, consultations and meaningful interactions—the hallmarks of a truly representative democracy.

There are many more examples that I know of, and that I'm sure each and every member here can recollect, that illustrate these points and their importance—eHealth, the 407, SkyDome, Ornge, the gas plants, to name a few. Ontario would be better off—we would be more prosperous and able to provide for our disadvantaged—if we reduced the scandals that plague all governments.

The benefit of a recall mechanism is just that: It constrains and minimizes scandals and harmful public policy. Recall is the epitome of oversight and the zenith of accountability in a democracy. I believe it is a contradiction for those who preach oversight and accountability but do not permit recall.

I'll just read briefly some of the mechanisms that I've incorporated in Bill 89 for the recall.

“An eligible voter in a member's electoral district can apply to the Chief Electoral Officer for the issuance of a recall petition. No application for ... a recall petition may be made during the year following the member's election or one year before the next scheduled general election.

“A proponent of a recall petition has 60 days to return the petition to the Chief Electoral Officer with the signatures of eligible voters in the electoral district” which represent 25% of the total number of votes cast in the prior election. In that case, if those thresholds are met, “A by-election is then held to fill the vacancy. The recalled member is free to be a candidate at the by-election.”

There are a lot of myths about recall, and I'd like to dispel a few of them. In British Columbia, the only province that has it in our country, there have been 26 attempts at a recall petition. Only one met the threshold, and they have had that recall mechanism since 1991—one successful. In that particular case, when they met the threshold, the MLA chose to resign instead of facing the by-election.

As I mentioned, it has been about 170 years, since 1846, since recall was formalized in Switzerland. In Switzerland, it has been attempted on four different occasions. None of those occasions resulted in meeting the threshold, and Switzerland has a very low threshold. Unlike British Columbia, which has a 40% threshold, in Switzerland it is between 3% and 12%, depending on in which canton the petition is done, but as low as 3%, and in 170 years we've seen four attempts in Switzerland.

We know of the recall of Governor Gray Davis in California; that made a lot of news. What we don't know or what we don't see: There had been 117 previous attempts at recall petitions for the governor of California, and 117 never met the threshold. In California, the threshold is 20%—once and only once.

Recall petitions are practised and in use in 34 states. In March of this year, that hallowed institution that our Constitution and our democracy are modelled on, Westminster, the UK Parliament, passed a recall bill for the first time. The thresholds vary significantly, as I've mentioned. Switzerland, between 3% and 12%; in the United States, in different state legislative assemblies, Montana has the lowest threshold at 10% and

Washington has the highest threshold at 35%. My bill is pegged at 25%, and I do believe there is no magic number; there is no perfect number. I'm willing and open to discussion and debate on that. But it's clear that these misconceptions about recall are misconceptions, and I think I have taken appropriate and reasonable steps within the legislation to minimize any potential abuse or mitigate potential abuse.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate? The member for Windsor West.

**Mr. Percy Hatfield:** Oshawa.

**The Deputy Speaker (Mr. Bas Balkissoon):** My apologies. Oshawa.

**Ms. Jennifer K. French:** Thank you, Mr. Speaker. It is always my privilege to stand in this House and add my comments to the debate, and I am very pleased to do it today and speak on Bill 89, an Act to amend the Election Act with respect to the recall of members of the Legislative Assembly.

I am always glad to be able to speak on the topic of democracy. Part of the strength of our democracy is the historical nature of it. We shouldn't be tinkering with it each and every single day. We have checks and balances that hold us accountable between elections. Some of those checks and balances are official, and some of them happen in the court of public opinion and in our constituencies. In fact, sometimes they happen in our parking lots or on Twitter.

When we see examples of our leaders making mistakes, doing damage or not doing enough, there are, fortunately, a number of mechanisms to ensure they are held to account. For example, we have the Office of the Integrity Commissioner of Ontario, the Financial Accountability Officer, Elections Ontario and, of course, the ballot box. Just because someone is a sitting member does not mean they are beyond reach or above reproach.

Thankfully voters aren't shy across the province. They will offer their opinions through petitions, protests, campaigns, media use and, of course, casting their ballots.

**1530**

Mr. Speaker, I stand here as a relatively newly elected member of this Legislature, one who is still humbled by the support in the last provincial election and one who is proud to represent my community of Oshawa. I come from a background of progressive ideals, and I intend to fight to make the world better, starting with those people in Oshawa. I want to work to make it better in the way my neighbours and constituents need, deserve and usually want. I say “usually,” Mr. Speaker, because there are so many important issues facing people across the province.

We stand in this House, regardless of party, and stand up for what we believe in. Hopefully we stand on principle. People around this House stand here and bring their backgrounds, their expertise and the voices of their communities with them. We balance what is popular with what needs to be done. Unpopular change sometimes has to happen for the greater good. We still see it, Mr. Speaker, all around the world. We see conflicts and struggle

when it comes to human rights. We see discrimination on the basis of race, gender—

*Interjections.*

**The Deputy Speaker (Mr. Bas Balkissoon):** There are about 20 conversations going on in the room and it's very difficult for me to hear the speaker. So if I could ask everybody to quiet down, or if you really want to talk, if you could take it outside. Thank you.

Continue.

**Ms. Jennifer K. French:** Thank you, Mr. Speaker. I appreciate that.

We see conflicts and struggle when it comes to human rights, as I was saying. We see discrimination on the basis of race, gender, age and socio-economic situation. We see injustice and persecution across the globe, and we see issues in our ridings and in our province every day.

I believe that it takes courage to take risks. We should not be adding a layer of threat to our democratic system. Members might shy away from taking risks or strong positions because they aren't popular. If detractors held more sway, where would we be when it comes to civil rights, to women's rights, to LGBTQ rights? Would women still be tucked quietly at home? Would we have women yet in the Legislature, and would I even get the chance to stand here and defend my right to even be here? These are interesting questions, Mr. Speaker.

Agnes Macphail—I know you've heard of her—the first woman to be elected to the House of Commons and one of the first two elected to serve this Legislature, fought for unpopular causes: equality, pensions for seniors, workers' rights and fairer conditions for those in our jails. They were not popular issues back then and perhaps they're not popular issues now either. Agnes Macphail said that when it comes to doing what needs to be done, "Never apologize. Never explain. Just get the thing done, and let them howl." Mr. Speaker, I would be willing to bet that the Conservatives would have un-elected her if they'd had the means back then.

Those who elect us deserve access to us and must be able to hold us to account—absolutely. I wish I had more time to talk about ways this government should be held to account. I appreciate the frustration felt by many Ontarians who feel duped and double-crossed by this government, and the frustration of feeling helpless to stop them. But the good news, Mr. Speaker, is that we aren't helpless. We won't allow individual members or whole caucuses of them to wreak havoc on our society and our public systems. We will work together to hold the government to account, not just slap another reactionary, short-term measure on the pile that will undermine our democracy and growth in the long run.

We have work to do, so let's get at it.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Arthur Potts:** Thank you very much for this opportunity to speak to Bill 89, An Act to amend the Election Act with respect to the recall of members of the

Legislative Assembly. I am delighted for this opportunity to address this.

I take the member very seriously. I know he's very sincere in his belief that this is a piece of legislation that supports democracy. It's that libertarian, grassroots view—that very populist view of democracy—that we are acting here at the behest and the command of the people of Ontario. I get it. I appreciate his thought. But I won't be supporting this legislation because, contrary to his view that this supports democracy, I believe it does exactly the opposite and it undermines the very institutions that we're here to protect.

We have to understand that the member talked at length in his remarks about a representative democracy. I think he has missed the subtlety that he actually is in a legislative House, which is a parliamentary democracy. In a parliamentary democracy—although it is a representative democracy, it is a special type of representative democracy. It's one in which the only people who act—where the Queen holds us. Ultimately, it's at her discretion that we continue to serve, or through her representative, the Lieutenant Governor of the province of Ontario. The Privy Council ultimately is there at her behest.

The great tradition in developing a parliamentary democracy has been that the Queen has relinquished that authority to dismiss us on the basis that we continue to hold the trust of the people of Ontario through this Legislative Assembly. Hold their trust and she will continue to respect and hold us responsible for maintaining the affairs of state. That's an extremely important distinction: that it's not the people, once we are elected, to whom we are ultimately responsible, but it's the Queen of England through her representative here.

The ultimate check, obviously, on what we're doing happens every four years under a fixed-term election that we're currently on. Under a fixed term: that's the ultimate check on our behaviour. The member opposite talked at length about a number of what he calls scandals and things that have happened in the past, with his belief that had they had this opportunity for recall, the people would have risen up and would have signed his numbers, and there would have been recall. He puts it in a very interesting way: that this would have been another check, a check that people wouldn't have gone down this route, they wouldn't have taken those risks and those tough decisions that the member for Oshawa talked about that may not have been popular and would have held the government back.

*Interjection.*

**The Deputy Speaker (Mr. Bas Balkissoon):** The member from Lanark–Frontenac–Lennox and Addington, you will have your turn. Please come to order.

**Mr. Arthur Potts:** But then let's take look at what happened as a result of all those—unfortunate, maybe—incidents under the previous administration. When we came forward and were re-elected with a majority, all those issues were in front of the people of Ontario. This belief that any one of those would have triggered recall

from any one of our members is false. I won't call it a complete exoneration, but the people were prepared to look past those under the new leadership of our leader—that we are not going down that kind of route and we continue to hold their trust, now in a majority position.

If you really wanted to have recall legislation—it's not like we're in the Senate of Canada. We are elected every four years. That's the test. In the Senate of Canada, they're appointed for life, or age 65, whatever comes first. You've seen the kinds of appointments the member's government in Canada has been making of late that have caused so much news in the province of Ontario. That is a measure of where maybe a recall legislation—that an unelected representative who is representing us in the Senate of Canada—maybe that's for recall. But, of course, that's not before us today.

The reason that we give the Parliament a four-year mandate—and I take this mandate very seriously—is to protect against what the great political philosopher Montesquieu used to call the tyranny of the majority. In his great treatise *The Spirit of the Laws*, which was used extensively in the crafting of the American Constitution, the conceptual work there, he made it very clear that the majority is capable of tyranny that affects the rights of individuals and minority rights.

One of the great distinctions between the philosophies that I grew up with as a Liberal and what I learned to see from the members opposite, the Tory party, is this undying belief that the majority rule is always right. In a democracy with a constitution, and particularly a parliamentary democracy with a history of constitutional, it's really important that we exercise the right of the majority with due regard at all times for the right of minorities. The mandate gives us that opportunity to espouse sometimes unpopular views that we can then move forward with in a longer-term plan.

The reality is that a four-year term is sometimes perceived as not being long enough to actually, with a forward-thinking—and that's why our government is talking in 10-year terms in infrastructure renewal, because four years—and we will put that 10-year plan back in front of the people three years from now and see where it takes us.

The big problem of a recall is it puts you in a position where you're constantly campaigning to hold a seat that you won. I think about that tyranny of the plurality now, because I was elected in a situation where I won by 431 votes. If I took this member's 25% of those who previously voted, having had 50% participation in the election—in fact, he's saying that 12.5% of the electors in my riding could get rid of me after a year of being in office. What I want to do here is spend my time not always having to worry about re-election, but actually doing the business of government, a business where I spent a lot of time this summer running around the province in my role as PA of agriculture, where I learned so much about some of the things that need to be changed. It's extraordinarily important that I'm not always looking over my shoulder in order to ensure re-election.

1540

*Interjections.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Stop the clock. The member for Leeds–Grenville—

*Interjection.*

**The Deputy Speaker (Mr. Bas Balkissoon):** It doesn't matter. It goes both ways. I'm going to say to you right now: You're warned.

Carry on.

**Mr. Arthur Potts:** Thank you, Speaker. You were very timely, because at this point I'm going to relinquish my opportunity to debate to the other side. We'll get to hear more from our side of the House shortly about why this is the wrong piece of legislation now or ever.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Toby Barrett:** Here we are with Bill 89, yet another recall bill to come before this House. We've certainly seen this film before a number of times in the Legislature.

On March 22, 2004, I introduced a private member's bill, the Recall Act, 2004, to enshrine the right for people to retain or remove elected representatives at times other than election day. I will say that during debate I felt about as popular as a snake at a garden party. This government did a very good job of making sure that that bill went nowhere, although, and here's a bit of a quiz, there is at least one Liberal member who's here today who did vote in favour of recall legislation back in the David Peterson days. So we see the cycle come round and round.

With the Recall Act, 2004—11 years ago—any elected member could be recalled for conduct unbecoming of a member after one year in office. My proposed legislation called for, first, a petition, and second, a vote by electors. If more than 50% of the votes cast were in favour of recall, the member would cease to hold office. His or her seat would become vacant. Under my legislation, a Premier would be subject to a province-wide recall in which all qualified voters in the province may participate. The threshold for that was 25% of those who had voted.

The legislation built on recall provisions that had been put in place over many years. A number of states in the United States—15 states—employ recall. Most states allow the recall of elected local officials as well. Half of these jurisdictions adopted recall before the First World War. In 1935—we were just talking about this—William Aberhart passed Alberta's recall act, only to repeal it abruptly a year later as voters made a serious attempt to recall the Premier himself. I understand BC is currently the only province to now have recall.

I'm quite heartened that MPP Randy Hillier has brought this forward close to a dozen years after the government here thought they had closed the books on this particular file.

With respect to BC, an MLA can be recalled. The petition must be signed by 40% of voters. The legislation I put forward had set the bar at 25% of total votes cast.

The state of California only requires 12%, which may explain that Gray Davis business, making the way for Arnold Schwarzenegger at the time.

Just going back, a bit of history: In 1993, it was Liberal MPP Carman McClelland who introduced a private member's bill titled the Recall Election Request Act. It was supported by a number of Liberal MPPs. Many, once they formed government, went on to become cabinet ministers—Gerry Phillips; Monte Kwinter, who is here this afternoon. They all walked away from their support for recall.

What drove my initiative 11 years ago was an MP from the Markham area named Jag Bhaduria. He exhibited conduct unbecoming. Tens of thousands of petitions tried to get rid of him, but there was no law to remove him. The Liberal Party removed him, but he continued to retain his seat as MP for Markham–Whitchurch-Stouffville. That was my incentive at the time: conduct unbecoming.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Cheri DiNovo:** It's a pleasure and a privilege always to stand in this House and represent the people of Parkdale–High Park, but also represent, as the member from Oshawa so eloquently said, minorities across the province, and those whom I don't necessarily represent and don't necessarily elect me, but those who need me. I think that is really the hub of representative democracy.

I'm definitely not going to support this bill from the member from Lanark–Frontenac–Lennox and Addington, and I'm going to give a few reasons why. Again, the member from Oshawa outlined that we are held to account while we're here. There are members of the Legislature who are appointed, like the Ombudsman and others, whose job it is to hold us to account—financial accountability, integrity etc. Their job is to hold us to account between elections.

Also the fourth estate, the media, holds us to account. We all know about social media and we all know about polling. All of that tends to hold us to account as well.

But I'm going to say a few things about why recall doesn't work, and I'm going to use his own words against him—the member who's not listening at the moment, but he should. Actually, he made the best argument for why recall doesn't work: because it doesn't work. As he said, in Switzerland it's been used, in how many hundreds of years, very rarely. In the States—and they use it a fair bit down there—only 50% of the time does it actually work, and mostly for municipal. About two thirds of that 50% are municipal elected officials. And this is very non-partisan: It doesn't work for the left; it doesn't work for the right. Who does it work for? It works for people with money.

As my friend Rosie Marchese, who was here the other day, would say, pecunia. It's all about the pecunia. I'll give you a classic case of that. In 2003 in California, Arnold Schwarzenegger—we know who he is—spent \$10 million to aid the effort to recall Governor Gray Davis, and then ran himself—no particular interest

there—in the subsequent by-election. This is how recall can be used by interest groups with a great deal of money.

But I'll use an example from the left as well. We know about the situation in Wisconsin where a right-wing governor, I would say, brought in right-to-work, which, of course, those of us who happen to support the ability of people to organize into unions would not support. An activist group tried to have him recalled. Guess what happened? Again, it came down to the money. They didn't have enough money to effectively run a recall campaign and then campaign against him when he was recalled. So guess what? He was re-elected with an even bigger mandate.

There's an example on the right and on the left where it really is about the money. Let's face it: Democracy should not be about who has the deepest pockets.

One of the things that I'm grateful for, living in Canada and not living in the States, where recall is more of a way of life, is that we have tops on what we can spend on elections. The average senator down there spends a third of their time fundraising—

**Mr. Bob Delaney:** Half.

**Ms. Cheri DiNovo:** Half now; I hear “half” now.

Wall Street runs elections. Bay Street has an input—don't get me wrong; we know they do—but we can say they don't run elections. People can run for election here who don't have a lot of money and a lot of resources. We want to keep the democracy in the democracy.

I'm going to use another Conservative also with my friend from Lanark–Frontenac–Lennox and Addington, and that's Winston Churchill himself, who talked about democracy. I love his quote. He said that democracy is the worst possible system, except for all the others. And he was talking about parliamentary democracy, parliamentary representative democracy, which is what we are tasked with here.

Ultimately, of course, the ballot box is where the vote should happen. We are held to account not just every four years. I myself am in my ninth year. I have to say I just celebrated my anniversary two days ago: nine years of serving. I've had four elections in nine years. My goodness. Do we want more than that? If we really are talking about wanting more than that with minority governments, if we're really talking about that, we're talking about pecunia again, money. The more elections, the more money it takes. We can see how the federal government has done it with this ridiculously long campaign where, again, we have to raise twice as much money just to get elected as we would have if it had been a regular-length campaign.

**1550**

The more we can keep the influence of special interests and money out of politics, the better, as far as we in the New Democratic Party are concerned, the more we can really be a representative democracy, not just working for the people in our ridings—no—working for the people across Ontario who may never get a chance to vote for me or you or someone else specifically. We also

represent them. Again, I think we don't want that tyranny of the majority that was spoken of already. What we really want is to be able to give minorities and minority rights issue here, which we do.

Again, with all due respect, he made the case himself: Recall doesn't work; it doesn't even work for those who support recall. It hasn't worked. It hasn't worked in the States; it hasn't worked in BC. A perfect example in BC: It's been tried 26 times, and it didn't even work in the one attempt.

**Mr. Randy Hillier:** The member stepped down.

**Ms. Cheri DiNovo:** He stepped down. So one out of 26 times—you know, come on; it doesn't work even then.

So, let's keep money out of politics, let's keep recall out of politics and let's make sure that we are democratically elected, and that when we are, we represent more than just the people who voted for us, but we represent the people who didn't—all those people in Ontario who also need a voice—and need our voice. We are delighted, honoured and privileged to serve, and every time we go to the ballot box, they get to say that you did a good job or you didn't.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Hon. Glen R. Murray:** Speaker, I always enjoy the member from Lanark–Frontenac–Lennox and Addington, because he has the courage to bring forward ideas that others would cower at, and he always ensures there is dynamic and interesting debate in the House. I will certainly commend him on that.

Much as I disagree with him, it deserves substantial debate because this is fundamentally a debate about what we think about our democracy and our role as legislators in our relationship to public governance and to the public as a constituency, the tensions between leading a government and representing people. It's an important debate that we should have, and I really do sincerely give him credit for asking some fairly profound questions about our roles here, because not enough of us do that. I mean that sincerely.

I'll now tell you why I fundamentally disagree with you but respect your opinion. I do that because it is not part of the British Commonwealth or British parliamentary tradition for a very substantive reason. I just want to go to the UK, where the member said that. Let's look at some individuals in the UK.

Horatio Bottomley, following conviction for fraud and sentenced after seven years' imprisonment, was forced to resign by the British Parliament under their equivalent of the Integrity Commissioner, as was Garry Allighan for contempt of the House in the publication of an article accusing MPs of insobriety and taking bribes for the supply of information. Poor old Peter Baker was forced to resign by the table officers of the British Parliament after receiving a custodial sentence of seven years following a conviction for forgery.

The British system used to work very well when it had a system like we have here at Queen's Park. The member

for Parkdale–High Park accounted the many table officers, Integrity Commissioners and that. But the British walked away from that system, stopped enforcing it and left what was a very fine tradition. When the expense scandal happened in a minority government, rather than going back to what had worked, which had forced the resignation of many members, they decided to have recall legislation, but with cause. There are specific articles very similar to what our Integrity Commissioner has over us with cause.

The member opposite is saying, "No cause." With cause in the UK, it requires 10%. The British Columbia system, which is the only other one in the Commonwealth that has it, has no cause but requires a 40% threshold. I would say: one or the other. Why would you have recall without cause? It doesn't make much sense.

I just want to take a moment to look at how it is used in the US, which is a republican system with a separately elected governor, where the executive branch does not sit in the assembly. It has been used on several members, one in New York and one in Washington, by large lobby groups. The biggest triggerers of recall legislation—a Democratic Senator in New York, who was trying to do background and mental health checks on gun owners after some terrible shootings: the NRA and the gun lobby drove that recall. The same thing happened in Oregon and—member opposite—unions in Wisconsin.

What it creates is not this great open democracy of local, my aunt Ethel and my next-door neighbour Rose get together and petition very often because, as the member for Parkdale–High Park said, that doesn't work. It attracts money and power to politics and intimidates politicians who stand up to important interests—corporate, labour or gun lobbies—and risks them their own electability. We brought in term limits, in addition to all of the other protections we have, so we know, in four years, that gives enough for us to do it.

Where else has it been used? It was used in BC to try to defeat eight incumbent members of the Liberal Party there over the HST, which, as we know, having passed that in this House with the federal government, has been an economic benefit to Ontario and was a complex piece of legislation that is properly put before the people of Ontario and Canada by the two governments, both the governments of Canada and Ontario, as part of a complete set of policies.

This asks for policy cherry-picking: "I want to have everything. I'll support any politician who wants pensions, health care, universal education, to cut tuition, but I don't want to vote for any way to pay for it," or, "I don't like sex education; I like everything else they're doing, so let's pick on the members who were the Ministers of Education. Let's try to target them."

The other check and balance that we have here—the jurisdictions that have it, most US states, have very specific conditions and are not this open-ended "I don't like you so we'll have a recall"—is that my counterpart in California, Matt Rodriguez, does not sit with Governor Brown, who also does not sit in the assembly. I sit here

and face you every day to be accountable to you. That doesn't exist in all these systems in Switzerland and in the US that have recall. Recall has never been in the parliamentary tradition, because, unlike republicans, our executive council is part of our assembly and has day-to-day accountability in question period, which the executive members of state governments don't have.

That's why this makes no sense for a British Parliament, and it would be a terrible precedent. It should not be supported.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Steve Clark:** I'm pleased to speak in support of Bill 89, the recall of members, not only because it is tabled by my friend and my colleague from eastern Ontario the member for Lanark–Frontenac–Lennox and Addington, but I believe it's the right time to amend the Election Act and move recall for MPPs forward.

I think Bill 89 has tapped into a message that really resonates with people. Giving voters tools that help make their elected representatives more responsible and responsive between elections is, I think, a good thing. So if you're like me and you've spent the predominant part of the summer out at events, meeting with constituents, you know that there's a number of constituents who have expressed deep concern about this government. People want a government that works for them, yet, over and over again this summer, I've heard people's anger, I guess, really, about this government's majority.

I don't think any other sector of our society operates the way we do, where your boss—in this case, the electorate—has to wait four years before they have a chance to do something regarding your performance. I think Bill 89 does give you the opportunity to put some of that talk that I heard this summer in action.

I want to say to the members of the third party, because I'm quite concerned, Speaker, with some of their views: Their leader has spent the summer touring the province with petitions against the sale of Hydro. First of all, I happen to agree with them that the Hydro sale proposed by the Premier is a disaster, but those petitions, no matter how many signatures they get, won't cause this government to reverse course.

I know the Premier knows that the overwhelming majority of Ontarians are against the sale. They're still moving full speed ahead, but I think if voters had the power of recall, I just wonder whether the Premier or members of her cabinet or the backbenchers would want to ram this through. When the recall petitions start circulating in Northumberland–Quinte West or Barrie or Cambridge or, yes, probably even Don Valley West, I think the discussion at the caucus table might just take a bit of a different tone. I think that's truly empowering the public, Speaker.

**1600**

I don't want to spend a lot of time, like some of the other speakers, talking about the mechanics of the number of electors needed or how we're going to deal with that. I think we just need to support the concept

that's presented in Bill 89. I think we need to get the bill into committee to hear some of those experts, to hear from some of the people in BC. I don't want us to miss the opportunity, so don't get hung up with the threshold—whether it's 60% or 50% or 40%, rather than the 25% set out in Bill 89. I think we need to make sure this bill goes forward so that we can continue the debate.

I think Mr. Hillier has brought a very important public policy item. I think we need to support it. Like you've done with so many other bills, get it into committee, and then let's work on the mechanics.

I support this bill. I'll be voting in favour of it.

I want to thank you for not ejecting me earlier so that I had the chance to make this speech. Thank you, Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Michael Harris:** Thank you, Speaker, for the opportunity to address the timely call for powers of recall as set out by my colleague from Lanark–Frontenac–Lennox and Addington in his proposed Election Amendment Act, 2015.

Let me say off the top that when it comes down to it, recall is essentially direct democracy at its best, allowing the electorate to retain or remove elected representatives at times other than election day. It is a key concept that speaks to the very core of our democratic system, ensuring accountability on a continuing basis throughout a government's rule, as opposed to only once every four or five years. Certainly, there is a long history in North America of attempts, both successful and not, to instill these powers of basic direct democracy, to guarantee that accountability. Fifteen states allow recall for elected state officials, and many states have recall powers for elected local officials.

Most recently, we saw the democratic process at work in Wisconsin when petitioners opposed to Governor Scott Walker's labour initiatives collected over 900,000 signatures to initiate the recall election process. The signatures and subsequent call for election in 2012 led to a full debate of the governor himself and his direction for the state that, in the end, allowed the people their say to ensure the principles of democracy remain supreme. When all was said and done, Governor Walker was re-elected, his mandate confirmed, and democracy was served.

On this side of the border, it was Premier William Aberhart who passed Alberta's recall act in 1935. It was also Mr. Aberhart who moved to repeal that same act when voters attempted to recall the Premier himself.

Today, the only province with the recall option in Canada is British Columbia, where there have been 24 recall efforts since the passing of the Recall and Initiative Act in 1994. While those efforts have met with varying results, there's no doubt that we've seen in BC the direct democratic power that recall allows. Speaker, if only that democratic right was allowed for the people of Ontario.

In fact, over the past 30 years, there have been numerous calls for recall provisions in Ontario, brought forward by members of both the Progressive Conserva-

tive Party and the Liberal Party. In 1993, for instance, there was the Recall Election Request Act brought forth by Liberal MPP Carman McClelland. As we've heard more recently, our own member from Haldimand-Norfolk brought forth the Recall Act in 2004. Unfortunately, to this day these calls for direct democracy have yet to take hold in this province.

Speaker, it seems a little strange, when you consider the democratic principles that our society is built upon, that democratically elected members continue to reject the importance of direct democracy at times other than election years. I think we should all be working to ensure that when choices are between governments dictating divisive decisions onto citizens versus allowing the electorate the democratic freedom of choice, the right to direct democracy must remain paramount. That's why in my area I was supportive and advocated for a change that would allow the good people of Waterloo region the right to hold a referendum when plans to open a casino in our area created divisive debate on many sides. Further, I pushed for democratic choice in recent months, following the passing of regional councillor and former MPP Wayne Wettlaufer. While the Municipal Act allows for appointment or by-election to fill vacancies, I argued for the democratic right of citizens to vote for their representatives, such as Wayne himself indicated in this Ontario Legislature on June 25, 2001: "We cannot be democratic if we do not give people a choice."

It's clear that without choice, there is no democracy. To that end, I reiterate my support for choice, for direct democracy and, indeed, for the power of recall as proposed by my colleague the MPP for Lanark-Frontenac-Lennox and Addington.

Thank you, Speaker, for the time allotted today.

**The Deputy Speaker (Mr. Bas Balkissoon):** I now return to the member from Lanark-Frontenac-Lennox and Addington. You have two minutes for a reply.

**Mr. Randy Hillier:** I want to thank everybody for engaging in the debate this afternoon. I think it is important public policy to be debated here. I will have to make a mention. When I heard the member from High Park demonstrating or trying to suggest that recall doesn't work, it reminded me that her analogy would be more appropriately like this: Because I didn't get a flat tire, therefore my bumper jack mustn't be working in my truck. Because the success of the by-election did not remove somebody, it does not mean that the process was faulty. Indeed, with Governor Scott Walker, I think there's a case where the recall petition legitimized that controversial policy that he was attempting to bring in, and in the case of Gray Davis, where he was removed. Just because a person is not re-elected or because the threshold isn't met doesn't mean that the process is faulty.

I do want to say this as well: As the member from Haldimand-Norfolk mentioned, there was a time when Liberals, prominent Liberals, in this chamber were not fearful of recall and were not fearful of the electorate, who advanced and advocated for these very same

policies. I can say to this House that if one day I'm sitting on that side of the Legislature—I don't know if that will happen or not, but if that happens at some point in my career, I will advance recall legislation, if it's not advanced or gone through second reading today.

Regardless of the side of the aisle, I believe it's important that we respect our constituents and not fear them.

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you all very much. The time provided for private members' public business has expired.

PROVINCIAL ADVOCATE  
FOR CHILDREN AND YOUTH  
AMENDMENT ACT, 2015  
LOI DE 2015 MODIFIANT LA LOI  
SUR L'INTERVENANT PROVINCIAL  
EN FAVEUR DES ENFANTS  
ET DES JEUNES

**The Deputy Speaker (Mr. Bas Balkissoon):** We will deal first with ballot item number 61, standing in the name of Miss Taylor.

Miss Taylor has moved second reading of Bill 117, An Act to amend the Provincial Advocate for Children and Youth Act, 2007 with respect to notices of critical injury or death.

Is it the pleasure of the House that the motion carry? I declare the motion carried.

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Pursuant to standing order 98(j), the member for Hamilton Mountain—

**Miss Monique Taylor:** Justice policy, Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** Refer to justice policy. Agreed? Agreed.

GREAT LAKES SHORELINE  
RIGHT OF PASSAGE ACT, 2015

LOI DE 2015 SUR LE DROIT DE PASSAGE  
SUR LE LITTORAL DES GRANDS LACS

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Gates has moved second reading of Bill 118, An Act to create a right of passage along the shoreline of the Great Lakes.

Is it the pleasure of the House that the motion carry? I heard a couple of noes.

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

All those opposed to the motion will please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

**Mr. Steve Clark:** On division.

**The Deputy Speaker (Mr. Bas Balkissoon):** On division.

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Gates?

**Mr. Wayne Gates:** I'd like to have it go to regulations and private bills, please.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member has requested that it be referred to regulations and private bills. Agreed? Agreed.

1610

ELECTION AMENDMENT ACT  
(MPPS' RECALL), 2015

LOI DE 2015 MODIFIANT  
LA LOI ÉLECTORALE  
(RÉVOCATION DES DÉPUTÉS)

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Hillier has moved second reading of Bill 89, An Act to amend the Election Act with respect to the recall of members of the Legislative Assembly. Is it the pleasure of the House that motion carry?

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

All those opposed to the motion will please say "nay."

In my opinion, the nays have it.

I declare the motion lost.

*Second reading negatived.*

**ORDERS OF THE DAY**

STRENGTHENING AND IMPROVING  
GOVERNMENT ACT, 2015

LOI DE 2015 SUR LE RENFORCEMENT  
ET L'AMÉLIORATION  
DE LA GESTION PUBLIQUE

Resuming the debate adjourned on September 15, 2015, on the motion for second reading of the following bill:

Bill 85, An Act to strengthen and improve government by amending or repealing various Acts / *Projet de loi 85, Loi visant à renforcer et à améliorer la gestion publique en modifiant ou en abrogeant diverses lois.*

**The Deputy Speaker (Mr. Bas Balkissoon):** When this item of business was last debated, the member for Bramalea–Gore–Malton had the floor. I recognize the member for Bramalea–Gore–Malton.

*Interjections.*

**Mr. Jagmeet Singh:** Thank you very much, Mr. Speaker, for the recognition. Thank you very much to the minister for the applause. Please, please, no applause.

It's my honour to continue the debate on this matter. The bill talks about how we can strengthen and improve the government. There are a lot of ways we can do that. The bill talks about a couple of ways. I'm going to propose a whole host of other ways.

One of the ways that this government hopes to improve and strengthen the government is by looking at a number of the ministries and improving or amending some of the bills or the acts that operate within those ministries.

One of those ministries is the Ministry of the Attorney General, and specifically the government seeks to amend some of the bills or the acts around the Family Court system. While those amendments will indeed provide some incremental improvement, there are other things that this government can do to significantly improve the justice system. I'll talk about some of the other strategies this government should implement.

One of the major issues when it comes to the justice system is the fact that the justice system requires balance. While we see that the prosecution and the police services certainly have a considerable amount of resources, it's not balanced when it comes to the defence side, and access to justice requires access to legal aid. Legal aid is an important issue. The government has made some steps in improving legal aid; I acknowledge that. There have been improvements in terms of the funding for legal aid, but more needs to be done, particularly when it comes to the principle of counsel of choice.

Our system is far superior to the system, if we look to the south in the States, where there's a public defender model. The public defender model doesn't allow for counsel of choice, and that principle of counsel of choice here in Canada is a model to look at. You can, with your legal aid certificate, enlist the aid of some of the best lawyers in this country. They will accept a legal aid certificate and you will receive a high-quality legal defence. That is paramount in a system of rule of law that actually instills and enforces access to justice and creates a more fair society.

But this model is at risk of being eroded. If we want to maintain this model—this superior system that provides clients and those who are accused with the right, the ability to access the lawyer of their choice—we need to make sure that the lawyer-of-choice model is preserved, and that requires some additional reforms to the legal aid system and it requires additional funding.

We need to make sure that anytime there is funding in the justice system it's proportional, both on the defence and on the prosecution sides. If there isn't that proportionality, if there isn't that balance, there will be an imbalance in the system and there will be unfairness. That's an area where we need to see more attention paid.

With respect to access to justice, the legal clinic model is something that is very useful. It provides great access to justice and it acts as a physical location that's accessible to local communities and provides a host of services which have been very helpful in improving access to justice. There are a number of clinics across the GTA and across the province which do phenomenal work. That legal clinic model is also at risk. There needs to be a clear commitment on the part of this government to protect that model so that people can access legal clinics in their communities and can meet face to face

with a lawyer. Often, when there are cases of barriers when it comes to language, meeting someone face to face makes it a lot easier to express whatever the concerns are and provides an easier way to access justice, provides an easier way for you to get the legal advice you need.

Again, in improving the justice system, this government needs to commit to the legal clinic model and ensure that if there are other systems they may complement it, they may provide other resources and other alternatives, but the essential legal clinic model has to be protected. That's on the justice side.

There's a host of other areas where this government could improve and strengthen the government. One of the major areas—and we've seen this issue come up time and time again. An issue that causes so much concern is accountability and transparency. This government has an opportunity here to ensure they strengthen that, because if we want people to be engaged in politics, they need to know that the government and government policies are accountable and transparent. One of the ways we could do that is the existing model. We have the Ombudsman. We need to continue expanding the Ombudsman. The government did, for the first time in a long period of time, expand the mandate of the Ombudsman's office to include an additional sector, but when we look at the MUSH sector, there's still one glaring area that's not being covered. I urge this government to ensure that all of the MUSH sector is covered by the Ombudsman's mandate.

The area that's of concern is the health sector. The health sector has been left out of the Ombudsman's mandate. The recent changes to the law, which suggest having an ombudsman through the hospital—that system is not the same as the Ombudsman. The Ombudsman is an independent officer. The Ombudsman has independent powers. It's someone people know about. People already complain to the Ombudsman. The Ombudsman should also have the mandate to investigate and conduct reports on the health sector; this government should do that. If they truly want to improve and strengthen the government, one of the main ways to do that is accountability, and one of the sectors that's left out—and I don't understand why the government doesn't just close that hole and provide that expanded coverage to the Ombudsman's office and allow them to investigate the health sector. That would be something that would be concrete, that would actually improve and strengthen the government.

When we're looking at the various sectors that have been amended by this bill, the various areas, the ministries that have been addressed by it, let's look at the health sector. Health is one of the largest expenditures in our budget. It's one of the most important. When people talk about the issues that they care about when it comes to provincial politics and provincial issues, health is one of the major concerns that comes up. People talk about accessibility of doctors, being able to have a family doctor. People talk about the importance of being able to get to their hospital, having local hospitals. The issue that keeps on coming up again and again is the fact that there

are significant hospital bed closures, particularly in communities outside of the GTA, and that's a big concern. We need to address that concern. People need to have access to family doctors, people need to have access to local hospitals and local hospitals need to have a full range of services.

One other model that has been shown to be very effective that the government hasn't really explored to its full potential, hasn't really maximized—and I encourage the government to maximize it—is the community health centre model. Community health centres provide excellent service and, in fact, can be a great alternative to the hospital. Right now, for most people, when they're sick, there really is only one place for them to go. If it's late at night and their child has a serious cough or a fever, and they're concerned, rightly so—parents are concerned—there is only one place to go. They go to the hospital. The hospital is not the best place for these types of illnesses. It's a great place for acute trauma, for acute injuries, for acute scenarios, but when it comes to chronic, long-term or less serious illnesses, the hospital is simply not the best facility. The hospital is a more costly means of providing care, and it's not the best way to address things like a fever or a cough, which may be serious enough to raise the attention of a parent to want to find some solution or bring the child to a medical professional, but a hospital may not be the best place for them to go.

#### 1620

I encourage the government to consider expanding the community health centre model. It's been shown to provide great results in communities. They provide great work in terms of prevention and awareness. They do great work in terms of providing training and education to community members so that they may improve their health and don't need and require the same level of care they would if they hadn't taken steps to prevent whatever illness it may be.

In addition, it's a more affordable mechanism to provide triage. If there were accessible community health centres, perhaps 24-hour centres, that people could go to and at that point, if there was a serious issue, they would be triaged by a nurse or a doctor and they could identify that this matter is serious and then they would need to actually access a hospital, it would be a far better system than the current, where people are going directly to a hospital, and rightly so; there's nowhere else for them to go. But it clogs up the emergency rooms, and people are left waiting for hours and hours. That will be a way for the government to strengthen and improve. They could look at that as a potential model.

There are various areas of this government that could benefit from significant improvement. I touched on before, and think it's important enough for us to return to, the Ministry of Transportation. There are amendments to the Ministry of Transportation proposed in this bill, but there are some serious issues that have been completely untouched, and the government has not acted on them.

When it comes to the Ministry of Transportation, there are two areas of major concern. One is snow removal.

The Auditor General released a scathing report that the snow removal outsourcing this government engaged in resulted in unsafe roads, clear and simple. The report was very scathing. The report pointed out very clearly that as a result of outsourcing and inadequate snow removal, roads were left in dangerous conditions in the winter, particularly in northern Ontario. Those dangerous conditions resulted in severe accidents, and some of those accidents were fatal. They could absolutely have been prevented had the government implemented a better system and had they not outsourced snow removal.

It seems like something that's not a major concern, but it is a major concern. This affects the lives of people in northern Ontario, and the outsource model did not work. It clearly didn't work.

In addition, we've seen significant complaints about Serco, the regime that resulted in the outsourcing of licensing when it comes to commercial vehicle testing and when it comes to regular, day-to-day vehicle testing. There have been complaints about Serco: its lack of capacity, its inability to provide the services that people need. There are unnecessary and undue delays, hours and hours of waiting to get a basic licensing process completed.

When it comes to commercial licensing, even more so there are a number of areas of concern. I met with some concerned constituents, particularly those who are involved in the education sector, educating drivers. There are fees that are being unfairly imposed. There are unfair delays that are imposed. And whether a test is completed or not completed, they still have to pay a fee. There are a number of areas that could be improved, and the government hasn't done its job to do so.

One of the areas that I touched on before and that I think I want to summarize in my last minute is that the government had the opportunity to make significant improvements, and one of those areas was with the cost of living. The government is responsible for mandating and regulating the auto insurance regime in this province. They had an opportunity to address some of the concerns that impact a number of areas, particularly the suburbs of the GTA. Whether it's Peel region, whether it's Scarborough, whether it's North York, these are some of the most expensive areas to be insured in, not only in the province, but in the entire country.

The Ministry of Finance has direct oversight over the auto insurance industry. They regulate the rates that are set in this province, and the government simply hasn't done its job to ensure that we're paying a more affordable rate here in Ontario.

I implore the government to use the powers you have to truly strengthen and improve government.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Ms. Indira Naidoo-Harris:** It gives me great pleasure to rise today and talk to the Strengthening and Improving Government Act. I want to start out by saying that, you know, sometimes the real successes of something are not in the big things, but in the little things. It's in the details.

And I find more and more in my life how true that is. Sometimes it's initiatives, but it's really thinking about the details and how they are carried out. This act actually does that. What it does is it tries to improve the efficiency and responsiveness of government.

I can tell you that in my riding of Halton, I talk to people all the time, whether they're in the grocery store or whether I'm taking my kids to school or going for a walk in the park. And when they talk to me, they say, "How are you finding your new job? What do you think about it?" Their idea of government sometimes includes an idea about all levels of government and just how large it is and how hard it works, but, at the same time, we often hear about the little things that maybe don't work as clearly and as efficiently as they should.

What this act does is it tries to address those very things, and so I'm really pleased to be standing here before you and talking about this. This strengthens and improves government. It makes sure that we're delivering services to Ontarians and improving the efficiency and responsiveness of government. What we're trying to do is modernize processes and make systems easier to navigate. That is key. There's no point in doing things for people if people can't actually navigate through the system and know what it is that we are trying to do to help them. So what we're going to be doing is strengthening and updating existing legislation to deliver that foundation. Here are a couple of ways we're doing it.

First of all, we're making amendments to the Highway Traffic Act on stretcher transportation services. The government is taking action to improve the safety and reliability of the private sector, non-emergency stretcher transportation services in Ontario. What this means in my role is that I've heard many times, talking to people, about being able to deliver non-essential ambulance services, especially to people in the north. This is extremely important and vital to them, and this is going to make sure that we're improving that system and we're taking care of it.

This is just one of the many things—

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you very much.

Questions and comments?

**Mrs. Gila Martow:** As the member from Halton just said, we definitely need to modernize and improve the way government runs. I hear often, as well, "How are you finding your new job?"

The number one thing that people in the province do that interacts, I believe, with the government that really makes them wonder how government operates is when they have to visit ServiceOntario to renew their health card or to renew their driver's licence, and they are met with huge lineups, nowhere to wait, nowhere to sit, surly staff who tell them they don't have proper ID. They go home, they get more ID, they come back, and then they're told, "Yes, you had the proper ID to begin with."

Let's not just talk. Let's show some action. There are already a lot of places where we could be improving things even without new regulations to tell us to

modernize and improve. Let's just do it. Let's modernize and improve ServiceOntario. Let's put some rules in place; let's do some spot inspections; let's make sure they are accessible the way they are supposed to be. People have told me that doors don't open properly and they feel that they have to go to a further ServiceOntario because they are not able to access the one closer.

The member from Halton also mentioned the Highway Traffic Act. Well, my private member's bill has all-stakeholder support, from CAA to the towing industry and all kinds of first responders as well, to have a highway incident management team in place the way other large cities like Miami do. Let's make our roads safer.

So I think it's wonderful that we bring forward new legislation, but I think there are a lot of ways that we can strengthen the regulations that we already have, to enforce the regulations that we already have and to ensure that everybody in the province who needs to access government services is able to do so in a timely fashion.

**Mr. John Vanthof:** It's always an honour to be able to stand in this House and, today, talk on Bill 85, following my colleague from Bramalea–Gore–Malton. I just have to say, to start, that An Act to strengthen and improve government by amending or repealing various Acts—it's a housecleaning bill, and you know what? There are necessary things in this bill.

**1630**

One of the things is to create regulations for stretcher transportation services. Quite frankly, before I was elected, I didn't really know anything about this issue, and I don't profess to be an expert now. But these services provide an essential part of the health care system. Ambulances are for emergencies. There are lots of times when patients need to be moved. It's not a crisis situation, but they do need non-ambulatory transportation—stretcher services. I'm happy to see that they're going to be regulated.

I would be even happier if we actually had a fairly uniform system throughout the province, because in my part of the world, in northern Ontario, these services don't exist in many places. What happens is, if a patient needs to be transferred from a hospital to a nursing home, they have to wait and they have to wait and they have to wait until there's an ambulance available. Because there are no spare ambulances, what happens then is that ambulances have to be shuffled around. Sometimes in my region, you'll see an ambulance by the Harley hall, and people will wonder why that ambulance is there. It's because that ambulance is covering, because there's a stretcher service being used by the ambulance—it could be going to Sudbury or North Bay—and we're short of ambulances. That could create a crisis at some point. We need to fix that.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Beaches–East York.

**Mr. Arthur Potts:** Thanks for this opportunity to respond to the member from Bramalea–Gore–Malton's comments on the Strengthening and Improving Govern-

ment Act, Bill 85. I was delighted for this opportunity. I listened to the member very intently, in the first three quarters of his speech the other day, and had the pleasure again to hear what he had to say today. He is a very experienced lawyer. He had an opportunity, in private practice, to represent clients, and he had real-life experience in so many of the issues that are reflected in this bill. He brought very intelligent comment in the first two or three minutes of his speech about those areas which this bill seeks to address, and then spent the rest of his time talking about areas the bill isn't addressing and ideas we should be addressing. I was somewhat tempted to stand on a point of order around section 23(b): "Is he really speaking to the bill or is he really wishing about other things that should be in the bill and not speaking to the bill directly?" But out of respect for his intelligence and the knowledge that he can bring, and all the different review that he has done on all the different legislation that is being touched on in this bill, I was happy to let it go, because I learn much from him.

I know we have his support for this bill. He said that maybe the name of the bill itself was a little bit over-reaching: the Strengthening and Improving Government Act. I think he called it the "a few minor details to a few government acts" bill; that was some other act that he'd like to see it called.

What I would suggest is that we can now take all this excellent commentary that he had from his in-depth review of the 15 statutes that are being addressed and the housecleaning that is done in this bill, and maybe we could talk about the new Strengthening and Improving Government Act 2, the sequel to follow—Son of the Strengthening and Improving Government Act—because we can use the intelligence you brought to this debate in some of these other areas. Maybe those are housecleaning items that we also must address in due course.

I'm sure that members of our government will be going through the Hansard carefully with a fine-toothed comb to cull out those gems that you've brought to our attention of how we can make this a better Ontario.

**The Deputy Speaker (Mr. Bas Balkissoon):** I thank everyone for their comments.

I now return to the member for Bramalea–Gore–Malton. You have two minutes for a reply.

**Mr. Jagmeet Singh:** I am encouraged by the spirit of collegiality that has swept over the chambers today. It's very encouraging and heartwarming, and I thank all the members for their input today.

Certainly, the government, and all governments, will continually improve and seek to strengthen whatever laws and acts exist. I think that's an ongoing process and it will never end.

As opposition members, I think it's our duty and responsibility to ensure that we put forward those ideas that strengthen and improve, wherever they may be, and the specific life experiences of each of the members here can provide invaluable assistance in making sure that happens. Whether it's improving our health care, whether it's improving the justice system, whether it's improving

the cost-of-living situations that exist, the government can benefit from hearing the input of various members.

Just in the final minute I want to really focus in on one of the areas of improving and strengthening the act which this bill doesn't do and where the government has gone in the wrong direction. When it comes to strengthening and improving the government, one of the most important thing that the government can do, again, is to make sure there is accountability and transparency.

When it comes to Hydro One, the government has rolled back accountability and transparency in the most historically significant way that this province has seen. They have removed all of the independent officers' ability to provide oversight. All of the independent officers, save and except for one, issued a joint letter to state that this is the wrong thing to do. That was a very historic moment, when all of the independent officers wrote this letter together. I ask the government: If they want to strengthen and improve the government with respect to Hydro One, they need to ensure there is accountability and transparency.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mrs. Kathryn McGarry:** It's a pleasure to rise today. I'll be sharing my time with the Minister of the Environment and Climate Change and also the Chair of Cabinet.

I'm standing here in support of the Strengthening and Improving Government Act, Bill 85, because it does a number of housekeeping items, but it also makes sure that we are modernizing and moving forward with essential legislation in the province to make sure that we are governing efficiently.

I wanted to speak about a couple of things that I can really relate to. One is the amendments to the Highway Traffic Act on stretcher transportation services. The government is actually taking action to improve the safety and reliability of private sector, non-emergency stretcher transportation services in Ontario. As a former nurse, I've spent more time than probably anybody else in the House in the back of some of these stretcher transport vehicles. These are the vehicles that are operated in order to be able to do a lot of the essential transportation of patients, either between a hospital and another hospital, or a non-emergency transfer to be able to go and get a diagnostic imaging test at another hospital. It's also a service that families can actually book to transport their loved one if they are unable to travel in a regular vehicle sitting in a wheelchair or whatever the case may be; to be able to transport the patient between their home and either a hospital facility or, again, a medical appointment. These are very essential services.

But regulating these particular vehicles, making sure that the public is safe for these services, and also making sure that we can utilize these vehicles in a safe manner to be able to allow the emergency EMS services to use the regular emergency vehicles to get to 911 calls—that's why it's really important to make sure that we have the regulations set and that we can use both.

Speaker, the amendments to the Highway Traffic Act would actually regulate private sector non-emergency stretcher transportation vehicles and their drivers, which, again, allows the passengers travelling on stretchers, including those transported between health care facilities, to be moved safely. The new standards would require the operators and the drivers to meet specific requirements with respect to vehicle inspection, maintenance, prescribed qualifications for staff on board, equipment and record-keeping. The new standards would address concerns put forward by Ontario's Ombudsman on the issue. This amendment was originally introduced in the Legislative Assembly of Ontario as part of the 2013 Strengthening and Improving Government Act.

Other proposed changes also looked for easier ways for drivers to complete paperwork. They would allow the Ministry of Transportation to serve a notice of intention to cancel the vehicle permit or driver's licence in a way other than mail, such as at a ServiceOntario counter. This amendment would ensure that drivers are more likely to be notified and can respond to the requirements before any licence cancellation would take place. This change will facilitate increased options for drivers and vehicle owners to receive notifications about their licence.

**1640**

But it was also to permit electronic correspondence relating to a commercial vehicle operator's registration. This will include accepting applications, renewals and client updates, as well as the ministry issuing notices, commercial vehicle operator certificates and account updates. That's a much more efficient way to be able to get these pieces of information in a more timely manner to the drivers.

I also just wanted to make note that this bill also reintroduces two minor items from Bill 31, the Making Ontario's Roads Safer Act, 2015, which would allow for short-term suspensions for drug-impaired driving to be calculated in the same way as those for drinking and driving. It would also remove the requirement that a municipal bylaw needs to be in place in order to facilitate installation of pedestrian crossovers on provincial highways, where appropriate.

I'm very supportive of this bill. It does a number of housekeeping items in a timely fashion, and I think we should have full support to have this bill go forward.

**The Deputy Speaker (Mr. Bas Balkissoon):** The Minister of the Environment and Climate Change.

**Hon. Glen R. Murray:** This may be one of the most boring pieces of legislation I have ever read—important but dull. I want to commend all my colleagues who are speaking to this today and who have, in some way, stayed awake. But these are all those important little things: improving how judges operate, cutting red tape and, as my friend from Cambridge said to me, making people's daily lives more interesting—no, not more interesting. More fun—no; just a little less of a hassle. A lot of this cuts through red tape.

My personal favourite in this is that our government has been very proud to have introduced same-sex

marriage—very important—and we have same-sex divorce now, and that could be because—I'm very pleased, as a gay person, that as a result of same-sex marriage, we can have the same sex over and over again, just like everybody else.

*Interjections.*

**Hon. Glen R. Murray:** Okay. I didn't get anyone's attention with my joke.

**The Deputy Speaker (Mr. Bas Balkissoon):** I think if you speak to the Speaker, you might do better.

**Hon. Glen R. Murray:** This speaks to the profound challenge I'm going to have in actually trying to keep people's attention on this important issue.

**The Deputy Speaker (Mr. Bas Balkissoon):** Just address the Speaker and you will have no problem.

**Hon. Glen R. Murray:** I will address the Speaker, Mr. Speaker, but you're not laughing at my jokes either, so I'm feeling a little helpless up here.

On a more serious note, one of the areas that is particularly important—the member from Thornhill was talking earlier about some of the slowness in getting infrastructure projects out. One of the things that we, as the government, have been trying to do is start to move to a more integrated regional transportation system with the Big Move and with an integrated fare system. An integrated fare system means that your Presto or TTC—you'll just be able to use the rails. It will cause efficiency, save money, integrate systems, allow people to truly be Ontarians and people who live in the region to not be trapped by having to pay costs on both. This allows the TTC and the city of Toronto and York region—it removes a lot of the barriers to integrating lines and moving services across municipal boundaries. That's terribly important and exciting.

Mr. Speaker, I just want to make one point. I notice that almost no one in the House is listening to me.

**Hon. Kevin Daniel Flynn:** I am.

*Interjections.*

**Hon. Glen R. Murray:** No, it's okay. I didn't listen to you when you were talking about this either, so I don't take it personally.

I just want to point out one thing here. This legislation: Since so many people have spoken to it, maybe we could quickly put it to the committee, Mr. Speaker, because as you are observing as you're looking out at us, there are not many people who are gripped with a passion for this legislation. Everyone who has spoken about this has spoken in favour of it. They've all pointed out the incredible minutiae and the goodness of this incredible minutiae. These are the things that we should just get on.

I notice that my friends in the New Democratic caucus are carrying on lovely conversations. I'm jealous, Mr. Speaker. Those are interesting people over there. I would like to join them in a conversation or maybe go out for a beer after. My colleagues in the Conservative Party are hard at work reading detailed manifestos—I'm sure they're planning for the next election—or having pleasant conversations, and all of my friendly Liberals are smiling and carrying on and would rather be out on the front lawn right now.

Maybe we could put this bill to committee, Mr. Speaker, and, if not, I just want to take a snapshot of the current mood in the House, that this is not attaching much controversy or difficulty. I know all of our political staff would actually like to do that. They would actually wish we would do this, but I see people on the other side doing that. Yes, they would actually wish that we would do this. I even see people on the other side doing that.

Mr. Speaker, I have to have permission of the House leaders to ask for unanimous consent and I have to try to get the attention of the House, which is almost impossible since neither of those things are happening.

I represent a very complex and interesting community, from quite affluent—my friend from Eglinton–Lawrence always says that it's important that we remember the perspective of our own communities. This is something, whether you are making real estate transactions in Rosedale on houses that many of us in this House can't afford, or it's simply for someone who lives in St. James-town or Cabbagetown or Corktown trying to get through the court process there. This is also important to people because it better connects all of our communities, from Eglinton–Lawrence to Toronto Centre to North York—God forbid even to Oakville and Halton.

Is anyone keeping count of how long I've been boring you to death?

**Ms. Soo Wong:** At least 10.

**Hon. Glen R. Murray:** At least 10?

**Ms. Soo Wong:** Yes.

**Hon. Glen R. Murray:** I have to do 10?

**Interjection:** Keep going.

**Hon. Glen R. Murray:** Keep going; 10, okay.

What else can I talk about in this bill? Oh, yes. This improves the duties of the senior advisory family judge of the court, a position created in 2012. This judge advises the Chief Justice on family matters—very, very important. The amendment was originally introduced in the Legislative Assembly as part of the 2013 Strengthening and Improving Government Act. I'm sure that resonates with you. You probably remember that moment in history as being somewhat seminal and pivotal.

**Mr. Mike Colle:** You've got about a minute.

**Hon. Glen R. Murray:** Okay, thank you.

Other proposed amendments to the Courts of Justice Act would clarify timelines for deputy judges to issue decisions after retirement. As these rules were only in place for judges, they would remove approval requirements for reappointment of certain judicial officials. Now, if you're a judge, this is a very important piece because it actually facilitates your retirement, and we have had complications with that: What is the pathway to retirement? What's the process? How do we manage this? This is something that I don't think is going to appear in anyone's election literature for reappointment, that we actually resolve some of the conflicts and difficulties with the retirement of judges. Again, it's incredibly mundane and boring but very, very important to good government and the functioning of good government.

Is there someone else speaking on our—

**Mr. Mike Colle:** Yes.

**Hon. Glen R. Murray:** There is someone. Okay. Do you know, Mr. Speaker, I will just close with this: My friend from St. Catharines is going to be speaking next. He has had more experience in this House. I just want to challenge him, since I couldn't even get a laugh to my joke, if he can try to get the attention of the House when he's speaking, because if he can't do it then I won't feel like such a complete failure because I pale in comparison to his experience in the House.

I will pass it over to my dear friend the Honourable James Bradley, member for St. Catharines.

**The Deputy Speaker (Mr. Bas Balkissoon):** To the Chair of Cabinet and Minister without Portfolio.

**Hon. James J. Bradley:** When I was a teacher I used to tell the students that you can't do two things at once. In other words, you always have to pay attention. But when I became a member of the Legislature, I realized that you can do two things at once. So they can be reading their BlackBerrys, reading papers, discussing things and listening to the debate at the same time. You may think they're not listening, but they are in rapt attention of what is happening in here.

The great thing about a bill like this is it allows you some latitude to speak about a number of things because it talks about traffic, and then you have a problem that you encounter from time to time. For instance, along Lakeshore Road in Toronto—and you've all probably done this. Along Lakeshore Road in Toronto, the traffic going out after a Jays game or a Leafs game or a soccer game or an Argos game, any one of those—the traffic lights are such that they block the flow of traffic. In other words, most of the traffic is going westward, some of it eastward, and they have the same lights on all day for the traffic that's crossing. So you will see the traffic sitting there stopped—and you'll remember this as a former municipal councillor—the traffic would be stopped and there are no cars coming this way, no vehicles.

**1650**

I hope that the message will get to the chair of the TTC, who happens to be on council and whose father is in this House, and to others that what you want to do is synchronize those lights in such a way that when the traffic demands it, the traffic continues to flow westward instead of being interrupted. That's what a good government bill has some influence on. That's a great problem I have encountered personally, and this bill allows that.

A lot of people think it's an omnibus bill. I remember that a former speaker one day referred to it as an ominous bill. Indeed, the bill of that day was an ominous bill, because it was the Harris government and it was a huge bill, Bill 26, that we called the bully bill at the time. This particular bill is not ominous at all. Omnibus it may be, but it has a lot of routine things that have to be done by government that are important to do.

Members have already talked about some of the things. For instance, you asked the question: How do the current rules for drinking and driving in Ontario reflect the new rules proposed for driving under the influence of

drugs? We have long recognized that drinking and driving can be a very big problem when people are intoxicated and driving. But more recently, attention has been turned to the consumption of drugs and driving, because they can impair. This bill deals with that as well.

The previous speaker talked about its effect on deputy judges, which is important.

Non-emergency stretcher transportation services: I think we all recognize that they're part of the transportation of patients, and this is non-emergency for the most part. But there have to be rules and regulations on that. We see amendments in part of this bill that will, in fact, regulate that. For instance, STS operators are going to be subject to inspection, audit and enforcement procedures applicable to commercial vehicles. We're going to require that hospitals and other facilities adopt leading practices for appropriately selecting between STS and ambulance services. One of them would be essentially non-emergency but necessary; and the other, emergency.

Those are the kinds of things we find in a bill of this kind. What I was looking for in here that I didn't find—you often say, "Well, if it's an omnibus bill, what is in here?" I say, "Is GO Transit to Niagara in here?" It's not in here, and I wondered why it is not in here. I couldn't find it. As you know, I have been a strong advocate for that for some period of time. I will continue to advocate for that, but it's not in this particular housekeeping bill, obviously because it is exceedingly important.

The fact that this bill affects municipalities and affects the provincial government is something we have to consider. I know Provincial Offences Act documents and the electronic cost of those. These are minor things, you would think, except that these are the kinds of things the individual in our society encounters on a daily basis.

So I like what this bill has done. It's going to strengthen pedestrian safety through the introduction of new pedestrian crossing devices for low-speed and low-volume roads—that is important—and seamlessly implement proposed driver's licence suspensions for drug-impaired driving, and that's going to be important.

So there are a number of new measures that have been taken which really—and this is part of it—have Ontario declared as, if not the safest every year, within the top three safest jurisdictions for roads. That's because governments over the years, of all political stripes—this government has been in since 2003, so there has been a lot done there. But those changes have been made that make the roads considerably safer, including our latest emphasis, for instance, on devices that people are using while driving, if they are trying to text, trying to talk on the phone or are distracted in one way or the other. I am pleased to see that that's addressed. When I was Minister of Transportation, we started that. At that time, you couldn't be on your cellphone and driving. That has seen changes since, which have increased the penalties, now including points that are taken off. You know, if you rack up those points, that's not very good for your driving record. The fines have been increased. And I think there's been increased enforcement, because it's recog-

nized today that distracted driving is causing almost as many accidents, fatal accidents, as impaired driving. Both, in a way, are a distraction. So I'm pleased to see that.

I'm glad to hear this bill has what appears to be a good consensus of support. It means that when legislation of this kind is before the House, it doesn't require lengthy debate. I'm one who believes when there is a contentious bill that is significant and has a profound impact on the province, that should get lengthy debate and committee time. A bill of this kind, it seems to me, can pass relatively quickly because there is a consensus of agreement on most—or in some cases, perhaps all—of the provisions of this bill.

May I say lastly, before I sit down, what a good job I think you've been doing in the Speaker's chair, Mr. Speaker, during this period of time, riveted as I know you are to the discussions taking place in the House?

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. Questions and comments.

**Mr. Ted Arnott:** I want to express appreciation to the government members who have spoken this afternoon to this bill. I think all of us have a lot to contribute to legislation in this House, and certainly three government members, two of them experienced members of the cabinet, offering their thoughts and advice—and they were able to fill the 20 minutes, so that was impressive. I certainly look forward to participating in this debate later on; I think I'm the next one up for our party. I'm not going to take the full two minutes here, but I do want to express my appreciation to them for their comments on this bill this afternoon.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments.

**Mr. Jagmeet Singh:** It's a pleasure again to rise and add some more input on this bill. I think that because of the nature of the bill, it offers a broad perspective. When we talk about strengthening and improving the bill, or the government, it gives us an opportunity to talk about a lot of things, and—

*Interjections.*

**Mr. Jagmeet Singh:** No, it's a broad topic, right? It's a lot of things that you can mention. It's the government and how can you strengthen and improve it—that's pretty broad. The beauty of this bill is, I think it would be very difficult for anyone to call anyone out of order because the title is so broad and the bill is so broad. You could talk about anything. We could talk about any issue.

One of the issues that I want to talk about now, because it's so broad, is that we look at the government to provide us with protections. So let's talk about consumer rights protection. In the Ministry of Consumer Services, the ministry has taken significant steps recently to improve consumer rights protection. One of the areas was around cellphones.

We've most recently spoken about the government's initiative to improve protection around condominiums. Now, in that—and it's something that I've raised and I want to raise again because it's so important to me—if

we're talking about consumer rights and we want to strengthen and improve the government, one of the most important aspects of home ownership, particularly if you're buying a new home, Mr. Speaker, and I think you know what I'm going to talk about, is the home warranty program.

Right now in Ontario, there is only one program. It's mandatory, you have to purchase it, and it's Tarion. The problem with Tarion is this: The layout of Tarion, the way it's organized—all of it seems to be favouring the construction industry and not the actual people that it purports to protect, the condominium owner. One of the issues that I really want to talk about is that if we want to have a strong home warranty program and a strong Tarion, it needs to be accountable. It needs to be accessible to the Ombudsman as well as the Auditor General.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments? The member for Newmarket—Aurora.

**Mr. Chris Ballard:** Thank you, Mr. Speaker—one second.

I was getting a little too comfortable in that seat.

**The Deputy Speaker (Mr. Bas Balkissoon):** It's late Thursday.

**Mr. Chris Ballard:** It's late Thursday; exactly. What a show this has been. What an education for those of us who are relatively new to the House to hear some of the people with a bit more experience talk about all the exciting things that this bill will cover off. We know that this bill will modernize a whole bunch of legislation, including the kitchen sink, apparently, and a number of routine things. But Mr. Speaker, in looking at the briefing notes that I was provided with, I know that you don't have them and I know you probably have a number of questions.

**1700**

Mr. Speaker, you may ask: First of all, are we trying to hide anything in this omnibus bill? I can assure you that, no, we're trying to modernize processes and make the system easier to navigate through small, yet significant, amendments.

Mr. Speaker, you may ask: How much will this amendment about making Provincial Offences Act documents electronic cost? Well, I can tell you that the amendments do not have cost implications. They clear the way legally for POA courts to manage cases more efficiently. Municipalities run most POA courts, and so would bear any cost of additional modernization they choose to implement.

Mr. Speaker, you may carry on and ask: Are only some of these documents digital now? I would respond that some steps of the court process aren't digital. For example, when people challenge tickets that have been filed electronically, documents are printed out for the purposes of a court case and then scanned back into the system. This proposed amendment will allow courts to eliminate that step.

Just a few questions answered, Mr. Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Mr. Michael Harris:** I'll be happy to lend my two minutes to this.

I was speaking to my colleague here about this bill. It is a fairly encompassing one that reaches several ministries.

The one that I'm probably most familiar with is actually when it comes to the Highway Traffic Act. In committee, Bill 31 was recently passed. Several of the items within Bill 31 were in bills put forward by my colleagues—Garfield Dunlop one of them, of course, and Norm Miller. We put forward several amendments that I think would strengthen Bill 31, Making Ontario's Roads Safer. Unfortunately, the government voted them down at every turn. They got so used to voting our ideas down that they in fact voted out a section of their own bill, if you can believe that. True story. They were so used to arbitrarily saying, "No, no, no," that when it came up to a section within their own bill, they voted it out. So it's actually now contained within this bill, An Act to strengthen and improve government by amending or repealing various Acts, Bill 85. That little piece that they voted out is actually included in this. So that's, I guess, where I'm best to speak on this one.

We talked earlier about—I know it falls under the Attorney General. We did have a discussion earlier on whether this includes or not the new restrictions of the Auditor General on reviewing commercials. We're seeing a lot of them on TV right now, especially with the federal election on, on a variety of issues. So it is.

But I will say that that specific piece where it pertains to the Highway Traffic Act was really just an error on the part of the government members within committee. I know it is a good learning lesson for them. I'm sure that the folks in the background made them well aware of that mistake, and that's why they've put it in this bill. Next time, we hope that they'll take some more of our suggestions, not get so used to voting "no" in committee and take a few of our ideas to actually strengthen other acts.

Thanks, Speaker, for my two minutes.

**The Deputy Speaker (Mr. Bas Balkissoon):** I will now return to the government. The minister without portfolio, you have two minutes for a response.

**Hon. James J. Bradley:** Thank you very much. The comments of all the members have been extremely relevant. Two minutes doesn't give them enough time to mention some things.

They would have mentioned, had they had the time, that there's a dedication service for the renaming of a portion of Highway 6 to the Jack Johnson Memorial Highway. This will take place on Friday, September 25, at 11 a.m. at the Legion hall in Mount Forest.

I have to say this because it's highway traffic; we're talking about the Highway Traffic Act. One of the people who was instrumental—and he would want to share this with others, but he certainly was instrumental—was the member for Wellington–Halton Hills. Before he got here,

he was known as Ted Arnott, and he worked for Jack Johnson, who was an esteemed member of this Legislature.

Jack was universally liked by all members of this House because of his approach. He was relatively non-partisan. There's always time for partisanship in here, but for Jack it was very little, and that's why he had friends in all parts of the House. He was also very dedicated to his constituency. The fact that he chose Ted Arnott, as he was known then, as a constituency assistant, is enough to tell you that he had extremely good judgment.

I did want to mention that. The member for Halton Hills, who I think is going to speak next, might even want to elaborate a bit. And you may show some latitude to him, because I think we can pay tribute to people who have served in this House in appropriate ways; and this initiative, which I give a lot of credit to the member for Wellington–Halton Hills for, is one that I think speaks well of all members of this Legislature. Although I can't be there personally for it, my heart will be there, and I have left some comments that will be with the member for Wellington–Halton Hills at that time. I thank you for indulging me in this particular commercial.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate.

**Mr. Ted Arnott:** Not a political campaign commercial, surely, but I want to thank the member for St. Catharines for his kind remarks.

Yes, we are looking forward to the dedication of the Jack Johnson Memorial Highway next Friday at the Mount Forest Legion. I want to express my appreciation to the members of the government for agreeing to recognize Mr. Johnson's service in that way. I must say that the Minister of Transportation was helpful. The Minister of Agriculture, Food and Rural Affairs was very helpful as well in terms of giving me advice. And I want to especially thank the municipalities in the county of Wellington, all of whom supported our suggestion that the Jack Johnson Memorial Highway was an appropriate tribute to a fine member of provincial Parliament who was here and represented Wellington, and before that Wellington–Dufferin–Peel, for some 15 years.

I would also add that the member for Perth–Wellington, Randy Pettapiece, is the co-sponsor of the suggestion. He will be there with us, and I know some of the other members of the House will be joining us that day. I think it's appropriate to remember Mr. Johnson but also to remember the type of member he was and the type of person he was. He was very thoughtful, very hard-working—cared immensely for his constituents. He was here for the people of his riding; he wasn't here for himself. He pursued his work here, motivated by a desire and a sincere concern for the people of his riding. He was an outstanding member of provincial Parliament, the type of member that over the years has been the backbone of this place. So, again, I express my appreciation to the member from St. Catharines for his kind words, as well as the government for supporting that initiative.

Speaking of strengthening and improving government by amending or appealing various acts, Bill 85, we had a

significant development today that was announced by Infrastructure Ontario and the Groves Memorial Community Hospital in Fergus. Members will know that for many years I have advocated for a new Groves Memorial Community Hospital in the community of Centre Wellington. Today, Infrastructure Ontario and Groves Memorial Community Hospital issued a request for qualifications—or, as we call it, an RFQ—for a consortium to design, build and finance a new hospital to replace the existing Groves Memorial Community Hospital in Fergus.

We are now given a time frame by the government that we expect to see the completion of the project by mid-2019 and that the new hospital would be located in the hamlet of Aboyne, between the communities of Fergus and Elora. What we are trying to do there, of course—the plan is to build an existing model of care that links traditional hospital-based acute care services with community-based services to: achieve an enhanced continuum of care; provide a framework to address future flexibility and changes in technology; provide facilities that meet infection prevention and control standards and reflect best practices and evidence-based design; and provide services within a model of care to accommodate projected needs-based demographic changes.

I know that the government has been very impressed with the approach of our local hospital officials, the support of the township of Centre Wellington, the county of Wellington, many of the local residents, the people who have worked so hard to generate support, the efforts of the foundation to raise money—considerable money has been raised in the local community, which I know the government was impressed by—and of course, the hospital staff and the many volunteers.

It's an incredible success story in health care in our community. We have everybody involved working together in a constructive way. I have often argued that the government's effort in terms of the local health integration networks to bring down the silos in health care and get people working together instead of protecting their turf, to get them focused on the patients. That's what we've been doing in our riding for many, many years. We didn't need the provincial government to enforce it. That's just the way health care has been delivered for many, many years in my community, and we are very proud of everyone who has been involved.

**1710**

We are also aware that the RFQ is the first step in the process to select a team to deliver the project. Submissions will be reviewed to shortlist project teams with the design and construction experience, as well as the qualified personnel and financial capacity, to deliver a project of this size and complexity. Shortlisted teams will then be invited to respond to a request for proposals, expected to be released as early as the middle of next year, Mr. Speaker.

This project will be built as an alternate financing and procurement, or AFP, delivery model—we call it private-public sector partnership—that transfers risks associated

with designing, constructing and financing a building to the private sector.

Of course, I am supportive of this project, as I said earlier, but I would acknowledge the role of others, obviously, towards getting us to this positive next step, which is good news for our community.

I have many times thanked the former Minister of Health, Deb Matthews, who now serves as the Treasury Board president. She was the Minister of Health who gave us the approval, with support from a number of the government members, including the member for Guelph, Liz Sandals, and the previous member for Perth-Wellington, John Wilkinson, who I worked with to try to get this approval, which—coincidentally, I think—was granted and the announcement made just before the 2011 provincial election. We were part of a spate of hospital announcements. I was very pleased.

I think I've said this publicly, but I want to especially thank an individual who worked in the minister's office at that time: Shawn Kerr. I don't think he currently works with the government. He was very helpful, and I know his role was significant in terms of giving us that approval.

Today, I spoke to the Minister of Infrastructure and thanked him for the role of Infrastructure Ontario in getting us to this next step. It's good news for our community, and I want to express my thanks to the government.

Of course, we see Bill 85 opening a significant number of acts: the Courts of Justice Act, the Family Law Act, the Provincial Offences Act, the Vital Statistics Act, the Commitment to the Future of Medicare Act, the Employment Standards Act, the Occupational Health and Safety Act, the Registered Human Resources Professionals Act, the City of Brantford Act, the City of Hamilton Act, the City of Toronto Act, the Municipal Act, the Ontario College of Trades and Apprenticeship Act, the Ontario Colleges of Applied Arts and Technology Act and the Highway Traffic Act.

This is one of those infamous omnibus bills, but I think it's fair to say that many of the amendments that the government is proposing in Bill 85 would be best characterized, perhaps, as housekeeping amendments.

It was previously introduced in this Legislature, I understand—or most of it—as Bill 151, which at that time was called the Strengthening and Improving Government Act, 2013, but it died on the order paper when the Legislature was dissolved because the New Democrats announced that they weren't going to be supporting the budget motion. The Premier decided to dissolve the House, going to the Lieutenant Governor to seek a dissolution, triggering the 2014 provincial election.

Bill 85 contains additional amendments, over and above what was included in Bill 151. Bill 85, as I said, affects a significant number of acts, opening up 15 different acts involving eight ministries. The amendments proposed in Bill 85 fulfill commitments and remove redundant legislation. This is what we're told.

The bill is standing in the name of the Attorney General. I've got a bit of time left, Mr. Speaker. It gives

me, perhaps, an opportunity to talk about an important issue with respect to the provision of justice in our community in Halton region, in particular.

Some time ago, I was informed of the need for a new courthouse in Halton region. I was approached by a lawyer who previously had been a crown attorney in the province of Ontario but now works as a criminal lawyer in Halton region. He has seen the justice system from both sides. I have a high regard for him. His name is Paul Stunt. He came to me to inform me that there was a need for a new courthouse. What I did initially was to indicate an interest in touring the courthouse, and I suggested that he invite all of the Halton-area MPPs to come together so that we could tour it together. We tried to do that. In the end, there were two tours. I was able to tour by myself, and then the other Halton-area MPPs, including the Minister of Labour, the member for Halton and the member for Burlington, on a subsequent occasion toured the existing court facilities. They were able to see for themselves the deficiencies in the existing courthouse facilities.

Since that time, we've made an effort to try to work together across party lines, to advocate together for a new courthouse. Just a few days ago, we had a meeting with the Attorney General before the House resumed sitting. I think there were representatives from all of the area MPPs, the ones who couldn't attend. I know I was pleased to be there with the member for Halton, and the member for Burlington was in on a conference call, so she could hear the discussion.

We did meet with the Attorney General to continue to advocate for the need for a new court facility. It was a good meeting. I was very impressed with the Attorney General's willingness to listen and her suggestion to us that a new Halton courthouse was in fact a high priority of the government.

My hope is that when funding for new justice-related infrastructure is allocated by the government—and we would hope and we would expect and anticipate and request, really, the Minister of Finance, in the upcoming provincial budget, which we're already starting to ramp up towards—in fact, the ministries, I'm sure, at this time will be in the process of developing their proposals that will go into the mill for the consideration of the Ministry of Finance. Without question, I'm certain that the Attorney General—the Ministry of the Attorney General—will be submitting a proposal indicating the need for new court facilities and perhaps other new justice infrastructure projects. But we do need a new courthouse in Halton region.

I've also worked closely with the regional chair of Halton, Gary Carr, who all of us know. Many of us served with Gary Carr. He served as a member for Oakville for many years—Oakville South, I think, initially. I was his seatmate for nine years, so we became good friends. Then, of course, he became the Speaker of the Ontario Legislature and was a very fair and effective Speaker. He is now the regional chair of Halton region. He does an outstanding job. He and other members of regional council have made this a priority too.

We're trying to get progress on this. I suggest to people in my riding that, obviously, as a member of the opposition, I have an obligation and a responsibility to attempt to hold the government to account, but at the same time, I want to do good things for my community and advocate for the needed projects. I spend a lot of time on that. The fact is, I believe we need to reach across the partisan differences that we have and try to work together on behalf of our communities. Certainly, that's what we're trying to do in Halton region, and I hope that the government takes note of that and that, in fact, the government sees that we are working together in a non-partisan way, and that they recognize there is a need. Again, I would submit and request to the Minister of Finance that he take a greater degree of interest in this and support the Attorney General and others in the Ministry of the Attorney General who see the need for new court facilities in Halton region.

Now, getting back to the specifics of the bill, we know that Bill 85 amends the Courts of Justice Act to include federal legislation—the Civil Marriage Act; the Family Homes on Reserves and Matrimonial Interests or Rights Act—to the list of statutes which the Family Court and Family Rules Committee have jurisdiction over.

I'm told this will clarify court processes for non-resident same-sex spouses and First Nations matrimonial real property laws. In addition, it would allow future federal family legislation to be added to the Family Court's and rules committee's jurisdiction through regulation. This comes under the Attorney General, Mr. Speaker.

Bill 85 also amends the act by setting out the duties of the senior advisory family justice of the Ontario Court of Justice. This judge advises the Chief Justice on family matters.

Schedule 1, if passed, would remove the requirement for a recommendation of the minister from the process of reappointing a case management master who has reached the age of 65. This change is a result of the current provision being deemed unconstitutional. Of course, if it has been found to be unconstitutional by the court, obviously, the legislation has to be changed accordingly.

It would allow deputy judges 90 days after they retire to complete outstanding decisions. The French version of the Courts of Justice Act is amended to resolve minor translation issues. The Family Law Act is amended to require parents who use the new court administrative child support calculation service to provide the same financial disclosure obligations as parents who obtain a child support order through a Family Court.

#### 1720

We know that the Provincial Offences Act is also amended by this bill, Bill 85, to allow municipalities to establish an end-to-end electronic court records system for the provincial offences court.

Schedule 2 of the bill, which comes under the Ministry of Government and Consumer Services, I believe: Currently, under the Vital Statistics Act, certificates bear the signature of both the registrar general and the deputy

registrar general. When these individuals vacate their positions or no longer hold public office, certificate stock on which their signatures are reproduced can no longer be used. This proposed amendment would allow the remaining stock to be used even if the registrar general or deputy registrar general were to leave office.

Schedule 3 makes reference to the Ministry of Health and Long-Term Care. Schedule 3 of Bill 85 provides for a liability exemption for the Ontario Medical Association. The Commitment to the Future of Medicare Act would be amended to align with the 2012 physician services agreement between the province and the Ontario Medical Association. It would provide immunity for representatives of the Ontario Medical Association, including directors and staff, but not the association itself. In fact, individuals will be restricted—

**Mr. Tim Hudak:** Not the association.

**Mr. Ted Arnott:** Not the association, yes. Individuals will be restricted from pursuing civil action regarding agreements between the OMA and the Ministry of Health and Long-Term Care in the following situations: including insured services under the plan, or as we often refer to it, OHIP; amounts payable under the plan in respect to the rendering of insured services to insured persons; and amounts payable to physicians by the ministry or the crown.

Individuals are restricted from pursuing civil action regarding any recommendation made to the Ministry of Health and Long-Term Care or the crown concerning anything related to insured services under the plan, amounts payable under the plan in respect to rendering of insured services to insured persons and amounts payable to physicians by the ministry or the crown. This would prevent legal action against the representatives for acts done in good faith during negotiations with the government related to physicians' agreements or payments, such as agreements that contain fee changes for certain physician groups.

I am running out of time, but I think it's important, again, to discuss the fiscal and financial context in the province of Ontario upon which this legislation is being introduced and being debated.

Of course, we are anticipating eagerly the fall economic update of the provincial government, which we would expect would be forthcoming in the coming weeks. The government, hopefully, will soon let us know when that important budgetary statement will be offered to the House, but at the same time we would anticipate and expect, based on the past record of this government, that some of the details may in fact leak out before the presentation in the Legislature.

So I go back to the provincial budget that was presented in the spring, and I, of course, want to talk about some of the key numbers. If we look at the deficit that was projected in the provincial budget this spring, the provincial government projects an \$8.5-billion deficit. That's a shortfall in terms of the revenue that comes into the treasury relative to the expenses that the government is pursuing. That deficit, in fact, is down marginally from

last year. Last year, it was \$10.9 billion. So there is some modest progress in terms of deficit reduction, and I would be prepared to acknowledge that.

The government is continuing to maintain that it is committed to balancing the budget by 2017-18. They're going to have to make significant progress on the deficit number in this upcoming provincial budget if there's going to be any sense of confidence that, in fact, that goal of a balanced budget by 2017-18 is going to be achieved. In fact, we see a deficit that is still holding at \$8.5 billion, which is a massive deficit by any measure.

We see that the provincial net debt is going to be very close to \$300 billion at the end of this fiscal year. The number that they have put in the budget is \$298.9 billion. That's up \$14.7 billion year over year—an absolutely massive increase in the provincial debt. It's something that, unfortunately, wasn't well covered by the media in the presentation of the budget and in the aftermath, but the fact is that the provincial net debt went up almost \$15 billion this year alone as a result of this government's expenditure patterns and their inability to control spending.

If you look at the overall projected expenditures this year, it's \$131.9 billion that they're planning to spend; again, spending is up year over year, \$2.4 billion more being spent this year than last year. Last year the number was \$129.5 billion.

The net debt per capita, that important number which, in effect, is the amount that each of us owes because of years and years of provincial overspending—every man, woman and child is on the hook for this amount of money—is \$21,642 per person, up \$870 from last year.

The debt-to-GDP ratio has gone up dramatically again this year. This is an important indicator of the government's and the province's ability to service its debt. The debt-to-GDP ratio—gross domestic product ratio—is 39.8%, up from 39.4% last year. Just to put that number into perspective, it was 26.2% before the recession in 2007-08.

Mr. Speaker, I've run out of time, but I thank you very, very much for your indulgence this afternoon. I appreciate the interest of the members as well.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Ms. Jennifer K. French:** I appreciate hearing the debate and thoughtful input from my colleagues around the Legislature. I'm glad to have the opportunity to share a real example of the important work that we need to do. We are here today talking about ways to strengthen and improve government.

Speaker, you will remember that in February, firefighter hopeful Adam Brunt died tragically during a private fire safety training accident. We found out today that the police have completed their investigation. So what happens now? Gary Kendall and Adam Brunt were two men who died under similar training circumstances five years apart. The families of Gary Kendall and Adam Brunt came to Queen's Park to pursue inquests and to ask this government to address this unregulated industry, this

safety loophole. People should not die in loopholes. We have identified one that continues to exist and one that will surely come up again and might result in another tragedy. We are not willing to wait for someone else to die.

We have the opportunity to focus on a private industry without oversight. We have the opportunity to work together to find a solution. We have the opportunity to strengthen and improve government. Will the government work with us, with the families, with training experts and with the appropriate ministries to solve an identified problem in the interests of improving safety training?

Students who dream of becoming firefighters and who have hopes of making communities safer for others deserve to be safe. Whether these students and trainees understand or not, their lives will continue to be put at unnecessary risk until changes are made. Adam died in training before he could live the dream of becoming a firefighter. No one should die in training.

So again today, we call on the government to consult with experts, stakeholders and the families of the victims to ensure that firefighting students are afforded the protections they deserve. Let's actually do something positive to strengthen and improve government and the lives of real people together and not just debate it.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Scarborough–Agincourt.

**Ms. Soo Wong:** I'm pleased this afternoon to speak in support of Bill 85. I listened attentively to the member from Wellington–Halton Hills. I want to say thank you so much for acknowledging the good work of our government, especially the numerous ministers he acknowledged, in terms of building the new health facilities. But also he was elaborating on all the different ministries working collaboratively to have this new health centre built in his riding of Wellington–Halton Hills. I'm sure the member opposite will probably support what the government is doing in terms of the 10-year plan in infrastructure. I was very, very pleased to hear the member talking about supporting the government's work on infrastructure capital activities.

I am very, very pleased to support Bill 85 on a number of issues. Number one, as a member from the city of Toronto, the great riding of Scarborough–Agincourt, the proposed legislation, if passed, will amend portions of the City of Toronto Act, 2006. There are two parts to the amendment. First, it will increase government efficiency and streamline the notice requirements by redirecting the notice to the Minister of Finance, who actually will have a primary interest in monitoring the integrity of the tax base for school purposes. But the second part of the amendment that is very, very important, especially in my riding, is that the proposed change will make it easier for the Toronto Transit Commission, better known as the TTC, to expand service to York region and other neighbouring municipalities, adjusting the provisions of the act. For example, many of my constituents are going further east, to the University of Ontario, to go to post-

secondary. Furthermore, constituents are going over to Durham for work-related purposes. By having this amendment, it would allow a smooth transit flow across the greater Toronto area.

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**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Mr. Michael Harris:** I'd like to lend my two minutes to my colleague from Wellington–Halton Hills' comments on this particular subject.

I want to first off commend the government, obviously, on the naming of Highway 6 in memory of the late Jack Johnson, former MPP. I was actually born and raised right beside Jack Johnson. I had the opportunity to grow up right beside him and to speak to him on several occasions, even leading up to my own election win. I'll be participating with my colleague from Wellington–Halton Hills next Friday, and I very much look forward to doing that. Mount Forest is where I grew up and was raised, and I look forward to going back next week.

I want to again expand on and highlight some of the comments that my colleagues made surrounding our fiscal situation here in the province of Ontario. It's an extremely dire situation. He talked about the projected provincial net debt of \$298.9 billion. That is significant. I talk to folks all the time. I remind them that our annual interest payment, around \$12 billion, is the third-largest spending commitment in Ontario. That's approximately what we spend already on colleges and universities in the province of Ontario. Can you only imagine what we could do to invest in roads and infrastructure, education and health care with \$12 billion a year? But instead, we're spending it offshore for those creditors taking our debt.

I couldn't help but notice the net debt per capita is \$21,642. I know my family is at home watching. We just had a daughter on August 4. Her name is Rosie. Before Rosie had one of her first few breaths, she owed \$21,000, and that's in large part because of the reckless spending of the Liberal government here in Ontario.

I can't mention Rosie without mentioning Lincoln, Murphy and Brayden. I know they're all watching, so I'll be home after this all concludes and we'll be able to talk more about net debt and the financial situation of Ontario.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Mr. Peter Tabuns:** It's a pleasure to rise in the chamber following the speech by the member from Wellington–Halton Hills.

Speaker, we've had a fair amount of opportunity to comment on this bill. My colleague Jagmeet Singh previously addressed this bill. I want to go back to some of the points that he raised, because he talked about the sections in this bill that deal with the Ministry of Labour, and he talked about the potential for these changes to bring some incremental benefit to the ministry. But more importantly, he noted that with the lack of enforcement currently out there, no matter how much you improved

the bill, you wouldn't actually be making the difference that people need to have made.

There isn't enough enforcement, so consequently, there isn't compliance with the existing act. There are a number of protections that are included in employment standards that are supposed to be administered by the Minister of Labour, but many of those protections become meaningless when there is no enforcement. To ensure that there's proper enforcement, the Ministry of Labour needs to have adequate staffing. Unfortunately, this bill doesn't address that matter.

We can pass as many laws as we want. If the budget dollars aren't there for the enforcement programs so that the existing laws are enforced, then piling new laws on top isn't going to make much of a difference.

I have to note something that Mr. Singh brought up previously, and certainly I've seen in my own riding—

**The Deputy Speaker (Mr. Bas Balkissoon):** I would remind the member that this is the second time you have referred to a member of this Legislature by name. I think we'll raise the debate if we stick to the rules.

**Mr. Peter Tabuns:** My apologies, Speaker. Thank you for that timely and helpful reminder.

The member from Bramalea–Gore–Malton: One of the issues he raised previously was that of people in precarious employment. Certainly that's an issue that this assembly needs to address.

**The Deputy Speaker (Mr. Bas Balkissoon):** I will now return to the member for Wellington–Halton Hills for a two-minute response.

**Mr. Ted Arnott:** I express my appreciation to the members who responded to my remarks this afternoon.

I would return again to the importance of the need for a new courthouse and new court facilities in Halton region. I issued a news release on November 7, 2014, talking about the need. I discussed it with a number of people, obviously, but I was very pleased that in response to this news release on November 7, I received a letter. I think I need to keep the person's name out of the public record and protect their anonymity, but the letter I received is as follows: "I was delighted to see a copy of MPP Ted Arnott's press release dated November 7, 2014, calling upon the provincial government to move forward with the construction of a new courthouse facility in Halton county and wanted to share it with you in the event you had not seen it."

The person goes on: "Since you are most familiar with the courthouse, you know well that it suffers from numerous and significant deficiencies. As I referenced in my address at..." a previous ceremony, "the situation in the Milton courthouse is desperate, deplorable and grave. It requires an immediate, major capital investment as an urgent priority of this government. There are insufficient courtrooms and chambers for judges; as a result, matters must often be rescheduled to other court centres, where possible. The neighbouring court locations in Brampton and Orangeville are equally pressed and can no longer serve as 'overflow' courthouses for the busy dockets in Milton. There are risks, virtually every week, of success-

ful Askov applications being brought. Courtrooms are poorly equipped, with poor sound quality. On occasion, criminal jury trials in Milton need to be adjourned because of sound interference from adjacent courtrooms.

"There is no accommodation, whatsoever, for jurors in Milton. When jury panels are called (a regular occurrence in Milton), potential jurors must sit in stairwells or roam the corridors until they can be sufficiently accommodated in a courtroom."

I have to stop now because the time is up, but I want to assure the government that I'm going to continue to raise this issue until it's resolved.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate.

*Interjections.*

**Ms. Jennifer K. French:** Thank you, Speaker, and thank you for the applause.

As always, it is my privilege to join in the debate on behalf of the people of Oshawa. It's another important and meaningful opportunity for me to stand in this Legislature and speak to what I had hoped would be an important and meaningful bill.

Bill 85 is called An Act to strengthen and improve government, as we've heard. You know what? This isn't an opportunity that will come along very often, I don't imagine. What is in this bill? Is it full of timely and necessary improvements and ways to strengthen our health care system? It is a brand new, fairly funded education system laid out in detail? No, no, it is not.

Mr. Speaker, if you are wondering if it is finally the details that people, real people, are asking about when it comes to the new Ontario Retirement Pension Plan, it isn't that either. It does not outline a fair way for our families to access dental care or find doctors, but perhaps we should look more closely at the bill.

A bill tasked with strengthening and improving government should address safety and security in our communities, whether in our correction system or our long-term-care facilities, but alas, it does not.

When I was slotted to speak to this bill, I was really looking forward to discussing ways to strengthen and improve government. Mr. Speaker, something you may not have known, but before being elected I spent a fair bit of time imagining ways that the government could improve. I used to sit with my neighbour, actually in our backyards, lamenting all of the ways that the government was targeting ordinary folks in the province and imagining ways that situations could be improved or bettered.

So here I stand in this proud Legislature with the opportunity to speak on Bill 85, An Act to strengthen and improve government by amending or repealing various Acts. There is nothing interesting or involving in this bill.

**Interjection:** Oh, come on. How can you say that?

**Ms. Jennifer K. French:** The truth hurts, Mr. Speaker. But you've also heard over and over that this is a housekeeping bill. It's a housekeeping bill—

*Interjections.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Order.

**Ms. Jennifer K. French:**—necessary, with bits and snippets, updates and fine-tuning that make a bit of difference across various acts. Update a word here, smooth something out there; fine and absolutely necessary. But as my colleague from Bramalea–Gore–Malton suggested yesterday—not yesterday; the other day—if the bill were called the bill to address some minor housekeeping measures, it would be accurate and there would really be no issue. As it stands, it is not interesting enough to debate on its own merits, but when we think about the title, Mr. Speaker—an act to strengthen and improve government—we could talk all day, couldn't we?

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In fact, there are so many ways to improve government that I just couldn't choose where to begin; so I didn't. I actually let my constituents' letters and emails decide and steer where this speech was going to go. I decided to bring a stack of letters and ideas from my constituents.

My constituents, like many others, have wonderful opinions; they have insights, suggestions, concerns and recommendations. Since the government seemed to come up short on ideas and ways to actually strengthen and improve government, I am pleased to share some of those ideas from Oshawa to support the stated purpose of this bill.

Let's talk about what is in the bill and then what is in the title. This is a flimsy omnibus bill full of tidbits and unrelated changes that could have appeared as minor schedules in a budget bill, affecting 14 different acts. It was introduced last session as Bill 151, which we've heard, and now we see it with a few updates. We've heard it today affectionately referred to as the "kitchen sink bill."

Schedule 1 amends the Courts of Justice Act and adds proceedings under the Civil Marriage Act to the list of proceedings that are within the jurisdiction of the Family Court. Among other things, it also creates a senior advisory family judge. This would be a position that will instruct the Chief Justice on matters pertinent to family law. Other changes bring the province in line with federal law around the Family Homes on Reserves and Matrimonial Interests or Rights Act (Canada)—housekeeping.

Here is a bit that isn't housekeeping. I thought that since this bill purports to strengthen and improve government, specifically when it comes to family law and Family Courts, I thought I would share part of a letter from one of my constituents on this very subject. From this letter from Rory: "I am totally committed to reforming the Family Court system, including the children's aid society, Office of the Children's Lawyer and the Family Responsibility Office.

"I do understand the magnitude of this objective. However, I do believe it is possible, and I strongly believe it is long overdue. My commitment over the past several years has demonstrated my resolve and my ability to achieve results....

"I am confident that ... we will be able to save countless children and families from the devastating and destructive system calling itself Family Court.

"Over the years, I have been contacted by many people who have had their lives destroyed, and the lives of their children damaged to an extreme, by Family Court....

"It is not easy to take on the system ... I have been lied to, threatened, intimidated, driven to the edge of bankruptcy and have had people, at high levels, demand that I stop what I was doing or they would take my children. This must stop...."

Mr. Speaker, those are fairly compelling words, and this is a letter from one of my constituents. If anyone on the government side would like to connect with him, please let us know.

This is one letter, as I said, from an individual who has been struggling with a particular system for years, and who would be more than happy to help the government navigate its own system and hopefully strengthen and improve it.

I would also like to share ways to strengthen and improve government, especially when it comes to family law. I will preface this with a little background: When I was taking one of my education law courses—no, I'm not a lawyer, but I took a course—my professor was a very knowledgeable and sitting judge in Toronto. He had worked for the bulk of his career in Family Court and, as you can imagine, had wonderful insight and understanding of the system. I asked him what the most important thing to change would be and he immediately focused on the gap for youth between 16 and 18. This is a time of limbo for many youth without options.

Mr. Speaker, you may recall that earlier this session this House carried the Right to Care Act, which we passed in March 2015 after being brought to the Legislature first by former member Rod Jackson and then by the member from Stormont–Dundas–South Glengarry. The bill is currently somewhere in limbo, like our youth; only it's in limbo in the Standing Committee on Social Policy. Our youth are still stuck in a real system with no supports.

I would like to remind the government and that committee that the youth who fall into the gaps between 16 and 18, who find themselves in need of services and support, are left to fend for themselves, no longer protected as children and not yet eligible for adult services. We do not adequately support our province's children in the 16-to-18-year age gap.

The Canadian Foundation for Children, Youth and the Law's operating arm, Justice for Children and Youth, is an organization that promotes and defends the rights and dignity of young people. I will quote them in regard to the situation: "Many of the young people who seek the assistance of Justice for Children and Youth are ineligible for child protection services simply on the basis of their age." "Youth needing care ... after they turn 16 are left with few choices to sustain their safety and security, often leaving them with no option but the shelter system or the streets."

Here is a way to strengthen and improve government, a way that has already been suggested and carried

through the House, and our children are still waiting. One way to strengthen and improve government is to prioritize substantial and meaningful legislation and not to let solutions collect dust on Liberal shelves.

But let's get back to the bill. Schedule 2 deals with provisions of the Vital Statistics Act. Schedule 3 amends the Commitment to the Future of Medicare Act. Well, there's an area of focus. Let's talk about our commitment to the future of health and medicare. All we seem to see and feel are cuts. While this government may give with one hand, they take away with the other. We need to be strengthening and improving our whole system, not just bits and parts. I had a long and honest conversation with a constituent in my riding named Susie. I'm glad to have the opportunity to share some of her ideas with you on health and care, social services and aging in this province.

"When it comes to long-term care, CCAC needs to be revamped and be less confusing for families. For my parents, we had to fight to keep my parents together. Every time we'd call in, we'd get a different worker, and when we were having family meetings, it was new workers, and you would be telling the whole thing all over again. It was all very frustrating and confusing. To imagine having to put a spouse into long-term care must just be overwhelming.

"When my family dealt with CCAC, it was a ... nightmare. Every time, we had to talk to someone different. The whole system needs to be revamped. It's just so" darn "confusing. Trying to navigate the system as an English-speaking person is hard enough, forget it if you are an elderly person with a bit of a language barrier."

She continues making suggestions on ways to strengthen and improve government. She continues with, "I'm sorry but the government needs to spend money on health care. All the cuts to hospitals, nurses, beds. It's destroying health care.

"Also, everything needs to be increased for seniors. I am on ODSP. When I hit 65 and I get cut off of ODSP, then what happens? When we turn 65, we are supposed to be on OAS, but now that's 67. So what happens? How do people get and take their medications?"

"People are making the choice to take half of their dosage to cut their medication costs so they can pay rent or buy food. I can't even think about it yet. I'm just praying that by the time I get to that age, we will have a government that will bring the age back down to 65. Tom Mulcair said one of the first things he'll do is bring the age back to 65.

"I also pray that I will be able to age with dignity. The women who work in my mom's nursing home, they're run off their feet. They just don't have the time. There aren't enough staff. They don't have what they need. That's even in the government-funded homes. There is never enough. They need more beds. The other day, I met a woman whose husband is stuck in the hospital waiting for a bed. After a few months, the family has to start paying if they don't have insurance."

There are real people with real challenges living real lives outside of the political bubble here at Queen's Park.

To spend the time on a bill, when what it accomplishes can be done efficiently in minor schedules in a more substantial bill, is a waste. This government pretends that it spends time debating bills, but they just ram them through without substantive and honest input from our communities. And now this bill—housekeeping—is taking up legitimate debate time. To that point, we have some legitimate debate time left on the clock, and I am pleased to be able to bring those voices from our communities.

I have more ideas to share about strengthening and improving government. I'm hearkening back to the title of the bill. Despite the fact that the government may not be interested in listening to all Ontarians, I have a few more lined up. Before we move away from schedule 3 and the government's attempt to strengthen and improve health and medicare, I would like to share a letter from Diane, a concerned and frustrated parent in my riding in regard to the Children in Need of Treatment Program, or CINOT, which is the dental program.

"Dear Premier Wynne:

"I am writing to you today about something that is my number one priority in life—my children, in particular, my now eight-year-old son.... I am a single mother of two darlings. I not only hold a demanding full-time job of 40-plus hours per week, I also work another part-time job on Saturdays. I work hard to provide for my children and I still struggle some months to make it all work. Tell me Premier, have you ever stood staring at your grocery store cart and wondered if you had enough money to purchase your groceries?"

"My son's school was fortunate enough to have a dental hygienist attend the school to conduct a quick peek at his teeth. At that time, it was brought to my attention ... that" he "was in dire need of dental treatment....

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"Both myself and" his "dad pay for dental benefits through our respective employers—my benefit plan costs over \$120 a month. With such extensive and costly dental work required, the dentist forwarded an estimate to both of our insurance companies. The estimate was returned at approximately \$2,700 for the procedure required, with our combined benefits covering \$2,000.

"When I called the oral health department to inquire about financial assistance through CINOT"—again, the Children in Need of Treatment Program—"for only the balance of approximately \$700, I was advised that I did not qualify!!! How is that fair, I asked myself. I work hard, I am not a financial burden on the government, I pay my taxes.... What is wrong with this program!!!...

"I felt betrayed and angered that the criteria for this program even existed....

"Do politicians and executives who don't have money troubles sit in a boardroom and determine the criteria for such programs? It is just wrong that all children are not treated equal in the province of Ontario through this program. I do have an income, I do have insurance; however, this was a financial struggle for me and I had to borrow money to make sure" his "procedure was com-

pleted and I had to borrow money at an outrageous interest rate.... I am still angered by this and I am determined that the program guidelines need to be revisited to allow all parents a form of assistance ... just because we have a job and benefits sure doesn't mean that we can afford this without causing ourselves financial stress." That's from Diane.

While we've still got time to talk about health care and dental, here's a quick letter from Donna from my riding.

"Good day, Miss French.

"I'm writing to you today about dental care in our province. I was one of the lucky ones growing up that had dental care because my father was a firefighter here in Oshawa. Now as an adult working for minimum wage, going to the dentist is something I simply cannot afford. I like many people try to do everything I can to help keep my teeth healthy, but home care is not enough. Any dental professional would agree with me that dental care is crucial to the overall health of Ontarians. Then why are so many of us unable to get the dental care we need? There are programs in place for children but we need a more comprehensive program for adults in low-income homes. Programs like at our own Durham College where people can get cleanings by dental students at a reduced price. Or a clinic in Whitby offering a free dental day offering extractions, cleanings or fillings. Alas, it is so sad that people in our communities will be lining up around this clinic like people waiting at an Apple store for the latest cellphone to have their teeth pulled! It is a shame that our health care system is failing people in many ways.

"I have faith in the system. I hope that your caucus will" tackle "this problem ... and help us face the world with healthy smiles." That's from Donna from Oshawa.

I appreciate these letters, and I hope that my colleagues in this Legislature also appreciate hearing real stories because there are suggestions and solutions waiting to be found out there. Let's tap into some of those.

Mr. Speaker, we could spend all day talking about the ways we need to strengthen and improve health care in this province, but I am going to move on to some of the other housekeeping measures in this bill.

Schedule 4 mostly aligns the Ministry of Labour with tribunal rulings.

Schedule 5 repeals the City of Brantford Act and the City of Hamilton Act, and amends the City of Toronto Act and amends the Municipal Act allowing the region of Waterloo to pass bylaws regulating lands for commercial and industrial use.

Schedule 6 updates the Ontario College of Trades and Apprenticeship Act, 2009, to cite the Public Inquiries Act, 2009—housekeeping.

But since the government brought it up, I'd like to actually refer back to my friend Susie and her perspective on this:

"One suggestion for unemployment and youth comes from when I was graduating back in 1980. You could take a skill like nursing or the trades and they would pay

your course if you signed an agreement to work for five years in the province of Ontario. Why can't the government focus on the trades? They don't have the young people they will need to replace this generation of tradespeople. With all the unemployment with youth, why aren't they offering programs? Why aren't they ensuring that there are jobs?

"They got rid of Vanier high school in Oshawa long ago. It was a trades school. Students did really well with the hands-on learning there. Not everyone is cut out for learning from books. Well, Harris closed it. If Vanier was still around, students would have an option. I went to school with a friend who took welding and after graduation he got his ticket and became a welder. He got a job at GM as a welder. He's retired now, but he is still needed to do contract work because there aren't enough young welders. Now they are wanting to close Oshawa Central Collegiate Institute. What options will kids have then?"

Mr. Speaker, do you know how cutting a school that is in the heart of the south-end community will somehow strengthen or improve matters for us in Oshawa?

The government is talking a lot about creating hubs which would strengthen and improve our communities. Well, Oshawa Central Collegiate Institute is already a functioning hub with a long history and an optimistic future, but our school boards are so strapped they are having to de-hub communities. How sad. If this government succeeds in closing Central as part of their cut parade, south Oshawa is not going to recover from the loss. Their students can't afford the bus to get to the next-closest school and they would have to leave hours earlier to get there, should they walk, which many students are not going to be likely to do. Central is one of their homes. This is not how we strengthen and improve; this is how we diminish and weaken: cut, cut, cut.

Schedule 7 creates a stretcher transportation services section of the highway act. Additionally, it would change how the Ministry of Transportation can notify of vehicle suspensions to include means other than by mail—for example, at ServiceOntario counters.

I'm so glad that the government brought up ServiceOntario. It just so happens that I have another letter. This is from Maralyn in my community.

"I wish to voice concern regarding a recent personal experience in applying for a disability parking permit." I'm going to skip ahead in the interest of time, here. Maralyn was diagnosed with extreme arthritis and received a note of medical support for the parking permit. She went to the ServiceOntario office, had to wait in a few different lines, was in discomfort and, as she was encouraged by ServiceOntario, submitted a feedback form.

It was noted in their email response "that chairs are available for those with disability and indeed the office had three, each occupied by what appeared to be able-bodied people. Regardless, I do not see chairs as the solution."

Maralyn's suggestion: It is her fervent hope "that a change can be made across the province to allow those

applicants applying in person for a disability parking permit at minimum the same express service as that afforded those in the dealership business”—an express lane, if you will.

Mr. Speaker, I'm out of time. Thank you.

*Second reading debate deemed adjourned.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Seeing the time on the clock, this House stands adjourned until Wednesday, September 23 at 9 a.m.

*The House adjourned at 1757.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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Clerk / Greffière: Deborah Deller

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Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
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<b>Chiarelli, Hon. / L'hon. Bob (LIB)</b>	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Energy / Ministre de l'Énergie
Clark, Steve (PC)	Leeds–Grenville	
Colle, Mike (LIB)	Eglinton–Lawrence	
<b>Coteau, Hon. / L'hon. Michael (LIB)</b>	Don Valley East / Don Valley-Est	Minister of Tourism, Culture and Sport / Ministre du Tourisme, de la Culture et du Sport Minister Responsible for the 2015 Pan and Parapan American Games / Ministre responsable des Jeux panaméricains et parapanaméricains de 2015
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<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough-Centre	Minister of Economic Development, Employment and Infrastructure / Ministre du Développement économique, de l'Emploi et de l'Infrastructure
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Fife, Catherine (NDP)	Kitchener–Waterloo	
<b>Flynn, Hon. / L'hon. Kevin Daniel (LIB)</b>	Oakville	Minister of Labour / Ministre du Travail
Forster, Cindy (NDP)	Wellsand	
Fraser, John (LIB)	Ottawa South / Ottawa-Sud	

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Gates, Wayne (NDP)	Niagara Falls	
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Hardeman, Ernie (PC)	Oxford	
Harris, Michael (PC)	Kitchener–Conestoga	
Hatfield, Percy (NDP)	Windsor–Tecumseh	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Hoggarth, Ann (LIB)	Barrie	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
<b>Hoskins, Hon. / L'hon. Eric (LIB)</b>	St. Paul's	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
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Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
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Martins, Cristina (LIB)	Davenport	
Martow, Gila (PC)	Thornhill	
<b>Matthews, Hon. / L'hon. Deborah (LIB)</b>	London North Centre / London- Centre-Nord	Deputy Premier / Vice-première ministre Minister Responsible for the Poverty Reduction Strategy / Ministre responsable de la Stratégie de réduction de la pauvreté President of the Treasury Board / Présidente du Conseil du Trésor
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McGarry, Kathryn (LIB)	Cambridge	
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<b>McMeekin, Hon. / L'hon. Ted (LIB)</b>	Ancaster–Dundas–Flamborough– Westdale	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
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Miller, Norm (PC)	Parry Sound–Muskoka	

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<b>Miller, Paul (NDP)</b>	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	Third Deputy Chair of the Committee of the Whole House / Troisième vice-président du comité plénier de l'Assemblée législative
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Natyshak, Taras (NDP)	Essex	Government House Leader / Leader parlementaire du gouvernement
<b>Nicholls, Rick (PC)</b>	Chatham-Kent–Essex	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du comité plénier de l'Assemblée législative
<b>Oraziotti, Hon. / L'hon. David (LIB)</b>	Sault Ste. Marie	Minister of Government and Consumer Services / Ministre des Services gouvernementaux et des Services aux consommateurs
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Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
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<b>Sandals, Hon. / L'hon. Liz (LIB)</b>	Guelph	Minister of Education / Ministre de l'Éducation
Sattler, Peggy (NDP)	London West / London-Ouest	
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<b>Sergio, Hon. / L'hon. Mario (LIB)</b>	York West / York-Ouest	Minister Responsible for Seniors Affairs Minister Without Portfolio / Ministre sans portefeuille
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Takhar, Harinder S. (LIB)	Mississauga–Erindale	
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Amrit Mangat, Gila Martow  
Kathryn McGarry, Norm Miller  
Jagmeet Singh, Peter Tabuns  
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Han Dong, Sylvia Jones  
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Taras Natyshak, Peggy Sattler  
Laurie Scott, Daiene Vernile  
Committee Clerk / Greffier: Katch Koch



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